

**BOARD OF ADJUSTMENT AGENDA**  
**REGULAR MEETING | AUGUST 8, 2023 AT 5:30 PM**  
**CITY COUNCIL CHAMBERS | 405 MUNICIPAL DRIVE , KENNEDALE, TX 76060**

**I. CALL TO ORDER**

*To address the Board of Adjustment regarding an agenda item, submit a 'Request to Speak' form before the meeting begins. Speakers are allotted three (3) minutes, must limit their comments to the subject indicated on the form, and should address the Board of Adjustment as a whole, rather than individual members or staff. Pursuant to Texas Government Code §551.071, the Board of Adjustment reserves the right to adjourn into Executive (Closed) Session at any time during the meeting to seek legal advice from the City Attorney on any item posted on the agenda.*

**A. ROLL CALL**

**II. REGULAR SESSION**

**A. SWEARING IN OF SPEAKERS**

**B. ITEMS FOR INDIVIDUAL CONSIDERATION**

1. Approval of the minutes from the JULY 13, 2023 Regular Meeting
2. Discuss and consider alternate members for the Board of Adjustments/Board of Appeals.
3. **CASE# BOA 23-06** Discuss and consider a land use determination regarding a development proposal from Cypress Creek Renewables at 509 New Hope Rd, Kennedale, Tx. 76060

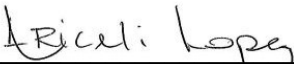
**III. PUBLIC HEARING**

- A. **CASE BOA 23-04** to receive comments and consider action on a request for a Special Exception Use by Scott Meek of Mansfield Sand & Select LLC, for the special exception use of Outdoor Storage, Commercial and Industrial as required BY Section 6.2 of the Unified Development Code for 1000 E Kennedale Parkway, Block 1, Lot 1, of the Sargent Addition, City of Kennedale, Tarrant County, Texas.
- B. **CASE# BOA 23-05** To receive comments and consider action on a request for a Special Exemption for permitted paving materials by Tamiko Sargent as required by Section 1138.38.9 (C) of the United Development Code for 900 Kennedale Sublett Rd. BLOCK 1, LOT 1, of Sargent Addition, City of Kennedale, Tarrant County, Texas.

**IV. ADJOURNMENT**

**CERTIFICATION**

*I DO HEREBY CERTIFY THAT THE AUGUST 8, 2023 BOARD OF ADJUSTMENT AGENDA WAS POSTED INSIDE THE MAIN ENTRANCE OF CITY HALL (405 MUNICIPAL DRIVE), IN A PLACE CONVENIENT AND READILY ACCESSIBLE TO THE GENERAL PUBLIC AT ALL TIMES; AND THAT SAID AGENDA WAS POSTED AT LEAST SEVENTY-TWO (72) HOURS PRECEDING THE SCHEDULED TIME OF SAID MEETING, IN ACCORDANCE WITH CHAPTER 551 OF THE TEXAS GOVERNMENT CODE.*

  
ARICELI LOPEZ, SECRETARY

In compliance with the Americans with Disabilities Act (ADA), the City of Kennedale will provide for reasonable accommodations for persons attending meetings. This facility is wheelchair accessible and accessible parking spaces are available. Requests for sign interpreter services must be made forty-eight (48) hours prior to the meeting by calling 817-985-2104 or (TTY) 1-800-735-2989.



**MEETING DATE:** AUGUST 8, 2023

**AGENDA ITEM NUMBER:** INDIVIDUAL CONSIDERATION ITEM II.B.

**SUBJECT**  
ITEMS FOR INDIVIDUAL CONSIDERATION

**ORIGINATED BY**

**SUMMARY**

**RECOMMENDATION**

**ATTACHMENTS**

**MEETING DATE:** AUGUST 8, 2023

**AGENDA ITEM NUMBER:** CONSENT AGENDA ITEM II.B.1.

**SUBJECT**

Approval of the minutes from the JULY 13, 2023 Regular Meeting

**ORIGINATED BY**

**SUMMARY**

**RECOMMENDATION**

**ATTACHMENTS**

|    |                                     |                                          |
|----|-------------------------------------|------------------------------------------|
| 1. | 7.13.23 FINAL MINUTES FOR SIGNATURE | 7.13.23 FINAL MINUTES FOR SIGNATURE.docx |
|----|-------------------------------------|------------------------------------------|

**BOARD OF ADJUSTMENT AGENDA**  
**REGULAR MEETING | July 13, 2023 AT 5:30 PM**  
**CITY COUNCIL CHAMBERS | 405 MUNICIPAL DRIVE,**  
**KENNEDALE, TX 76060**

**I. CALL TO ORDER**

- (5:32 PM)

*To address the Board of Adjustment regarding an agenda item, submit a 'Request to Speak' form before the meeting begins. Speakers are allotted three (3) minutes, must limit their comments to the subject indicated on the form, and should address the Board of Adjustment as a whole, rather than individual members or staff. Pursuant to Texas Government Code §551.071, the Board of Adjustment reserves the right to adjourn into Executive (Closed) Session at any time during the meeting to seek legal advice from the City Attorney on any item posted on the agenda.*

**A. ROLL CALL (5:33pm)**

- **PRESENT: Thelma Kobeck, Kelli Rod, Pat Vader**
- **ABSENT: Azam Shaikh, Jessica Buchanan**
- **STAFF: Nathan Gonzales (Community Development Director)**
  - **Ariceli Lopez (Board Secretary)**
- **NO QUORUM: Meeting was motioned unanimously for adjournment due to lack of the minimum number of members in attendance for the July 13, 2023 Board of Adjustment meeting in order to make the proceedings of that meeting valid.**

**II. ADJOURNMENT**

**MOTION TO ADJOURN: (5:33 PM)**

- **(1<sup>ST</sup>) Pat Vader, (2<sup>nd</sup>) Kelli Rod**
- **VOTE WAS UNANOMOUS**

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Thelma Kobeck- Board Chair

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Ariceli Lopez; Board Secretary

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**MEETING DATE:** AUGUST 8, 2023

**AGENDA ITEM NUMBER:** INDIVIDUAL CONSIDERATION ITEM II.B.2.

**SUBJECT**

Discuss and consider alternate members for the Board of Adjustments/Board of Appeals.

**ORIGINATED BY**

**SUMMARY**

**RECOMMENDATION**

**ATTACHMENTS**



## STAFF REPORT TO THE BOARD OF ADJUSTMENT

### I. SUBJECT

**CASE # BOA 2306** Discuss and consider a land use determination regarding a development proposal from Cypress Creek Renewables at 509 S New Hope Rd, Kennedale, TX, 76060.

**ORIGINATED BY:** Nathan Gonzales

### II. SUMMARY

| BACKGROUND AND OVERVIEW            |                                                       |
|------------------------------------|-------------------------------------------------------|
| <b>Request</b>                     | Land Use Determination by BOA                         |
| <b>Applicant</b>                   | Parker Sloan, Micah King for Cypress Creek Renewables |
| <b>Location</b>                    | 509 S New Hope Rd                                     |
| <b>Surrounding Uses</b>            | Industrial and Residential                            |
| <b>Surrounding Zoning</b>          | I, PD-MHD, RS                                         |
| <b>Future Land Use Designation</b> |                                                       |
| <b>Staff Recommendation</b>        |                                                       |

### III. CURRENT STATUS OF THE PROPERTY

The property is currently a vacant milled asphalt lot and is zoned "I-Industrial District," with half of the property subject to the Commercial Corridor Overlay District (Business 287, UDC Section 8.2). The purpose of the Commercial Corridor Overlay District is to establish a consistent development pattern to enhance the visual image of the corridor and to maximize traffic safety. Land uses of the underlying zoning district are permitted, however, an *Outdoor Storage- Commercial and Industrial* land use is not permitted by right, but instead requires a *Special Exception Use* granted by the Board of Adjustment. There are no longer any buildings or accessory structures at this location as they were demolished years ago. The property is fenced with a chain link fence and barbed wire. The property has sat vacant for a number of years. If and when the property is redeveloped, building siting, landscape, and parking will need to meet the requirements of the Commercial Corridor Overlay District.

The applicant, Scott Meek, owns Mansfield Sand & Select, LLC, which is located in Mansfield, TX (See Exhibit A).

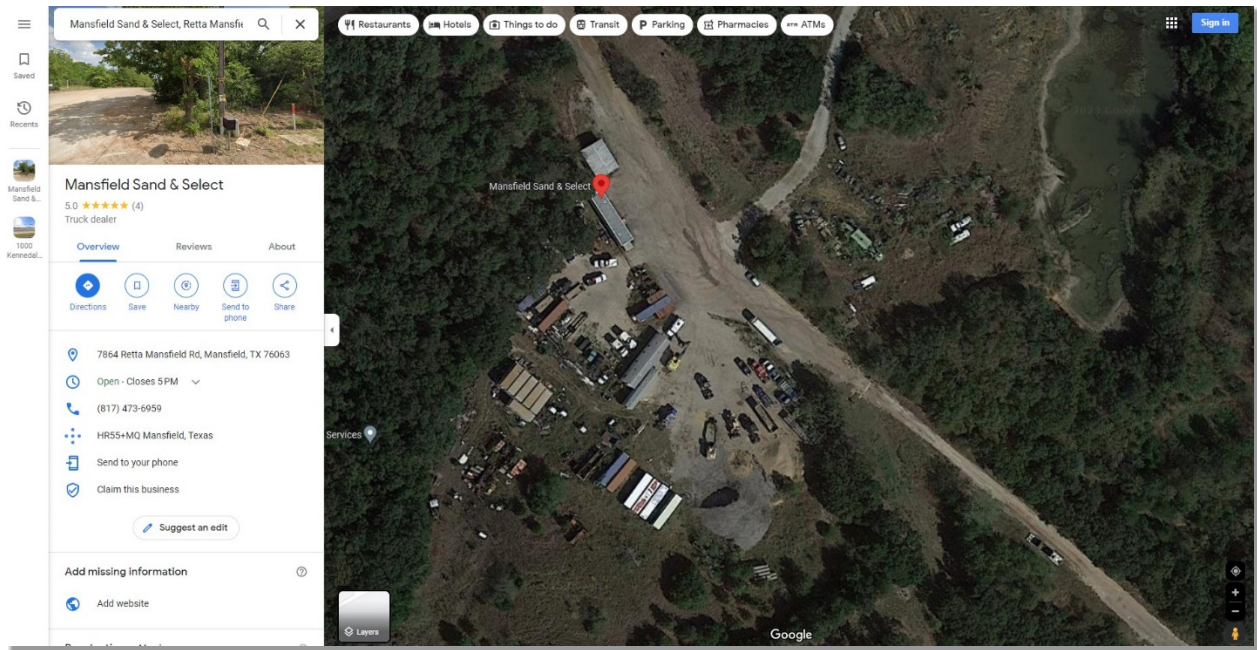


Exhibit A- Mansfield Sand & Select, 7864 Retta Mansfield, Rd, Tarrant County

The applicant is proposing to utilize the property to park commercial vehicles, for a fee, *and* to store industrial materials. It is presumed these materials would be sand and gravel, or those associated with the applicant's Mansfield Sand & Select business operation. At this time, the applicant has not proposed to build a parking facility or structure on-site to support the parking portion of this operation. The applicant has offered to screen both the parking and materials from view, if required. In determining the property land use classification for this proposal, staff reviewed two land use definitions noted in our Unified Development Code:

*Outdoor storage- commercial and industrial:* The outdoor placement of goods, such as building or construction materials, equipment, vehicles, trailers, and other supplies, for future use, production, storage, assembly, preservation, or disposal. (Requires Special Exception in I District)

*Parking facility, public or commercial-* A public or commercial parking lot or structure providing parking either for free or for a fee. Does not include a towing impound or storage facilities. (Permitted by right in I District)

Staff believes this use best meets the definition of *Outdoor storage- commercial and industrial* as the proposed use *includes* the storage of materials on-site.

#### **IV. SURROUNDING PROPERTIES & NEIGHBORHOOD**

The property is surrounded by I-Industrial to the north, south, and west. To the east are properties zoned C-2 Commercial and PD-Industrial (See Exhibit B).





Exhibit B- 1000 E Kennedale Parkway

The Future Land Use Plan (FLUP) envisions an Urban Village in this area of the city, with an adjacent Urban Corridor and a small portion devoted to light industrial land uses to the west and southwest (See Exhibit C)



Exhibit C- Future Land Use Plan



Kennedale's adopted Comprehensive Plans provides samples of types of development that should occur within Urban Villages. These include retail, multi-tenant offices, apartments, and restaurants to name a few. The Urban Corridor includes restaurants, professional offices, retail, and service type offerings.

The FLUP has called for an extension of Little School Rd across Kennedale Parkway providing a connection to New Hope Rd. The planning and route study for this road extension is currently underway. City Council has recently approved a route study to be performed by Freese & Nichols, Inc. Tarrant County has also granted funding to assist with the construction costs of the project. At this time, it is unclear which route the Little School Rd will extend to the south and how much right-of-way will need to be secured and/or extended on the both sides of Kennedale Parkway (See Exhibit D). The city plans to have a bond election later this fall for the construction of this road.

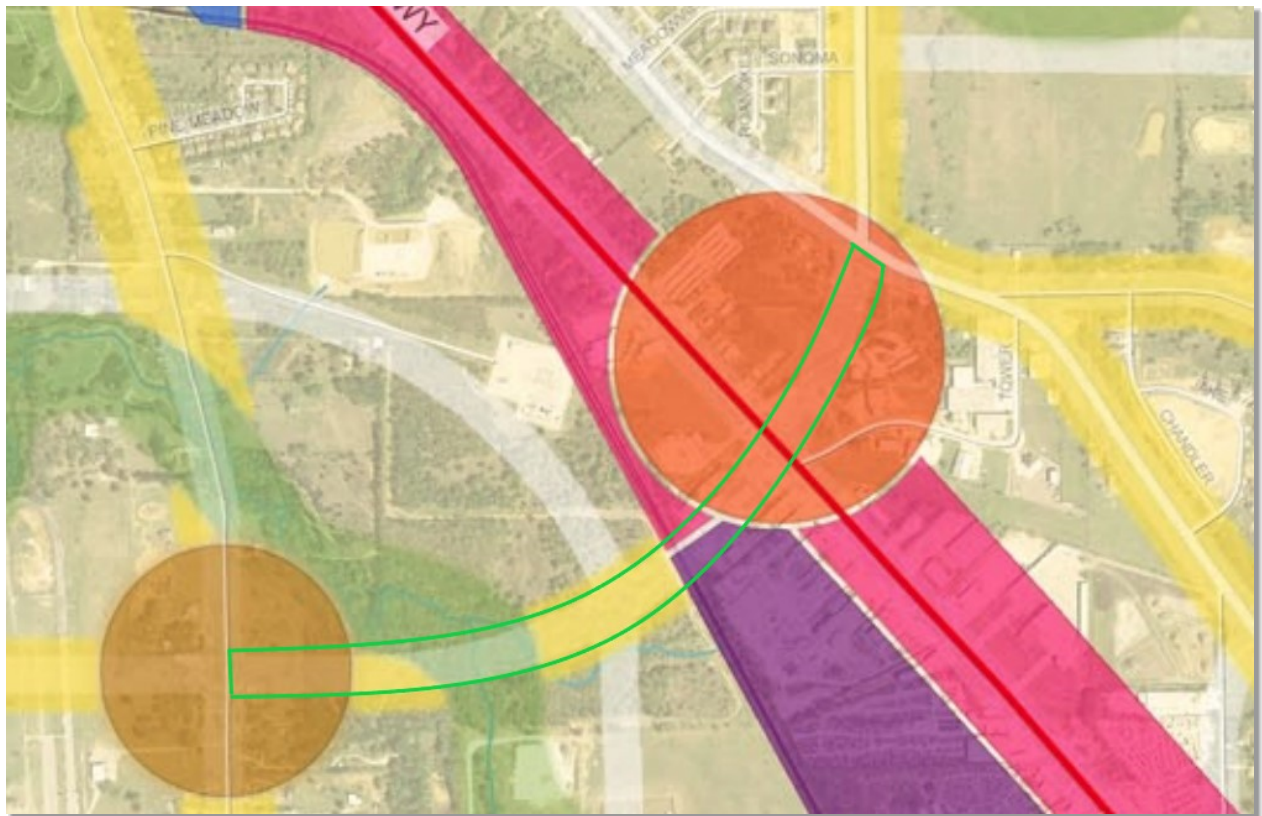


Exhibit D- FLUP Little School Rd Extension



## **STANDARDS FOR GRANTING A SPECIAL EXCEPTION**

No application for a special exception shall be granted by the Board of Adjustment unless the board finds all of the conditions described below are present:

### **STANDARD 1- Will the establishment, maintenance, or operation of the use you are requesting be material detrimental to or endanger the public health, safety, morals, or general welfare?**

While the outdoor storage use does not appear to be detrimental or public health or morals in the general sense, staff believes this land use, at this location, will increase heavy commercial traffic in the area. During the public hearings of the recent moratorium the city put in place, Dunaway, a planning and consulting firm, noted existing traffic congestion on Business 287, among other thoroughfares in the city. According to Dunaway's letter, Kennedale has seen an increase in traffic accidents on major arterials by 23 percent. This is something Board of Adjustment should consider.

### **STANDARD 2- Will the use, values, and enjoyment of other property in the neighborhood for the purposes already permitted to be in any foreseeable manner substantially impaired or diminished by the establishment, maintenance, or operation of the use for which you are requesting a special exception?**

Outdoor storage of vehicles, equipment, and materials is currently present directly north and south of this location on the west side of E Kennedale Parkway. However, the adjacent properties have existing buildings, designated parking areas, and some solid fencing which helps screen most of the outdoor storage of equipment and materials from view. Staff does not believe this use will substantially impair existing businesses or property.

### **STANDARD 3- Will the establishment of the use you are requesting significantly impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district?**

As previously noted in the staff report, this proposed use would not be consistent with the Future Land Use Plan or Comprehensive Plan. Land use at this site certainly needs to be considered when construction of the Little School Rd extension begins, as this area will serve as a new gateway into the western portion of Kennedale. Vehicle parking and material storage may impede the orderly development and improvement of this gateway, as the city would be faced with another caveat to navigate in addition to securing additional right-of-way.

### **STANDARD 4- Have adequate utilities, access roads, drainage, and other necessary site improvements been (or will be) provided? (If adequate improvements are not already in place, you must demonstrate what improvements are will make and how/when)**

The site has existing electric service. There does not appear to be any active water or sewer service accounts. As there was once a previous building on-site, it is assumed utility service taps are existing. These may need to be extended to support any future use, however, the applicant has not proposed any improvements to the site.





**STANDARD 5- Have adequate measures been taken or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets?**

The site has a gate and driveway on the north run of the property. There is an existing driveway to the south along E Kennedale Parkway. Egress out of the site onto E Kennedale Parkway requires users to pull into the center lane to go north bound. Staff does not believe this standard has been met as it is unclear how traffic congestion will be minimized by the applicant. As this area develops, traffic studies would need to be performed. It is likely a traffic signal at this new intersection would be installed sometime in future by TXDOT, however, nothing to date has been proposed.

**STANDARD 6- Does the use conform to all applicable area, yard, height, lot coverage, building size, exterior requirements, and parking space regulation of the district in which it is located?**

No. According to the site plan provided by the applicant, parking is proposed in the rear of the property near the railroad tracks. Presumably, this would mean the front half off of E Kennedale Parkway would be reserved for material storage. This front half of the property is subject to the Commercial Corridor Overlay District which limits parking to a single-row along the parkway. Additionally, Section 11.25 of UDC limits outdoor storage, whether primary or accessory, to 33% of the lot. Solid fencing at least six feet in height is required. Landscaping requirements include trees planted along the property line and right-of-way, as well as one tree for every 20-parking spaces. The site plan provided does not indicate the number of proposed parking spaces, how customers will be served, or where material storage will be placed or screened. Staff does not believe this standard has been met.

**STAFF RECOMMENDATION**

Based on the staff's review of Standards 1, 3, 5, and 6, Staff recommends denial of this request at this time. Should the Board of Adjustment consider recommending approval of the *Special Exception Use* request, staff recommends the following conditions:

- (1) A traffic study be performed by the applicant and submitted for review and approval.
- (2) A revised site plan meeting all UDC requirements be submitted for review and approval.
- (3) A parking plan be submitted for review and approval.
- (4) Solid screening be provided as required.
- (5) Outdoor storage must be placed in the rear of the property, outside the limits of the Commercial Corridor Overlay District, not to exceed 8 feet in height
- (6) Outdoor storage use be limited to one year in duration. Applicant must reapply.



## STAFF REPORT TO THE BOARD OF ADJUSTMENT

### I. SUBJECT

**CASE # BOA 2306** Discuss and consider a land use determination regarding a development proposal from Cypress Creek Renewables at 509 S New Hope Rd, Kennedale, TX, 76060.

### II. SUMMARY

| BACKGROUND AND OVERVIEW     |                                                       |
|-----------------------------|-------------------------------------------------------|
| Request                     | Land Use Determination by BOA                         |
| Applicant                   | Parker Sloan, Micah King for Cypress Creek Renewables |
| Location                    | 509 S New Hope Rd                                     |
| Surrounding Uses            | Industrial and Residential                            |
| Surrounding Zoning          | I, PD-MHD, R-2                                        |
| Future Land Use Designation | Neighborhoods, Park & Open Space                      |
| Staff Recommendation        | Conditional Use Permit through P&Z/City Council       |

### III. CURRENT STATUS OF THE PROPERTY

The property is approximately 48 acres, not platted, and currently split-zoned. The western acreage with frontage off a S New Hope Rd carries R-2 Single-Family Residential District zoning (+/- 8.65 ac), with the larger acreage to the east zoned I-Industrial District (See Exhibit A).



Exhibit A- 509 S New Hope Rd, Kennedale, TX 76060

Both floodway and floodplain exist within the property. Aside from an accessory structure near the road, the property is undeveloped.



#### IV. SURROUNDING PROPERTIES & NEIGHBORHOOD

The eastern forty acres are surrounded by I-Industrial to the north, south, and east. An Oncor substation is located directly north. The western eight acres of the parcel are surrounded by R-2 Single-family residential properties to the north, south, and west.

The current Future Land Use (FLUP) Map has this area designated as “Neighborhood Residential” with “Parks & Open Space” (See Exhibit B).

Kennedale’s adopted Comprehensive Plans provides samples of types of development that should occur within Neighborhood Villages. These include neighborhood-serving retail and services, context-sensitive small-scale multifamily, restaurants, and community offerings.

The FLUP has also called for an extension of Little School Rd across Kennedale Parkway providing a connection to New Hope Rd. The planning and route study for this road extension is currently underway. City Council has recently approved a route study to be performed by Freese & Nichols, Inc. Tarrant County has also granted funding to assist with the construction costs of the project. At this time, it is unclear which route the Little School Rd will extend to the south and how much right-of-way will need to be secured and/or extended on the both sides of Kennedale Parkway (See Exhibit B). The city plans to have a bond election later this fall for the construction of this road.

Should the bond pass, this new road extension will create a new gateway, opening up the western half of the city for development.

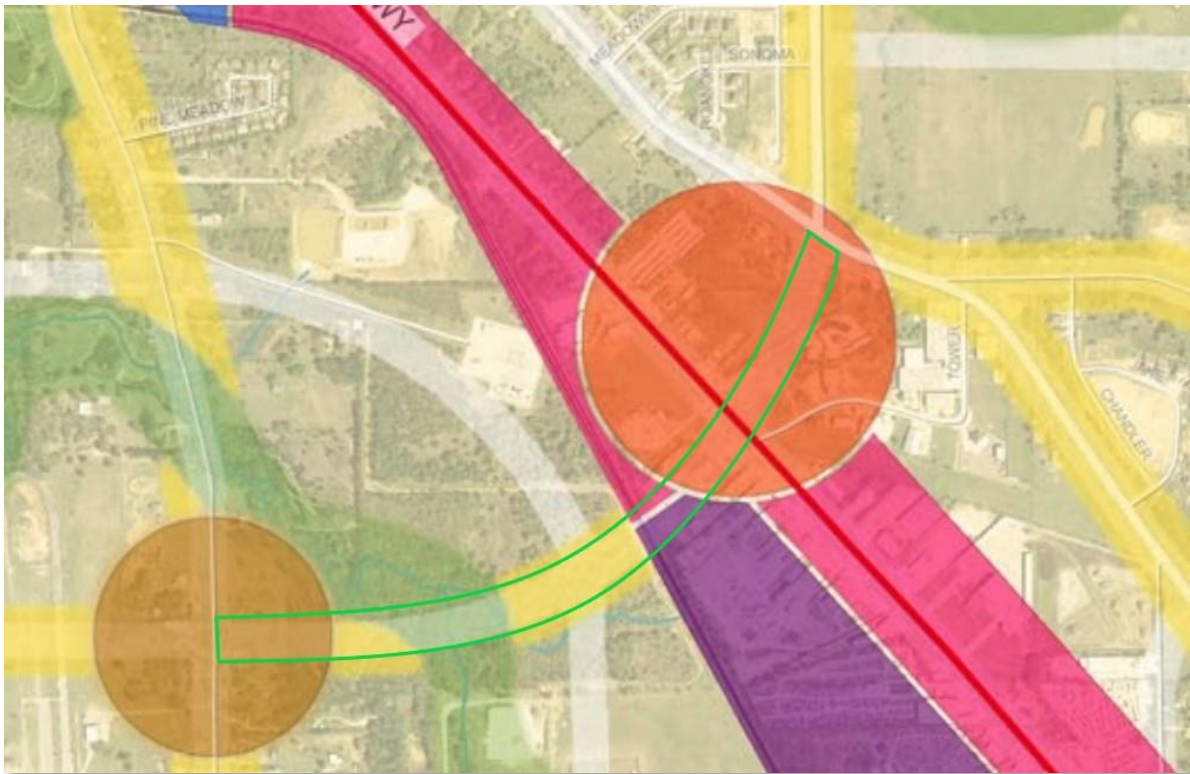


Exhibit B- FLUP & Little School Rd Extension

## V. ZONING REVIEW FOR PROPOSED LAND USE

Earlier this year in May, staff met with the team of Cypress Creek Renewables who are considering developing the eastern acreage of 509 S New Hope for what they described as a *Battery Energy Storage System*, which they've named *Fort Watt*. Staff's understanding of the operation is that the proposed system utilizes large grid-connected batteries to store energy, then release it back onto the grid when demand is high. The batteries are built upon a slab or pier and can be removed as needed. Parker Sloan of Cypress Creek Renewables provided photos to help illustrate the type of equipment they plan to use (See Figures 1 & 2).

In determining the proper land use classification for this proposal, staff reviewed two land use definitions noted in our Unified Development Code:

*Outdoor storage- commercial and industrial:* The outdoor placement of goods, such as building or construction materials, equipment, vehicles, trailers, and other supplies, for future use, production, storage, assembly, preservation, or disposal. (Requires Special Exception in I District)

*Infrastructure and utilities: regional-* Utility facilities that provide citywide or regional services. Examples include public utility substations, water wells, water towers, waste treatment plants, and electrical substations. (Permitted by right in I District)



Figure 1- Battery on Slab



Figure 2- Battery on Pier

Cypress Creek Renewables' interpretation and position is that the Board of Adjustment consider their proposed land use to be *infrastructure and utilities- regional*. Parker Sloan, the applicant, has provided a memo and supplemental documents to support their reasoning. These have been included in the staff report for your review.

Staff, however, disagrees with their interpretation. Staff believes the appropriate land use classification in the current version of the UDC for the proposed project should be *outdoor storage* as their proposal involves the "placement of equipment for future use and storage." I've included the UDC definition again and have highlighted the portions from which staff has derived its interpretation:

*Outdoor storage- commercial and industrial:* **The outdoor placement of** goods, such as building or construction materials, **equipment**, vehicles, trailers, and other supplies, **for future use**, production, **storage**, assembly, preservation, or disposal.

Staff has not classified their proposal as *infrastructure or utilities* for three reasons. The first is that this operation is a private enterprise, located on private property, and not a public utility similar to the examples listed in the UDC definition. The second is that this operation is not permanent as most jurisdictions would consider public infrastructure and utilities to be. This project, as described by the team of Cypress Creek Renewables, will only be in operation for about twenty years. The third reason is that the UDC does not appear to consider these types of alternative energy systems as *Essential Services* in its definition:

*Essential services-* The erection, construction, alteration, or maintenance by a public utility, or municipal department, of underground, surface, or overhead gas, communication, telephone, electrical, steam, fuel or water, transmission, distribution collection, supply, or disposal systems. This includes related poles, wires, pipes, conduit, cables, public safety alarm and communication equipment, traffic signals,



hydrants and similar accessories that are necessary to furnish adequate service, addressing general public health, safety, convenience, or welfare. **These do not include wireless telecommunication towers (unless located on public property and used as part of a municipal emergency communications network); wind energy conversion systems (WECS); offices, utility buildings, substations, or structures that are enclosures or shelters for service equipment; or maintenance depots.**

While battery energy storage systems are not specifically listed in the definition of *essential services*, the proposal appears to be a large-scale depot of “*enclosures or shelters for service equipment.*”

Additionally, the UDC’s definition correlates the means and methods of the service delivery for essential services with that of a “*public utility*” or “*municipal department.*” Wind energy conversion systems are a form of alternative energy systems, and the UDC specifically includes these in its list of what *not* to include.

The question before the Board of Adjustment is simple. Should alternative energy systems such as *battery energy storage systems* be considered an essential service? The Board of Adjustment should also ask if Cypress Creek Renewables has considered placing their systems on the Oncor-owned lot directly north where the electrical substation is located. As they’ve stated in their memo, the project is dependent upon ERCOT’s approval to tie-in in to grid at this same location. Vehicular access to the Oncor substation is already established and the tie-in costs would be shorter and perhaps less expensive to install. Should this be feasible, the batteries would then be located on a public utility-owned parcel, and may then be considered accessory to the primary use, that being the electrical substation itself. Additionally, the Oncor lot where the substation is located is not located in the floodway or floodplain whereas any access through 509 S New Hope Rd to the rear forty acres would be (See Exhibit C).



Exhibit C- Existing Conditions on Oncor Property



To be clear, staff is not opposed to alternative energy systems, including that which Cypress Creek Renewables proposes to develop. As result, staff is seeking the Board of Adjustments consideration for the appropriate land use designation.

## **VI. STAFF RECOMMENDATION**

Staff agrees with the applicant when referencing UDC Section 2.7 in that *“every potential and conceivable land use cannot be addressed and anticipated in the UDC...”* As you may be aware, the city is currently updating its Comprehensive Plan, Future Land Use Plan, and Unified Development Code. Considering this, it may be premature to classify the proposed land use using text that is currently in process of being updated and still pending public input. Considering this, it is staff’s recommendation that the Board of Adjustment consider *Battery Energy Storage Systems* a new use, subject to Article 24 of the UDC, to be considered by the Planning and Zoning Commission and City Council under application for a Conditional Use Permit. Section 24.1 of the UDC states:

*The City of Kennedale recognizes certain uses that may be appropriate in specific zoning districts, but which may have characteristics that, depending upon the location, design, and manner of operation, may have a potential greater impact than permitted uses in the same districts. Conditional uses require a more comprehensive review to ensure that the potential for adverse impacts is minimized.*

While similar land use determinations go before the Board of Adjustment, the consideration of new land uses fall under the pervue of the Planning and Zoning Commission.

In summary, before the Board of Adjustment are three options:

- 1) Consider the appropriate land use of proposed project to be *infrastructure and utilities-regional*, permitted by right in the I-Industrial Zoning District.
- 2) Consider the appropriate land use of the proposed project to be *outdoor storage- commercial and industrial*, requiring application for a Special Exception Use before the BOA.
- 3) Consider the proposed project and land use a new use and recommend application for a Conditional Use Permit be made before the Planning and Zoning Commission and City Council

Staff welcomes the Board of Adjustment’s decision on how it best wishes to proceed.



## **MEMORANDUM**

To: Nathan Gonzales, Director of Community Development

From: Parker Sloan, Cypress Creek Renewables

Date: July 10, 2023

Re: Energy Storage Land Use Determination – City of Kennedale

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### **Who is Cypress Creek?**

Cypress Creek Renewables is a leading renewables developer and independent power producer. We develop, finance, own, and operate utility-scale energy storage projects across the United States with a mission to power a sustainable future, one project at a time. Working with local communities, we strive to develop projects that provide long-term benefits through family supporting jobs, cost-competitive enhanced grid reliability, and annual tax revenue for essential local and state services. Cypress Creek's leading O&M services business, Cypress Creek Solutions, operates and maintains 4GW of projects for customers across 24 states.

### **What is Energy Storage?**

A grid-connected battery energy storage system consists of batteries, racks for the batteries, inverters that convert DC energy to AC energy, communications equipment that allow control and monitoring of the batteries, and equipment that ensures the batteries can operate safely. These components and battery systems are housed in specially engineered enclosures.

### **Why Energy Storage?**

By storing energy when the price of electricity is low and discharging that energy later during periods of high demand, energy storage can reduce costs for utilities and save families and businesses money. Also, by enhancing grid resilience and providing back-up power, energy storage can prevent costly damages to families and businesses associated with power outages.

Energy storage systems enable a more efficient, more reliable, and more affordable electrical grid using a technology that continues to improve and come down in cost. Battery Storage technology costs have decreased 80% from 2010 to 2020. Battery storage is growing rapidly in the US, with utility-scale battery storage expected to double in 2023 to 11.6GWs of installed battery power with an additional projected 60GWs to be installed by 2026.

### **Why is it Safe?**

It's important to know that these systems and the technologies proposed are safe by design. Safety is one of the reasons that we have selected both Lithium Iron Phosphate batteries and the battery products offered by the company Sungrow specifically for Cypress Creek Renewables Texas portfolio of projects. The importance of design starts with proper temperature management and temperature sensing. These liquid cooled energy storage systems are equipped with thermal management including fans, ventilation, and heating and cooling equipment to maintain safe operating temperatures for batteries. The battery racks are equipped with sensors that track battery temperature and enables the facility to turn off a battery that gets too hot or too cold. The system also includes equipment designed to detect and suppress fires and incorporates fire-proof barriers. This kind of equipment described above includes well-established tools deployed at all types of facilities in the electrical systems located in your City and across the Country.

## **MEMORANDUM**

To: City of Kennedale Board of Adjustment

From: Parker Sloan, Director Community & Economic Development, Cypress Creek Renewables

Date: July 20, 2023

Re: Energy Storage Land Use Determination – City of Kennedale

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This is to provide the City Staff and Board of Adjustment with information that responds to the factors that may be considered in making a use classification determination under UDC Section 2.7, as well as providing responses to the questions that City Staff asked that we answer.

### **Applicable City Code**

As UDC Section 2.7 provides, every potential and conceivable land use cannot be addressed and anticipated in the UDC, and so the Administrator or, upon referral, the Board of Adjustment, is empowered to make a similar use determination. In this case, Cypress Creek is requesting a use determination that an energy storage use is similar to the “Infrastructure and utilities – regional” use, which is exclusively permitted in the Industrial (“I”) zoning district. As UDC 2.7(C) (Compliance) further provides, “if a proposed use is determined to be similar to other uses listed within the district, the proposed use shall comply with all the standards or requirements associated with the listed use.” In addition, the use will be subject to all City site plan and building permit requirements.

### **About Cypress Creek**

Cypress Creek Renewables develops, finances, owns, and operates energy storage projects across the United States. Working with local communities, we strive to develop projects that provide benefits through the creation of construction jobs, cost-competitive enhanced grid reliability, and annual tax revenue for essential local and state services.

With today's electric grids under constant threat of severe weather, rolling blackouts, aging infrastructure, and global conflicts straining fuel supplies, improving grid reliability and resiliency is imperative. Dispatchable power solutions like energy storage are vital to providing enhanced flexibility and grid resiliency.

By storing energy when supply is sufficient and making it available for distribution to homes and businesses during periods of high demand, energy storage can reduce power costs and save people and businesses money. Also, by enhancing grid resilience and reliability, energy storage can prevent costly damages associated with power outages for people with medical needs and businesses that need a reliable power supply.

### **About The Proposed Project**

Cypress Creek Renewables is proposing an energy storage facility located off of S. New Hope Road on approximately 11 acres of a larger 48 acre parcel of land located in an industrial district within the City of Kennedale. It will be a utility-grade project that will directly connect to a nearby electrical substation for distribution to regional customers and only upon review and approval by ERCOT for an interconnection with the state's electric grid.

### **The Use is Most Similar to the “Infrastructure and utilities – regional” Use.”**

Among the uses permitted in the Industrial district, energy storage is most similar to the “Infrastructure and utilities – regional” use. UDC 33.5(J) (Infrastructure, Transportation, Communications) defines the “Infrastructure and utilities: regional” use as, “Utility facilities that provide citywide or regional service. Examples include public utility substations, water wells, water towers, waste treatment plants, and electrical substations.” The energy storage use fits since it is a utility infrastructure project that ties directly into a nearby electrical substation, with energy to be distributed to city and regional users of electricity, with a legally required interconnection study subject to review and approval by ERCOT, as the energy is part of the statewide electric grid.

### **The Outdoor Storage Use is Not Most Similar to Energy Storage**

The other use that was considered as possibly being most similar is “outdoor storage, commercial and industrial”, but upon closer inspection that use is not applicable since the energy will be stored in batteries that must be located within enclosed structures to protect them from the elements. As such, to say that the use is deemed to be “outdoor storage” would be inconsistent with UDC Section 11.25, since it provides under the “Type of Materials” subsection that, “Storage shall be limited to goods and materials customarily stored outside and resistant to damage and deterioration from exposure to the elements”, which is not the case with an energy storage use.

Also, it should be noted that a determination that the use is most similar to the “Infrastructure and utilities – regional” use would be a more restrictive determination, since it is only



permitted in the Industrial district, whereas the outdoor storage use is permitted in the C-2 commercial district.

**1. Will the establishment, maintenance, or operation of the use you are requesting be materially detrimental to or endanger the public health, safety, morals, or general welfare?**

No, the facility will not impact or endanger the public health, safety, or general welfare. In fact, the use will promote public safety by providing an important source of dispatchable power in case of emergencies such as during extreme heat events and winter storms when standby power is needed to maintain the statewide energy grid, which requires that electric supply and demand be continuously balanced to avoid blackouts or a total system breakdown. In addition, energy storage is a passive land use that, once constructed, generates almost no vehicular traffic, generates no smell, and relies on equipment that is designed for maximum safety. A grid-connected battery storage system consists of batteries which store energy, inverters that convert DC to AC power, communications equipment that allow 24/7 control and monitoring of the batteries, and equipment that ensures their safe and reliable operation. These components and battery systems are housed in specially engineered enclosures.

Cypress Creek uses state-of-the-art safety equipment and strategies to ensure a safe operation that protects the investment and helps ensure safety. Safety-by-design is incorporated at every stage from manufacturing to installation to operation, and having the use be in an industrial district helps to ensure compatibility and the orderly planning of the city.

**2. Will the uses, values, and enjoyment of other property in the neighborhood for purposes already permitted be in any foreseeable manner substantially impaired or diminished by the establishment, maintenance, or operation of the use?**

No. The use is not located in a neighborhood as it is on land zoned industrial, and the industrial zoning district is appropriate for utility infrastructure. Energy storage projects like this one proposed in the City of Kennedale are typically directly next to an electrical substation and a major electrical corridor serving the city and regional power needs. Landscape screening can be used to minimize or eliminate any visual impact of the equipment. The design, size, and look of the equipment is commonly seen in a commercial or industrial area.

Energy Storage provides generous property tax revenues to support a local community's schools, roads, infrastructure, etc. while creating an exceedingly small footprint without any traffic-or other impacts on utilities, schools, roads, etc.

**3. Will the establishment of the use you are requesting significantly impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district?**

No. This particular project would be located on an isolated portion of a parcel that is bound by buffers that include floodplain to the south, a railroad to the east, and an existing substation to the north. And, in general, the use is appropriate for the Industrial district. As such, the establishment of the use at this location will not impede the orderly development of surrounding properties.

**4. Have adequate utilities, access roads, drainage, and other necessary site improvements been (or will be) provided? (If adequate improvements are not already in place, you must demonstrate what improvements you will make and how/when).**

Yes, access will be via a private road that we would construct via S. New Hope Road. For a utility grid connection, a “gen-tie” interconnection line will be installed to the north from our leased area to connect with the existing Oncor power substation. Drainage and other City requirements will be addressed at the time of site plan review by City Staff. There will also be safety fencing around the site and the access road will be restricted by a gate.

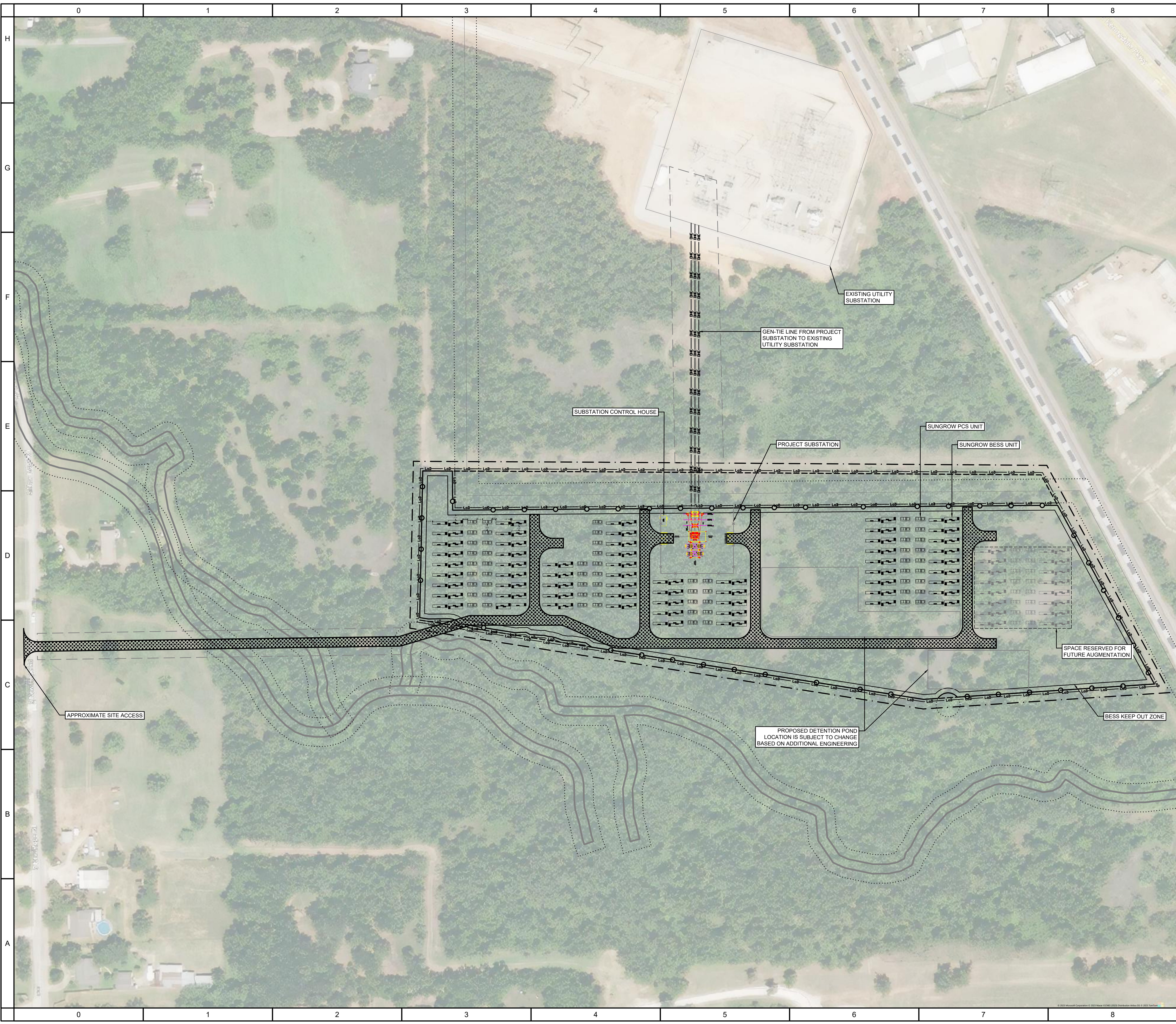
**5. Have adequate measures been taken or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets?**

There will be temporary construction traffic along S. New Hope Road during a construction delivery period. Otherwise, energy storage systems only require occasional visits for routine maintenance. There will be no full-time staff on-site as all systems are monitored remotely via people and computer systems using various high-tech sensors that are located within the battery enclosures.

**6. Does the use conform to all applicable area, yard, height, lot coverage, building size, exterior requirements, and parking space regulations of the district in which it is located?**

Yes, it will conform with all site development regulations and all other City rules and regulations.





VICINITY MAP

SCALE 1" = 5000'

NOTES:

1. BESS LAYOUT AS SHOWN IS REPRESENTATIVE AND TO BE FINALIZED PRIOR TO CONSTRUCTION.

2. AERIAL IMAGE MAY NOT ALIGN EXACTLY WITH SURVEY DUE TO MAP PROJECTION.

3. ALL EXISTING ROAD LOCATIONS SHOWN ARE APPROXIMATE.

4. EXACT PROPOSED INTERIOR ACCESS ROAD LOCATIONS ARE REPRESENTATIVE, AND TO BE FINALIZED PRIOR TO CONSTRUCTION.

5. BESS LAYOUT FENCE IS ASSUMED TO ROUTE THROUGH OVERHEAD ELECTRICAL LINE EASEMENT.

PROJECT SPECIFICATIONS DESIGN SUMMARY

| UTILITY                         | ONCOR                     |
|---------------------------------|---------------------------|
| POI VOLTAGE (kV)                | 138.00                    |
| BESS SYSTEM SIZE (MW)           | 200                       |
| BESS SYSTEM CAPACITY (MWh)      | 400.00                    |
| BATTERY & PCS MAKE              | SUNGROW                   |
| BLOCK MODEL                     | ST2752UX*3+SC4000UD-MV-US |
| BLOCK QTY                       | 60                        |
| BATTERY MODEL WITHIN BLOCK      | ST2752UX-US               |
| TOTAL BATTERY QTY (3 PER BLOCK) | 180                       |
| BATTERY CAPACITY (kWh)          | 2752                      |
| BATTERY NOMINAL VOLTAGE (V)     | 800                       |
| PCS MODEL WITHIN BLOCK          | SC4000UD-MV-US            |
| TOTAL PCS QTY (1 PER BLOCK)     | 60                        |
| PCS TRANSFORMER POWER (kVA)     | 4000                      |
| PRIMARY VOLTAGE (kV)            | 34.5                      |
| SECONDARY VOLTAGE (kV)          | 0.8                       |
| LATITUDE (°)                    | 32.633                    |
| LONGITUDE (°)                   | -97.215                   |

LEGEND

EASEMENTS

EQUIPMENT PAD

LIMIT OF DISTURBANCE

ELECTRICAL (OVERHEAD)

ELECTRICAL (UNDERGROUND)

PROJECT AREA

SECURITY FENCE

SHADE BUFFER

SITE ACCESS

TREELINE

VEGETATIVE BUFFER

1" = 90'

CYPRESS CREEK RENEWABLES

3402 PICO BOULEVARD :: STE 215 :: SANTA MONICA, CA 90405

5310 SOUTH ALSTON AVE. :: BLDG. 300 :: DURHAM, NC. 27713

PERMIT DRAWING - NOT RELEASED FOR CONSTRUCTION

SEAL

CONSULTANT

REVISIONS

| NO. | DATE | DESCRIPTION |
|-----|------|-------------|
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FORT WATT STORAGE, LLC

TARRANT COUNTY, TX

DATE: 06-29-23

DRAWN BY: YG

CHECKED BY: --

BESS LAYOUT

E-101



# PROPERTY TAX ESTIMATE

## Phase I

### PROJECT INFORMATION

|                            |                              |                     |                    |
|----------------------------|------------------------------|---------------------|--------------------|
| Project Name               | <u>Ft Watt Storage</u>       | Est Start Date      | <u>Jan-25</u>      |
| Total Project Costs        | <u>\$240,000,000</u>         | Est Completion Date | <u>Jan-26</u>      |
| Real Estate Costs          | <u>\$150,000/yr, 2% esc.</u> | Capacity MW         | <u>200</u>         |
| Equip & Interconnect Costs | <u>\$240,000,000</u>         | Equip Costs per MW  | <u>\$1,200,000</u> |

### BUSINESS PERSONAL PROPERTY (BPP) ASSESSMENT INFORMATION

|                        |                                                                           |                  |                    |
|------------------------|---------------------------------------------------------------------------|------------------|--------------------|
| Taxing Jurisdiction(s) | <u>Tarrant Cnty, Hosp &amp; JC, Kennedale City &amp; ISD</u>              | Current Tax Rate | <u>2.4610%</u>     |
| Assessment Date        | <u>1/1/2027</u>                                                           | Depreciable Life | <u>12 &amp; 20</u> |
| Statutory Incentives   | <u>Chapter 312 Agreement may be allowed for a standalone BESS</u>         |                  |                    |
| Depreciable Life       | <u>We anticipate that the CAD will use a split 12 &amp; 20 year life.</u> |                  |                    |
|                        |                                                                           |                  |                    |
|                        |                                                                           |                  |                    |

### BUSINESS PERSONAL PROPERTY TAX ESTIMATE

| Property | 2027 Est Cost | 2027 Est % depreciation | 2027 Est Cost minus dep | Abatement | 2027 Est Taxable Value | 2027 Est Tax Rate | 2027 Est Total Tax |
|----------|---------------|-------------------------|-------------------------|-----------|------------------------|-------------------|--------------------|
| BPP      | \$240,000,000 | 5%                      | \$229,200,000           | 0%        | \$229,200,000          | 2.4610%           | \$5,640,656        |

### REAL PROPERTY (RP) ASSESSMENT INFORMATION

|                        |                                                              |              |                              |
|------------------------|--------------------------------------------------------------|--------------|------------------------------|
| Taxing Jurisdiction(s) | <u>Tarrant Cnty, Hosp &amp; JC, Kennedale City &amp; ISD</u> | Lease Rate   | <u>\$150,000/yr, 2% esc.</u> |
| Assessment Date        | <u>1/1/2027</u>                                              | Land (Acres) | <u>15.00</u>                 |
| Effective Tax Rate     | <u>2.4610%</u>                                               | MV/Acre      | <u>\$10,890</u>              |

### REAL PROPERTY HISTORICAL ASSESSMENT

| Parcel Number | Land AV   | Improvements AV | Land Size (AC) | Land \$/AC | 2022 Total Taxable | 2022 Tax Rate | 2022 Total Tax |
|---------------|-----------|-----------------|----------------|------------|--------------------|---------------|----------------|
| 5245664       | \$533,066 | \$0             | 48.95          | \$10,890   | \$533,066          | 2.4610%       | \$13,119       |

### REAL PROPERTY TAX ESTIMATE

| Parcel Number | 2027 Est Land AV | Improvements AV | Land Size (AC) | Land \$/AC | 2027 Est Total AV | 2027 Est Tax Rate | 2027 Est Total Tax |
|---------------|------------------|-----------------|----------------|------------|-------------------|-------------------|--------------------|
| 5245664       | \$164,984        | \$0             | 15.00          | \$10,999   | \$164,984         | 2.4610%           | \$4,060            |

**TOTAL PROPERTY TAX ESTIMATE FOR FIRST TAXABLE YEAR (RP & BPP) \$5,644,716**

**Disclaimer:** The estimate produced is the opinion of Complex PTS, and in no way does Complex PTS guarantee its accuracy. The actual property tax may vary from this budget estimate. While Complex PTS strives for accuracy, it is always possible that constraints of time for research or incorrect data and underlying assumptions have impacted the accuracy of this property tax budget estimate.

**NOTES - Ft Watt Storage**

Est. Land Value: Core land value increase at 1% per annum in this estimate.

Est. Imp Value: Per Pritchard & Abbott, the third party Industrial/Utility Appraiser for Tarrant County, a 12 year life will be utilized on the Batteries and 20 year life on the M&E.

For depreciation, costs are allocated at 50% to batteries & 50% to M&E.

Est. Tax Rate Tax Details were researched from the Tarrant County website and no annual increase was utilized.

TX tax rates remain relatively flat or decrease due to caps on revenue generated by property tax.

Property taxes in TX are due in the year following the assessment/Lien date.

Assessment Details: Ag rollback taxes do not appear to be germane to this property.

Chapter 313 (ISD) abatements expire at the end of 2022 although they may be reauthorized by the 2023 legislature.

Chapter 313 (ISD) abatements are value limitation agreements that would cap the taxable value at \$20M for 10 years.

Chapter 312 (County) abatements may be available for this property.

**Disclaimer:**

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# What Is Energy Storage?

## Energy storage powers our daily lives

We use energy storage all the time in our everyday lives. The batteries that power your phone, computer, and other electronic devices are small-scale forms of the battery energy storage systems connected to our electrical grid. The same technology that powers your personal devices is used today to provide back-up power to homes and businesses, limit power outages, make our electrical grid more reliable, and to enable our communities to run on clean, affordable energy.

## How does it work?

Just like charging your phone while you sleep, energy storage systems efficiently and conveniently capture electricity so that it can be used when it's most needed. Grid-connected energy storage doesn't move or emit any pollution. A grid-connected battery storage system consists of batteries, racks for the batteries, inverters that convert DC energy to AC energy, communications equipment that allow control and monitoring of the batteries, and equipment that ensures the batteries can operate safely. These components and battery systems are housed in specially engineered enclosures. Various types of energy storage have been utilized for more than a century, and the oldest battery storage projects currently in operation have been serving the electrical grid for more than a decade.

## What does it look like and where is it located?

Energy storage systems connected to the electrical grid are housed in specially engineered shipping containers, outdoor-rated cabinets, or purpose-built buildings. While customer-sited residential systems are generally installed on the exterior of homes and about the size of whole-home HVAC systems, grid-scale facilities vary in size. A typical new utility-scale project can have dimensions ranging from a hockey rink or basketball court to a soccer field. There are currently hundreds of utility-scale energy storage projects operating and in construction throughout the entire United States, including in extremes of arctic and desert environments, each tailored for the unique setting and community it serves. Energy storage facilities are located in dense, urban centers as well as rural and remote areas. These operating energy storage projects, wherever they are located, provide valuable services to electrical grid in communities across the country.



To learn more about energy storage technologies, visit [cleanpower.org](https://cleanpower.org).

# How is energy storage useful?

## Enhancing Reliability, Reducing Costs, Protecting the Environment, and Supporting Local Economies

Energy storage systems enable a more efficient and resilient electrical grid, which produces a variety of benefits for consumers, businesses, and communities. Deployment of energy storage:

- **Reduces outages and enhances resilience:** Similar to household devices operating with back-up batteries, like smoke alarms, or back-up generators, energy storage systems can support entire buildings or even the larger electrical grid during extreme weather events and other disruptions. Keeping the lights on, air-conditioning or heating systems operating, and critical infrastructure working is important to keeping people safe.
- **Reduces costs & saves money:** By storing energy when the price of electricity is low and discharging that energy later during periods of high demand, energy storage can reduce costs for utilities and save families and businesses money. Also, by enhancing grid resilience and providing back-up power, energy storage can prevent costly damages to families and businesses associated with power outages.
- **Bolsters a sustainable electrical grid:** Energy storage enables electricity to be saved and used at a later time, when and where it is most needed. By introducing more flexibility into the electrical grid, energy storage helps integrate more clean, renewable power sources—like solar, wind, and hydropower—and enables more people to rely on distributed energy resources, like rooftop solar and electric vehicles. All of these resources enabled by energy storage contribute to reducing local air pollution and greenhouse gas emissions from our electrical grid.
- **Supports local economies:** Energy storage projects boost local economies and broaden tax bases, reducing local tax burdens without adding pressure on other governmental services. The U.S. energy storage industry supports over 60,000 jobs at companies leading cutting-edge technological innovations, advanced manufacturing, engineering and construction, and more.





# Considerations for Government Partners on Energy Storage Siting & Permitting

Collaborative efforts between industry and government partners are essential for creating effective rules and ordinances for siting and permitting battery energy storage systems as energy storage continues to grow rapidly and is a critical component for a resilient, efficient, and clean electric grid.

## Key Takeaways

- 1 Importance of energy storage systems:** Energy storage technologies, particularly battery energy storage systems, are growing rapidly (by more than 1,200% between 2016 and 2021) and already play a crucial role in enhancing the electrical grid by supporting the deployment and integration of renewable energy sources — increasing reliability, controlling costs, and building a more resilient grid.
- 2 Siting and permitting considerations:** It is essential for government partners and policymakers to create specific definitions, standards, and regulations for energy storage facilities, considering their unique attributes and distinct functions compared to traditional electrical generation facilities. Flexibility in zoning, environmental review, and sound level considerations are necessary for the effective integration of energy storage systems in various locations and applications.
- 3 Collaboration and safety:** The energy storage industry seeks to collaborate with government partners and first responders to develop effective rules, ordinances, and emergency response plans. Ensuring safety and compliance with relevant codes and standards, such as the International Fire Code, NFPA 1 Fire Code, NFPA 855, UL 9540, and UL 9540A, is crucial in the manufacturing, construction, installation, and operation of energy storage systems.



Credit: AES

## Background

Energy storage refers to a variety of technologies that can store energy for later use when it is most valuable. This includes technologies like batteries, pumped hydropower, and flywheels, among many others in development or initial deployment. Energy storage is critical to an efficient, clean electric grid. In addition to supporting the deployment and grid integration of additional renewable energy sources, energy storage systems provide a variety of valuable services. By storing energy during times of excess and dispatching during times of need, energy storage increases reliability, controls costs for consumers, and ultimately helps build a more resilient grid.

Energy storage is a critical hub for the entire electric grid, enhancing the grid to accommodate all forms of electrical generation—such as wind, solar, hydro, nuclear, and fossil fuel-based generation. While there are many types of energy storage technologies, the majority of new projects utilize batteries. Energy storage technologies have experienced rapid growth over the past few years, with battery energy storage deployments growing by more than 1,200% between 2016 and 2021. This growth is expected to continue over the next decade.

Battery energy storage systems begin with relatively small, individual battery cells. Battery cells are electrically connected and are then packaged in a battery module. These battery modules are aggregated and stored within battery racks. One or more battery racks (depending on available space) are then stored in specially engineered shipping containers, outdoor-rated cabinets, or purpose-built buildings designed to safely house and maintain these batteries. One or more of these enclosures or buildings, along with necessary electrical equipment, comprise the battery energy storage facility which will export electricity to and import electricity from the electrical grid.

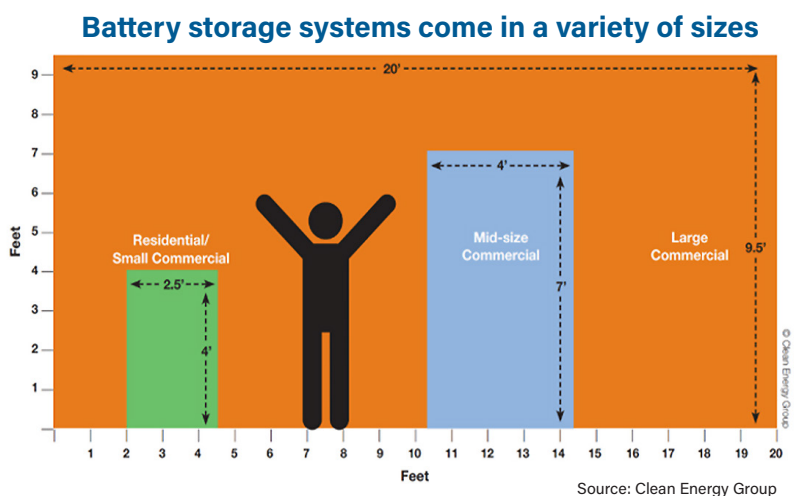
## Siting & Permitting Considerations For Government Partners & Policymakers

### ENERGY STORAGE VS. OTHER ELECTRICAL ASSETS

Energy storage technologies provide unique services to the electrical grid and are fundamentally different assets and resources from traditional electrical generation facilities. Energy storage systems can act as both generation and load and can switch rapidly from one to the other, providing important benefits for grid stability. As such, certain standards and regulations applied to other types of electricity generation are not applicable to energy storage facilities, and energy storage facilities should not be classified under existing regulations for solar or wind. It is important that state and local permitting authorities for energy storage facilities utilize definitions and standards that are applicable to the distinct functions of battery energy storage projects.

### SITING & LAND USE ZONING

Energy storage systems are as likely to be sited in urban and suburban areas as they are in rural areas. Energy storage systems are often housed in pre-assembled modular enclosures or containers, which creates flexibility that allows developers to efficiently utilize sites that pose development challenges for other types of facilities, whether due to limited size or shape. As a result, energy storage systems can be seamlessly integrated into the existing fabric of a municipality in residential, commercial, industrial, or agricultural areas.





Energy storage systems can also be housed in buildings or within existing infrastructure. This option can allow for the integration of energy storage into existing sites, including urban spaces or previously operating fossil fuel generation facilities, where there may be increased demand for immediately dispatchable energy.

**Zoning Districts:** Because of the flexibility and variety of beneficial applications of stand-alone energy storage systems, policymakers should not limit energy storage projects to a specific set of zoning districts. When careful and conscientious development practices are employed, energy storage systems can appropriately integrate within any type of zoning district. For this reason, concerns about locational suitability, should be considered on a case-by-case basis.

**Setbacks:** Energy density is a unique advantage to energy storage siting that allows it to be deployed in a wide variety of locations and applications, and provide meaningful benefits to the communities it serves. Furthermore, given the fundamental differences between battery storage and other facilities categorized as power generation, battery storage project setbacks should be standardized independently of other types of electricity infrastructure.

**Screening & Security Barriers:** In many instances, walls, fences, building façade design, and other features can be utilized to screen an energy storage project or blend it in with its surroundings. Design constraints such as siding requirements for buildings may not be appropriate for 'off-the-shelf,' pre-manufactured, containerized systems purchased and deployed by energy storage developers. Such requirements may impose safety risks by voiding warranties or reducing effectiveness of HVAC & thermal management systems critical to the operation of battery storage systems. Energy storage projects proposed in industrial areas do not require blending with adjacent uses.

## ENVIRONMENTAL REVIEW & COMPLIANCE

Energy storage facilities have minimal environmental impact. They do not produce any emissions or discharge waste under normal operations, and often require a much smaller footprint than other utility-scale electrical infrastructure or generation facilities.

**Water Quality:** Energy storage facilities do not discharge wastewater into bodies of water; therefore, they fall within the general requirements of the National Pollutant Discharge Elimination System (NPDES).

**Air Quality:** Because operating energy storage facilities do not produce any emissions or air-pollutants project operations are exempt from providing information or demonstrating compliance with state and federal air pollution regulations.

**Expedited Permitting for Energy Storage Co-Located with Renewable Generation:** At sites where renewable energy generation facilities like solar or wind already operate or are proposed, environmental review and permitting can be streamlined. Considering these sites have already conducted site assessments and obtained the necessary permitting to operate, duplicative and redundant environmental assessments and permitting processes can be eliminated by tiering off prior environmental reviews. Streamlining permitting processes at existing renewable generation sites increase the cost-effectiveness of projects without sacrificing environmental standards.

## SOUND LEVELS

Sound levels amongst battery energy storage systems vary based on the facility size, type of enclosure, and the unique technology utilized in each individual system. Projects are thoughtfully designed to minimize noise impacts and use a variety of strategies to integrate facilities into a variety of environments. The sound sources associated with battery storage are not unique, rather they are associated with familiar equipment, such as heating ventilation air conditioning (HVAC) systems, inverters and transformers employed by other types of grid infrastructure. Sounds may also be produced by fans, coolant pumps, or power-switching equipment, which are common in industrial settings. These sources of sound are likely already addressed by the permitting authorities and acoustical analysis may be conducted to confirm the anticipated project will comply, consistent with how other developments are permitted. Generally, when permitting energy storage systems, the expected sound levels fall within the accepted limits integrated into land use zoning ordinances.

## PROJECT CONSTRUCTION & OPERATION

Like other construction projects, battery energy storage developers work with local and state governments to develop and share site plans. Generally, typical construction equipment is utilized and projects can be constructed in accordance with the applicable criteria used for other developments, such as limiting heavy equipment operations to daytime hours. Project construction and operational planning also includes the development of emergency service plans and ongoing maintenance plans, similar to other utility infrastructure projects. This work also includes a delineation of a project's footprint within the proposed project site and the type of enclosure utilized to house the battery systems, among other engineering and construction specifications. Other relevant matters include planning related to exterior landscaping and physical facility security. While traffic volumes and sound levels may increase during periods of construction, consistent with other private construction or public works projects, traffic should not be expected to substantially increase once a facility is complete and operating.

## INTERCONNECTION

The operator of an energy storage system will seek to execute an interconnection service agreement with the relevant electric utility or cooperative. Typically, this application and execution of an interconnection service agreement begins with an interconnection study process which will be completed later in the permitting process of an energy storage project. Technical requirements for interconnection and interoperability are detailed in the IEEE 1547 series of standards for distributed energy resources and the IEEE 2800 series for transmission-connected systems.

## SAFETY CODES & STANDARDS RELEVANT TO ENERGY STORAGE SYSTEMS

Numerous nationally and internationally recognized standards and codes have been developed to inform safe manufacturing, construction, installation, and operation of energy storage systems. Laboratories certified by the Department of Labor Occupational Safety and Health Administration's (OSHA) Nationally Recognized Testing Laboratories (NRTL) Program have spent years developing industry best practices and procedures that are used to mitigate risks and promote safe operation of energy storage facilities. These codes and standards include, but are not limited to, the following:

- **2021 International Fire Code:** contains regulations to safeguard against fires and other hazards and addresses general precautions, emergency planning and preparedness, fire department access and water supplies, automatic sprinkler systems, fire alarm systems, special hazards, and other matters.
- **2021 NFPA 1 Fire Code:** advances fire and life safety for the public and first responders as well as property protection by providing a comprehensive, integrated approach to fire code regulation and hazard management.
- **NFPA 855 Standard for the Installation of Stationary Energy Storage Systems:** provides the minimum requirements for mitigating the hazards associated with energy storage systems.
- **UL 9540 Energy Storage Systems and Equipment:** presents a safety standard for energy storage systems and equipment intended for connection to a local utility grid or standalone application.
- **UL 9540A Test Method:** delineates procedures for testing the fire safety hazards associated with propagating thermal runaway within battery systems.

## PARTNERSHIPS WITH FIRST RESPONDERS

Energy storage system operators develop robust emergency response plans relevant and applicable to each individual energy storage facility. These plans are developed based on a standard template of national best practices that are customized for each facility. These best practices include extensive collaboration with first responders. These plans address emergency situations that might be encountered at an energy storage site, including extreme weather, fires, security incidents and more. These plans also address emergency response roles and highlight the importance of coordinating with first responders—particularly during planning—to ensure a complete, detailed understanding of potential emergencies and the proper safety responses.

Discussions with first responders involves the sharing of important information and consultation on project design, including appropriate placement of roads, entry points, and staging locations, as well as the dissemination of site maps, appropriate signage, emergency contacts, and other safety-relevant items. Partnerships between developers, operators, and first responders may include initial trainings, as well as ongoing follow-up activities and trainings. Energy storage developers and operators are eager to work with local officials to develop a strong partnership and an appropriate plan for their project.

## Effective Permitting Through Industry Collaboration

### The Energy Storage Industry is Prepared to Work Together to Develop Effective Rules and Ordinances

The U.S. energy storage industry welcomes collaborating with government partners, sharing information and best practices, and proactively discussing potential state and local government permitting rules. Collaboration between government partners and industry members can ensure that permitting rules and ordinances can serve as effective guidelines that appropriately account for all relevant considerations, while also ensuring that these valuable technologies can be deployed to enhance a community's electrical grid.

**If you are interested in working with energy storage companies or experts, we welcome you to contact the American Clean Power Association at [membership@cleanpower.org](mailto:membership@cleanpower.org).**

## Additional Resources

**Energy Storage Systems:** What You Need to Know about UL 9540 and 9540A (on-demand webinar): <https://www.ul.com/resources/energy-storage-systems-what-you-need-know-about-ul-9540-and-9540a>

**UL 9540A 4th Edition Unit Level AHJ Checklist:** [https://code-authorities.ul.com/wp-content/uploads/sites/46/2020/09/UL-9540A-AHJ-Checklist\\_Rev-2.pdf](https://code-authorities.ul.com/wp-content/uploads/sites/46/2020/09/UL-9540A-AHJ-Checklist_Rev-2.pdf)

**Lawrence Berkely National Laboratory's Best Practices and Considerations for Siting Battery Energy Storage Systems:** [https://eta-publications.lbl.gov/sites/default/files/battery\\_siting-sein-factsheet\\_052522.pdf](https://eta-publications.lbl.gov/sites/default/files/battery_siting-sein-factsheet_052522.pdf)



Credit: AES





## STAFF REPORT TO THE BOARD OF ADJUSTMENT

### I. SUBJECT

**CASE # BOA 2306** Discuss and consider a land use determination regarding a development proposal from Cypress Creek Renewables at 509 S New Hope Rd, Kennedale, TX, 76060.

### II. SUMMARY

| BACKGROUND AND OVERVIEW     |                                                       |
|-----------------------------|-------------------------------------------------------|
| Request                     | Land Use Determination by BOA                         |
| Applicant                   | Parker Sloan, Micah King for Cypress Creek Renewables |
| Location                    | 509 S New Hope Rd                                     |
| Surrounding Uses            | Industrial and Residential                            |
| Surrounding Zoning          | I, PD-MHD, R-2                                        |
| Future Land Use Designation | Neighborhoods, Park & Open Space                      |
| Staff Recommendation        | Conditional Use Permit through P&Z/City Council       |

### III. CURRENT STATUS OF THE PROPERTY

The property is approximately 48 acres, not platted, and currently split-zoned. The western acreage with frontage off a S New Hope Rd carries R-2 Single-Family Residential District zoning (+/- 8.65 ac), with the larger acreage to the east zoned I-Industrial District (See Exhibit A).



Exhibit A- 509 S New Hope Rd, Kennedale, TX 76060

Both floodway and floodplain exist within the property. Aside from an accessory structure near the road, the property is undeveloped.

#### IV. SURROUNDING PROPERTIES & NEIGHBORHOOD

The eastern forty acres are surrounded by I-Industrial to the north, south, and east. An Oncor substation is located directly north. The western eight acres of the parcel are surrounded by R-2 Single-family residential properties to the north, south, and west.

The current Future Land Use (FLUP) Map has this area designated as “Neighborhood Residential” with “Parks & Open Space” (See Exhibit B).

Kennedale’s adopted Comprehensive Plans provides samples of types of development that should occur within Neighborhood Villages. These include neighborhood-serving retail and services, context-sensitive small-scale multifamily, restaurants, and community offerings.

The FLUP has also called for an extension of Little School Rd across Kennedale Parkway providing a connection to New Hope Rd. The planning and route study for this road extension is currently underway. City Council has recently approved a route study to be performed by Freese & Nichols, Inc. Tarrant County has also granted funding to assist with the construction costs of the project. At this time, it is unclear which route the Little School Rd will extend to the south and how much right-of-way will need to be secured and/or extended on the both sides of Kennedale Parkway (See Exhibit B). The city plans to have a bond election later this fall for the construction of this road.

Should the bond pass, this new road extension will create a new gateway, opening up the western half of the city for development.

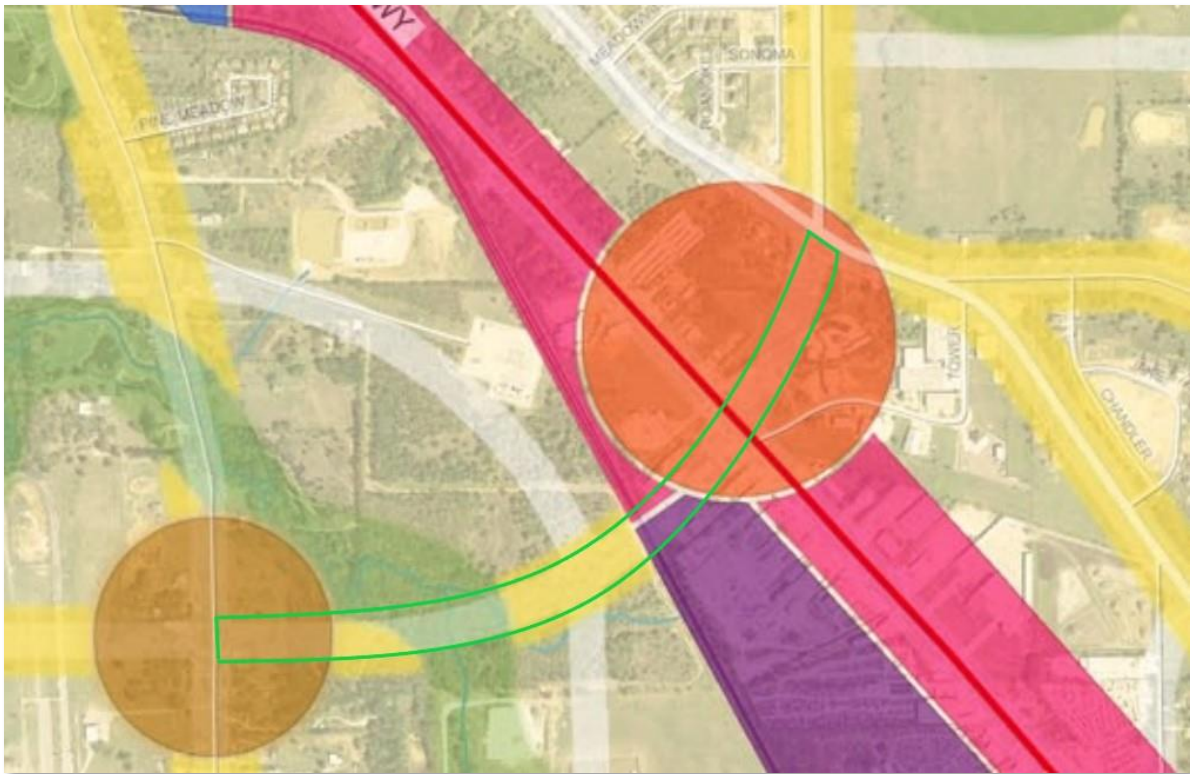


Exhibit B- FLUP & Little School Rd Extension

## V. ZONING REVIEW FOR PROPOSED LAND USE

Earlier this year in May, staff met with the team of Cypress Creek Renewables who are considering developing the eastern acreage of 509 S New Hope for what they described as a *Battery Energy Storage System*, which they've named *Fort Watt*. Staff's understanding of the operation is that the proposed system utilizes large grid-connected batteries to store energy, then release it back onto the grid when demand is high. The batteries are built upon a slab or pier and can be removed as needed. Parker Sloan of Cypress Creek Renewables provided photos to help illustrate the type of equipment they plan to use (See Figures 1 & 2).

In determining the proper land use classification for this proposal, staff reviewed two land use definitions noted in our Unified Development Code:

*Outdoor storage- commercial and industrial:* The outdoor placement of goods, such as building or construction materials, equipment, vehicles, trailers, and other supplies, for future use, production, storage, assembly, preservation, or disposal. (Requires Special Exception in I District)

*Infrastructure and utilities: regional-* Utility facilities that provide citywide or regional services. Examples include public utility substations, water wells, water towers, waste treatment plants, and electrical substations. (Permitted by right in I District)



Figure 1- Battery on Slab





Figure 2- Battery on Pier

Cypress Creek Renewables' interpretation and position is that the Board of Adjustment consider their proposed land use to be *infrastructure and utilities- regional*. Parker Sloan, the applicant, has provided a memo and supplemental documents to support their reasoning. These have been included in the staff report for your review.

Staff, however, disagrees with their interpretation. Staff believes the appropriate land use classification in the current version of the UDC for the proposed project should be *outdoor storage* as their proposal involves the "placement of equipment for future use and storage." I've included the UDC definition again and have highlighted the portions from which staff has derived its interpretation:

*Outdoor storage- commercial and industrial:* **The outdoor placement of** goods, such as building or construction materials, **equipment**, vehicles, trailers, and other supplies, **for future use**, production, **storage**, assembly, preservation, or disposal.

Staff has not classified their proposal as *infrastructure or utilities* for three reasons. The first is that this operation is a private enterprise, located on private property, and not a public utility similar to the examples listed in the UDC definition. The second is that this operation is not permanent as most jurisdictions would consider public infrastructure and utilities to be. This project, as described by the team of Cypress Creek Renewables, will only be in operation for about twenty years. The third reason is that the UDC does not appear to consider these types of alternative energy systems as *Essential Services* in its definition:

*Essential services-* The erection, construction, alteration, or maintenance by a public utility, or municipal department, of underground, surface, or overhead gas, communication, telephone, electrical, steam, fuel or water, transmission, distribution collection, supply, or disposal systems. This includes related poles, wires, pipes, conduit, cables, public safety alarm and communication equipment, traffic signals,

hydrants and similar accessories that are necessary to furnish adequate service, addressing general public health, safety, convenience, or welfare. **These do not include wireless telecommunication towers (unless located on public property and used as part of a municipal emergency communications network); wind energy conversion systems (WECS); offices, utility buildings, substations, or structures that are enclosures or shelters for service equipment; or maintenance depots.**

While battery energy storage systems are not specifically listed in the definition of *essential services*, the proposal appears to be a large-scale depot of “*enclosures or shelters for service equipment.*”

Additionally, the UDC’s definition correlates the means and methods of the service delivery for essential services with that of a “*public utility*” or “*municipal department.*” Wind energy conversion systems are a form of alternative energy systems, and the UDC specifically includes these in its list of what *not* to include.

The question before the Board of Adjustment is simple. Should alternative energy systems such as *battery energy storage systems* be considered an essential service? The Board of Adjustment should also ask if Cypress Creek Renewables has considered placing their systems on the Oncor-owned lot directly north where the electrical substation is located. As they’ve stated in their memo, the project is dependent upon ERCOT’s approval to tie-in in to grid at this same location. Vehicular access to the Oncor substation is already established and the tie-in costs would be shorter and perhaps less expensive to install. Should this be feasible, the batteries would then be located on a public utility-owned parcel, and may then be considered accessory to the primary use, that being the electrical substation itself. Additionally, the Oncor lot where the substation is located is not located in the floodway or floodplain whereas any access through 509 S New Hope Rd to the rear forty acres would be (See Exhibit C).



Exhibit C- Existing Conditions on Oncor Property



To be clear, staff is not opposed to alternative energy systems, including that which Cypress Creek Renewables proposes to develop. As result, staff is seeking the Board of Adjustments consideration for the appropriate land use designation.

## **VI. STAFF RECOMMENDATION**

Staff agrees with the applicant when referencing UDC Section 2.7 in that *“every potential and conceivable land use cannot be addressed and anticipated in the UDC...”* As you may be aware, the city is currently updating its Comprehensive Plan, Future Land Use Plan, and Unified Development Code. Considering this, it may be premature to classify the proposed land use using text that is currently in process of being updated and still pending public input. Considering this, it is staff’s recommendation that the Board of Adjustment consider *Battery Energy Storage Systems* a new use, subject to Article 24 of the UDC, to be considered by the Planning and Zoning Commission and City Council under application for a Conditional Use Permit. Section 24.1 of the UDC states:

*The City of Kennedale recognizes certain uses that may be appropriate in specific zoning districts, but which may have characteristics that, depending upon the location, design, and manner of operation, may have a potential greater impact than permitted uses in the same districts. Conditional uses require a more comprehensive review to ensure that the potential for adverse impacts is minimized.*

While similar land use determinations go before the Board of Adjustment, the consideration of new land uses fall under the pervue of the Planning and Zoning Commission.

In summary, before the Board of Adjustment are three options:

- 1) Consider the appropriate land use of proposed project to be *infrastructure and utilities-regional*, permitted by right in the I-Industrial Zoning District.
- 2) Consider the appropriate land use of the proposed project to be *outdoor storage- commercial and industrial*, requiring application for a Special Exception Use before the BOA.
- 3) Consider the proposed project and land use a new use and recommend application for a Conditional Use Permit be made before the Planning and Zoning Commission and City Council

Staff welcomes the Board of Adjustment’s decision on how it best wishes to proceed.



## **MEMORANDUM**

To: Nathan Gonzales, Director of Community Development

From: Parker Sloan, Cypress Creek Renewables

Date: July 10, 2023

Re: Energy Storage Land Use Determination – City of Kennedale

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### **Who is Cypress Creek?**

Cypress Creek Renewables is a leading renewables developer and independent power producer. We develop, finance, own, and operate utility-scale energy storage projects across the United States with a mission to power a sustainable future, one project at a time. Working with local communities, we strive to develop projects that provide long-term benefits through family supporting jobs, cost-competitive enhanced grid reliability, and annual tax revenue for essential local and state services. Cypress Creek's leading O&M services business, Cypress Creek Solutions, operates and maintains 4GW of projects for customers across 24 states.

### **What is Energy Storage?**

A grid-connected battery energy storage system consists of batteries, racks for the batteries, inverters that convert DC energy to AC energy, communications equipment that allow control and monitoring of the batteries, and equipment that ensures the batteries can operate safely. These components and battery systems are housed in specially engineered enclosures.

### **Why Energy Storage?**

By storing energy when the price of electricity is low and discharging that energy later during periods of high demand, energy storage can reduce costs for utilities and save families and businesses money. Also, by enhancing grid resilience and providing back-up power, energy storage can prevent costly damages to families and businesses associated with power outages.

Energy storage systems enable a more efficient, more reliable, and more affordable electrical grid using a technology that continues to improve and come down in cost. Battery Storage technology costs have decreased 80% from 2010 to 2020. Battery storage is growing rapidly in the US, with utility-scale battery storage expected to double in 2023 to 11.6GWs of installed battery power with an additional projected 60GWs to be installed by 2026.

### **Why is it Safe?**

It's important to know that these systems and the technologies proposed are safe by design. Safety is one of the reasons that we have selected both Lithium Iron Phosphate batteries and the battery products offered by the company Sungrow specifically for Cypress Creek Renewables Texas portfolio of projects. The importance of design starts with proper temperature management and temperature sensing. These liquid cooled energy storage systems are equipped with thermal management including fans, ventilation, and heating and cooling equipment to maintain safe operating temperatures for batteries. The battery racks are equipped with sensors that track battery temperature and enables the facility to turn off a battery that gets too hot or too cold. The system also includes equipment designed to detect and suppress fires and incorporates fire-proof barriers. This kind of equipment described above includes well-established tools deployed at all types of facilities in the electrical systems located in your City and across the Country.

## **MEMORANDUM**

To: City of Kennedale Board of Adjustment

From: Parker Sloan, Director Community & Economic Development, Cypress Creek Renewables

Date: July 20, 2023

Re: Energy Storage Land Use Determination – City of Kennedale

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This is to provide the City Staff and Board of Adjustment with information that responds to the factors that may be considered in making a use classification determination under UDC Section 2.7, as well as providing responses to the questions that City Staff asked that we answer.

### **Applicable City Code**

As UDC Section 2.7 provides, every potential and conceivable land use cannot be addressed and anticipated in the UDC, and so the Administrator or, upon referral, the Board of Adjustment, is empowered to make a similar use determination. In this case, Cypress Creek is requesting a use determination that an energy storage use is similar to the “Infrastructure and utilities – regional” use, which is exclusively permitted in the Industrial (“I”) zoning district. As UDC 2.7(C) (Compliance) further provides, “if a proposed use is determined to be similar to other uses listed within the district, the proposed use shall comply with all the standards or requirements associated with the listed use.” In addition, the use will be subject to all City site plan and building permit requirements.

### **About Cypress Creek**

Cypress Creek Renewables develops, finances, owns, and operates energy storage projects across the United States. Working with local communities, we strive to develop projects that provide benefits through the creation of construction jobs, cost-competitive enhanced grid reliability, and annual tax revenue for essential local and state services.



With today's electric grids under constant threat of severe weather, rolling blackouts, aging infrastructure, and global conflicts straining fuel supplies, improving grid reliability and resiliency is imperative. Dispatchable power solutions like energy storage are vital to providing enhanced flexibility and grid resiliency.

By storing energy when supply is sufficient and making it available for distribution to homes and businesses during periods of high demand, energy storage can reduce power costs and save people and businesses money. Also, by enhancing grid resilience and reliability, energy storage can prevent costly damages associated with power outages for people with medical needs and businesses that need a reliable power supply.

### **About The Proposed Project**

Cypress Creek Renewables is proposing an energy storage facility located off of S. New Hope Road on approximately 11 acres of a larger 48 acre parcel of land located in an industrial district within the City of Kennedale. It will be a utility-grade project that will directly connect to a nearby electrical substation for distribution to regional customers and only upon review and approval by ERCOT for an interconnection with the state's electric grid.

### **The Use is Most Similar to the “Infrastructure and utilities – regional” Use.”**

Among the uses permitted in the Industrial district, energy storage is most similar to the “Infrastructure and utilities – regional” use. UDC 33.5(J) (Infrastructure, Transportation, Communications) defines the “Infrastructure and utilities: regional” use as, “Utility facilities that provide citywide or regional service. Examples include public utility substations, water wells, water towers, waste treatment plants, and electrical substations.” The energy storage use fits since it is a utility infrastructure project that ties directly into a nearby electrical substation, with energy to be distributed to city and regional users of electricity, with a legally required interconnection study subject to review and approval by ERCOT, as the energy is part of the statewide electric grid.

### **The Outdoor Storage Use is Not Most Similar to Energy Storage**

The other use that was considered as possibly being most similar is “outdoor storage, commercial and industrial”, but upon closer inspection that use is not applicable since the energy will be stored in batteries that must be located within enclosed structures to protect them from the elements. As such, to say that the use is deemed to be “outdoor storage” would be inconsistent with UDC Section 11.25, since it provides under the “Type of Materials” subsection that, “Storage shall be limited to goods and materials customarily stored outside and resistant to damage and deterioration from exposure to the elements”, which is not the case with an energy storage use.

Also, it should be noted that a determination that the use is most similar to the “Infrastructure and utilities – regional” use would be a more restrictive determination, since it is only

permitted in the Industrial district, whereas the outdoor storage use is permitted in the C-2 commercial district.

**1. Will the establishment, maintenance, or operation of the use you are requesting be materially detrimental to or endanger the public health, safety, morals, or general welfare?**

No, the facility will not impact or endanger the public health, safety, or general welfare. In fact, the use will promote public safety by providing an important source of dispatchable power in case of emergencies such as during extreme heat events and winter storms when standby power is needed to maintain the statewide energy grid, which requires that electric supply and demand be continuously balanced to avoid blackouts or a total system breakdown. In addition, energy storage is a passive land use that, once constructed, generates almost no vehicular traffic, generates no smell, and relies on equipment that is designed for maximum safety. A grid-connected battery storage system consists of batteries which store energy, inverters that convert DC to AC power, communications equipment that allow 24/7 control and monitoring of the batteries, and equipment that ensures their safe and reliable operation. These components and battery systems are housed in specially engineered enclosures.

Cypress Creek uses state-of-the-art safety equipment and strategies to ensure a safe operation that protects the investment and helps ensure safety. Safety-by-design is incorporated at every stage from manufacturing to installation to operation, and having the use be in an industrial district helps to ensure compatibility and the orderly planning of the city.

**2. Will the uses, values, and enjoyment of other property in the neighborhood for purposes already permitted be in any foreseeable manner substantially impaired or diminished by the establishment, maintenance, or operation of the use?**

No. The use is not located in a neighborhood as it is on land zoned industrial, and the industrial zoning district is appropriate for utility infrastructure. Energy storage projects like this one proposed in the City of Kennedale are typically directly next to an electrical substation and a major electrical corridor serving the city and regional power needs. Landscape screening can be used to minimize or eliminate any visual impact of the equipment. The design, size, and look of the equipment is commonly seen in a commercial or industrial area.

Energy Storage provides generous property tax revenues to support a local community's schools, roads, infrastructure, etc. while creating an exceedingly small footprint without any traffic-or other impacts on utilities, schools, roads, etc.

**3. Will the establishment of the use you are requesting significantly impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district?**

No. This particular project would be located on an isolated portion of a parcel that is bound by buffers that include floodplain to the south, a railroad to the east, and an existing substation to the north. And, in general, the use is appropriate for the Industrial district. As such, the establishment of the use at this location will not impede the orderly development of surrounding properties.

**4. Have adequate utilities, access roads, drainage, and other necessary site improvements been (or will be) provided? (If adequate improvements are not already in place, you must demonstrate what improvements you will make and how/when).**

Yes, access will be via a private road that we would construct via S. New Hope Road. For a utility grid connection, a “gen-tie” interconnection line will be installed to the north from our leased area to connect with the existing Oncor power substation. Drainage and other City requirements will be addressed at the time of site plan review by City Staff. There will also be safety fencing around the site and the access road will be restricted by a gate.

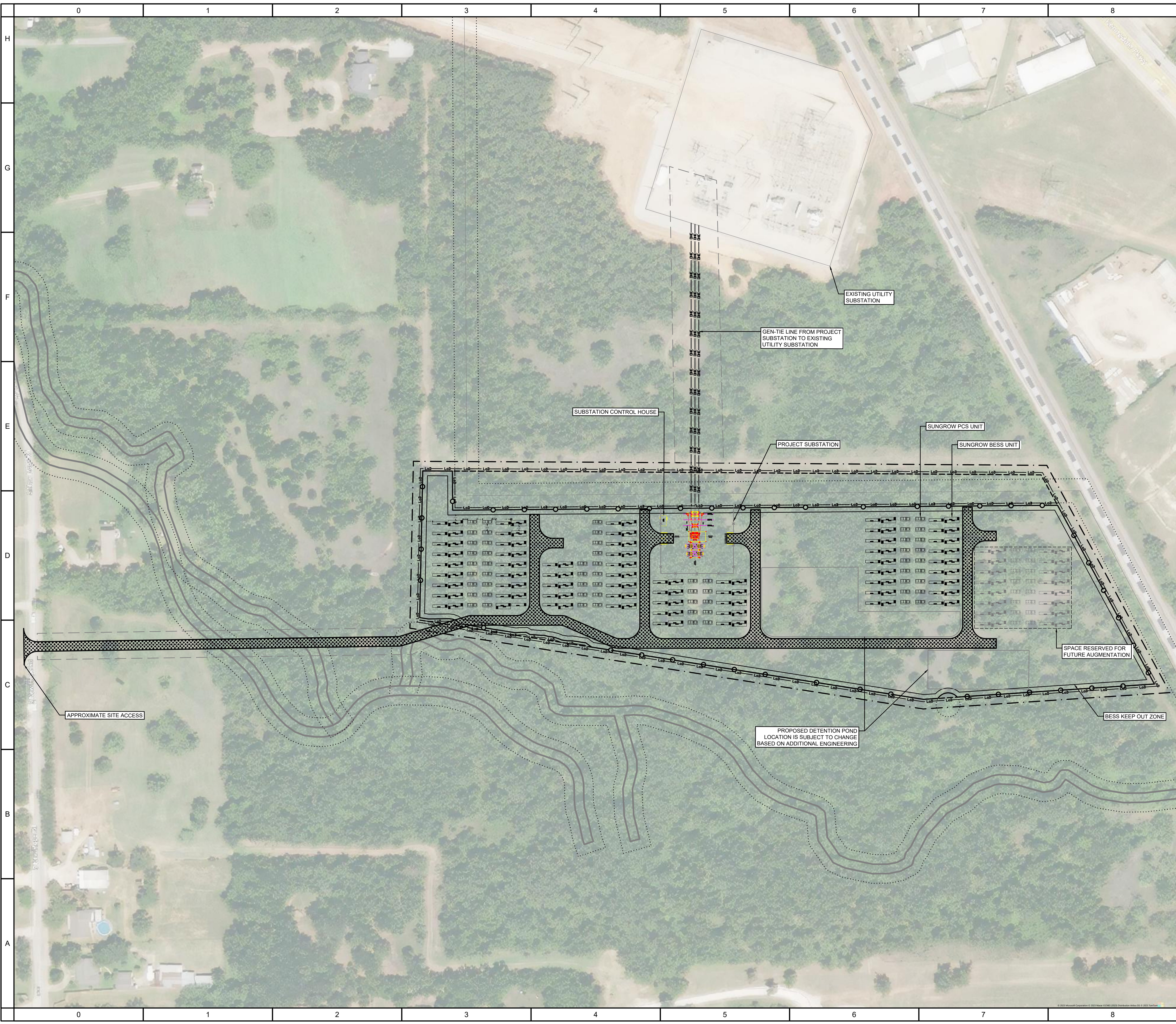
**5. Have adequate measures been taken or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets?**

There will be temporary construction traffic along S. New Hope Road during a construction delivery period. Otherwise, energy storage systems only require occasional visits for routine maintenance. There will be no full-time staff on-site as all systems are monitored remotely via people and computer systems using various high-tech sensors that are located within the battery enclosures.

**6. Does the use conform to all applicable area, yard, height, lot coverage, building size, exterior requirements, and parking space regulations of the district in which it is located?**

Yes, it will conform with all site development regulations and all other City rules and regulations.





VICINITY MAP

SCALE 1" = 5000'

NOTES:

1. BESS LAYOUT AS SHOWN IS REPRESENTATIVE AND TO BE FINALIZED PRIOR TO CONSTRUCTION.

2. AERIAL IMAGE MAY NOT ALIGN EXACTLY WITH SURVEY DUE TO MAP PROJECTION.

3. ALL EXISTING ROAD LOCATIONS SHOWN ARE APPROXIMATE.

4. EXACT PROPOSED INTERIOR ACCESS ROAD LOCATIONS ARE REPRESENTATIVE, AND TO BE FINALIZED PRIOR TO CONSTRUCTION.

5. BESS LAYOUT FENCE IS ASSUMED TO ROUTE THROUGH OVERHEAD ELECTRICAL LINE EASEMENT.

PROJECT SPECIFICATIONS DESIGN SUMMARY

| UTILITY                         | ONCOR                     |
|---------------------------------|---------------------------|
| POI VOLTAGE (kV)                | 138.00                    |
| BESS SYSTEM SIZE (MW)           | 200                       |
| BESS SYSTEM CAPACITY (MWh)      | 400.00                    |
| BATTERY & PCS MAKE              | SUNGROW                   |
| BLOCK MODEL                     | ST2752UX*3+SC4000UD-MV-US |
| BLOCK QTY                       | 60                        |
| BATTERY MODEL WITHIN BLOCK      | ST2752UX-US               |
| TOTAL BATTERY QTY (3 PER BLOCK) | 180                       |
| BATTERY CAPACITY (kWh)          | 2752                      |
| BATTERY NOMINAL VOLTAGE (V)     | 800                       |
| PCS MODEL WITHIN BLOCK          | SC4000UD-MV-US            |
| TOTAL PCS QTY (1 PER BLOCK)     | 60                        |
| PCS TRANSFORMER POWER (kVA)     | 4000                      |
| PRIMARY VOLTAGE (kV)            | 34.5                      |
| SECONDARY VOLTAGE (kV)          | 0.8                       |
| LATITUDE (°)                    | 32.633                    |
| LONGITUDE (°)                   | -97.215                   |

LEGEND

EASEMENTS

EQUIPMENT PAD

LIMIT OF DISTURBANCE

ELECTRICAL (OVERHEAD)

ELECTRICAL (UNDERGROUND)

PROJECT AREA

SECURITY FENCE

SHADE BUFFER

SITE ACCESS

TREELINE

VEGETATIVE BUFFER

FORT WATT STORAGE, LLC

TARRANT COUNTY, TX

DATE: 06-29-23

DRAWN BY: YG

CHECKED BY: --

BESS LAYOUT

E-101

PERMIT DRAWING - NOT RELEASED FOR CONSTRUCTION

SEAL

CONSULTANT

REVISIONS

DESCRIPTION

DATE

NO.

DATE

DESCRIPTION

3402 PICO BOULEVARD :: STE 215 :: SANTA MONICA, CA 90405

5310 SOUTH ALSTON AVE. :: BLDG. 300 :: DURHAM, NC. 27713



# PROPERTY TAX ESTIMATE

## Phase I

### PROJECT INFORMATION

|                            |                              |                     |                    |
|----------------------------|------------------------------|---------------------|--------------------|
| Project Name               | <u>Ft Watt Storage</u>       | Est Start Date      | <u>Jan-25</u>      |
| Total Project Costs        | <u>\$240,000,000</u>         | Est Completion Date | <u>Jan-26</u>      |
| Real Estate Costs          | <u>\$150,000/yr, 2% esc.</u> | Capacity MW         | <u>200</u>         |
| Equip & Interconnect Costs | <u>\$240,000,000</u>         | Equip Costs per MW  | <u>\$1,200,000</u> |

### BUSINESS PERSONAL PROPERTY (BPP) ASSESSMENT INFORMATION

|                        |                                                                           |                  |                    |
|------------------------|---------------------------------------------------------------------------|------------------|--------------------|
| Taxing Jurisdiction(s) | <u>Tarrant Cnty, Hosp &amp; JC, Kennedale City &amp; ISD</u>              | Current Tax Rate | <u>2.4610%</u>     |
| Assessment Date        | <u>1/1/2027</u>                                                           | Depreciable Life | <u>12 &amp; 20</u> |
| Statutory Incentives   | <u>Chapter 312 Agreement may be allowed for a standalone BESS</u>         |                  |                    |
| Depreciable Life       | <u>We anticipate that the CAD will use a split 12 &amp; 20 year life.</u> |                  |                    |
|                        |                                                                           |                  |                    |
|                        |                                                                           |                  |                    |

### BUSINESS PERSONAL PROPERTY TAX ESTIMATE

| Property | 2027 Est Cost | 2027 Est % depreciation | 2027 Est Cost minus dep | Abatement | 2027 Est Taxable Value | 2027 Est Tax Rate | 2027 Est Total Tax |
|----------|---------------|-------------------------|-------------------------|-----------|------------------------|-------------------|--------------------|
| BPP      | \$240,000,000 | 5%                      | \$229,200,000           | 0%        | \$229,200,000          | 2.4610%           | \$5,640,656        |

### REAL PROPERTY (RP) ASSESSMENT INFORMATION

|                        |                                                              |              |                              |
|------------------------|--------------------------------------------------------------|--------------|------------------------------|
| Taxing Jurisdiction(s) | <u>Tarrant Cnty, Hosp &amp; JC, Kennedale City &amp; ISD</u> | Lease Rate   | <u>\$150,000/yr, 2% esc.</u> |
| Assessment Date        | <u>1/1/2027</u>                                              | Land (Acres) | <u>15.00</u>                 |
| Effective Tax Rate     | <u>2.4610%</u>                                               | MV/Acre      | <u>\$10,890</u>              |

### REAL PROPERTY HISTORICAL ASSESSMENT

| Parcel Number | Land AV   | Improvements AV | Land Size (AC) | Land \$/AC | 2022 Total Taxable | 2022 Tax Rate | 2022 Total Tax |
|---------------|-----------|-----------------|----------------|------------|--------------------|---------------|----------------|
| 5245664       | \$533,066 | \$0             | 48.95          | \$10,890   | \$533,066          | 2.4610%       | \$13,119       |

### REAL PROPERTY TAX ESTIMATE

| Parcel Number | 2027 Est Land AV | Improvements AV | Land Size (AC) | Land \$/AC | 2027 Est Total AV | 2027 Est Tax Rate | 2027 Est Total Tax |
|---------------|------------------|-----------------|----------------|------------|-------------------|-------------------|--------------------|
| 5245664       | \$164,984        | \$0             | 15.00          | \$10,999   | \$164,984         | 2.4610%           | \$4,060            |

**TOTAL PROPERTY TAX ESTIMATE FOR FIRST TAXABLE YEAR (RP & BPP) \$5,644,716**

**Disclaimer:** The estimate produced is the opinion of Complex PTS, and in no way does Complex PTS guarantee its accuracy. The actual property tax may vary from this budget estimate. While Complex PTS strives for accuracy, it is always possible that constraints of time for research or incorrect data and underlying assumptions have impacted the accuracy of this property tax budget estimate.

**NOTES - Ft Watt Storage**

Est. Land Value: Core land value increase at 1% per annum in this estimate.

Est. Imp Value: Per Pritchard & Abbott, the third party Industrial/Utility Appraiser for Tarrant County, a 12 year life will be utilized on the Batteries and 20 year life on the M&E.

For depreciation, costs are allocated at 50% to batteries & 50% to M&E.

Est. Tax Rate Tax Details were researched from the Tarrant County website and no annual increase was utilized.

TX tax rates remain relatively flat or decrease due to caps on revenue generated by property tax.

Property taxes in TX are due in the year following the assessment/Lien date.

Assessment Details: Ag rollback taxes do not appear to be germane to this property.

Chapter 313 (ISD) abatements expire at the end of 2022 although they may be reauthorized by the 2023 legislature.

Chapter 313 (ISD) abatements are value limitation agreements that would cap the taxable value at \$20M for 10 years.

Chapter 312 (County) abatements may be available for this property.

**Disclaimer:**

*The estimate produced is the opinion of Complex PTS, and in no way does Complex PTS guarantee its accuracy. The actual property tax may vary from this budget estimate. While Complex PTS strives for accuracy, it is always possible that constraints of time for research or incorrect data and underlying assumptions have impacted the accuracy of this property tax budget estimate.*



# What Is Energy Storage?

## Energy storage powers our daily lives

We use energy storage all the time in our everyday lives. The batteries that power your phone, computer, and other electronic devices are small-scale forms of the battery energy storage systems connected to our electrical grid. The same technology that powers your personal devices is used today to provide back-up power to homes and businesses, limit power outages, make our electrical grid more reliable, and to enable our communities to run on clean, affordable energy.

## How does it work?

Just like charging your phone while you sleep, energy storage systems efficiently and conveniently capture electricity so that it can be used when it's most needed. Grid-connected energy storage doesn't move or emit any pollution. A grid-connected battery storage system consists of batteries, racks for the batteries, inverters that convert DC energy to AC energy, communications equipment that allow control and monitoring of the batteries, and equipment that ensures the batteries can operate safely. These components and battery systems are housed in specially engineered enclosures. Various types of energy storage have been utilized for more than a century, and the oldest battery storage projects currently in operation have been serving the electrical grid for more than a decade.

## What does it look like and where is it located?

Energy storage systems connected to the electrical grid are housed in specially engineered shipping containers, outdoor-rated cabinets, or purpose-built buildings. While customer-sited residential systems are generally installed on the exterior of homes and about the size of whole-home HVAC systems, grid-scale facilities vary in size. A typical new utility-scale project can have dimensions ranging from a hockey rink or basketball court to a soccer field. There are currently hundreds of utility-scale energy storage projects operating and in construction throughout the entire United States, including in extremes of arctic and desert environments, each tailored for the unique setting and community it serves. Energy storage facilities are located in dense, urban centers as well as rural and remote areas. These operating energy storage projects, wherever they are located, provide valuable services to electrical grid in communities across the country.



To learn more about energy storage technologies, visit [cleanpower.org](https://cleanpower.org).

# How is energy storage useful?

## Enhancing Reliability, Reducing Costs, Protecting the Environment, and Supporting Local Economies

Energy storage systems enable a more efficient and resilient electrical grid, which produces a variety of benefits for consumers, businesses, and communities. Deployment of energy storage:

- **Reduces outages and enhances resilience:** Similar to household devices operating with back-up batteries, like smoke alarms, or back-up generators, energy storage systems can support entire buildings or even the larger electrical grid during extreme weather events and other disruptions. Keeping the lights on, air-conditioning or heating systems operating, and critical infrastructure working is important to keeping people safe.
- **Reduces costs & saves money:** By storing energy when the price of electricity is low and discharging that energy later during periods of high demand, energy storage can reduce costs for utilities and save families and businesses money. Also, by enhancing grid resilience and providing back-up power, energy storage can prevent costly damages to families and businesses associated with power outages.
- **Bolsters a sustainable electrical grid:** Energy storage enables electricity to be saved and used at a later time, when and where it is most needed. By introducing more flexibility into the electrical grid, energy storage helps integrate more clean, renewable power sources—like solar, wind, and hydropower—and enables more people to rely on distributed energy resources, like rooftop solar and electric vehicles. All of these resources enabled by energy storage contribute to reducing local air pollution and greenhouse gas emissions from our electrical grid.
- **Supports local economies:** Energy storage projects boost local economies and broaden tax bases, reducing local tax burdens without adding pressure on other governmental services. The U.S. energy storage industry supports over 60,000 jobs at companies leading cutting-edge technological innovations, advanced manufacturing, engineering and construction, and more.





# Considerations for Government Partners on Energy Storage Siting & Permitting

Collaborative efforts between industry and government partners are essential for creating effective rules and ordinances for siting and permitting battery energy storage systems as energy storage continues to grow rapidly and is a critical component for a resilient, efficient, and clean electric grid.

## Key Takeaways

- 1 Importance of energy storage systems:** Energy storage technologies, particularly battery energy storage systems, are growing rapidly (by more than 1,200% between 2016 and 2021) and already play a crucial role in enhancing the electrical grid by supporting the deployment and integration of renewable energy sources — increasing reliability, controlling costs, and building a more resilient grid.
- 2 Siting and permitting considerations:** It is essential for government partners and policymakers to create specific definitions, standards, and regulations for energy storage facilities, considering their unique attributes and distinct functions compared to traditional electrical generation facilities. Flexibility in zoning, environmental review, and sound level considerations are necessary for the effective integration of energy storage systems in various locations and applications.
- 3 Collaboration and safety:** The energy storage industry seeks to collaborate with government partners and first responders to develop effective rules, ordinances, and emergency response plans. Ensuring safety and compliance with relevant codes and standards, such as the International Fire Code, NFPA 1 Fire Code, NFPA 855, UL 9540, and UL 9540A, is crucial in the manufacturing, construction, installation, and operation of energy storage systems.



Credit: AES

## Background

Energy storage refers to a variety of technologies that can store energy for later use when it is most valuable. This includes technologies like batteries, pumped hydropower, and flywheels, among many others in development or initial deployment. Energy storage is critical to an efficient, clean electric grid. In addition to supporting the deployment and grid integration of additional renewable energy sources, energy storage systems provide a variety of valuable services. By storing energy during times of excess and dispatching during times of need, energy storage increases reliability, controls costs for consumers, and ultimately helps build a more resilient grid.

Energy storage is a critical hub for the entire electric grid, enhancing the grid to accommodate all forms of electrical generation—such as wind, solar, hydro, nuclear, and fossil fuel-based generation. While there are many types of energy storage technologies, the majority of new projects utilize batteries. Energy storage technologies have experienced rapid growth over the past few years, with battery energy storage deployments growing by more than 1,200% between 2016 and 2021. This growth is expected to continue over the next decade.

Battery energy storage systems begin with relatively small, individual battery cells. Battery cells are electrically connected and are then packaged in a battery module. These battery modules are aggregated and stored within battery racks. One or more battery racks (depending on available space) are then stored in specially engineered shipping containers, outdoor-rated cabinets, or purpose-built buildings designed to safely house and maintain these batteries. One or more of these enclosures or buildings, along with necessary electrical equipment, comprise the battery energy storage facility which will export electricity to and import electricity from the electrical grid.

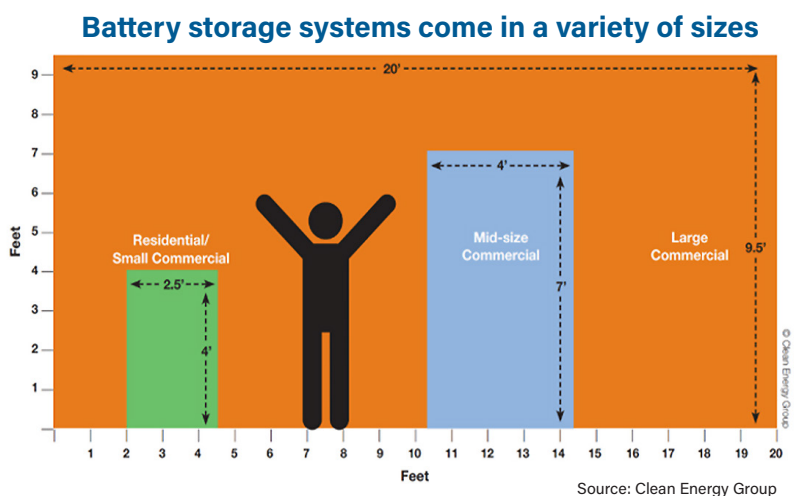
## Siting & Permitting Considerations For Government Partners & Policymakers

### ENERGY STORAGE VS. OTHER ELECTRICAL ASSETS

Energy storage technologies provide unique services to the electrical grid and are fundamentally different assets and resources from traditional electrical generation facilities. Energy storage systems can act as both generation and load and can switch rapidly from one to the other, providing important benefits for grid stability. As such, certain standards and regulations applied to other types of electricity generation are not applicable to energy storage facilities, and energy storage facilities should not be classified under existing regulations for solar or wind. It is important that state and local permitting authorities for energy storage facilities utilize definitions and standards that are applicable to the distinct functions of battery energy storage projects.

### SITING & LAND USE ZONING

Energy storage systems are as likely to be sited in urban and suburban areas as they are in rural areas. Energy storage systems are often housed in pre-assembled modular enclosures or containers, which creates flexibility that allows developers to efficiently utilize sites that pose development challenges for other types of facilities, whether due to limited size or shape. As a result, energy storage systems can be seamlessly integrated into the existing fabric of a municipality in residential, commercial, industrial, or agricultural areas.





Energy storage systems can also be housed in buildings or within existing infrastructure. This option can allow for the integration of energy storage into existing sites, including urban spaces or previously operating fossil fuel generation facilities, where there may be increased demand for immediately dispatchable energy.

**Zoning Districts:** Because of the flexibility and variety of beneficial applications of stand-alone energy storage systems, policymakers should not limit energy storage projects to a specific set of zoning districts. When careful and conscientious development practices are employed, energy storage systems can appropriately integrate within any type of zoning district. For this reason, concerns about locational suitability, should be considered on a case-by-case basis.

**Setbacks:** Energy density is a unique advantage to energy storage siting that allows it to be deployed in a wide variety of locations and applications, and provide meaningful benefits to the communities it serves. Furthermore, given the fundamental differences between battery storage and other facilities categorized as power generation, battery storage project setbacks should be standardized independently of other types of electricity infrastructure.

**Screening & Security Barriers:** In many instances, walls, fences, building façade design, and other features can be utilized to screen an energy storage project or blend it in with its surroundings. Design constraints such as siding requirements for buildings may not be appropriate for 'off-the-shelf,' pre-manufactured, containerized systems purchased and deployed by energy storage developers. Such requirements may impose safety risks by voiding warranties or reducing effectiveness of HVAC & thermal management systems critical to the operation of battery storage systems. Energy storage projects proposed in industrial areas do not require blending with adjacent uses.

## ENVIRONMENTAL REVIEW & COMPLIANCE

Energy storage facilities have minimal environmental impact. They do not produce any emissions or discharge waste under normal operations, and often require a much smaller footprint than other utility-scale electrical infrastructure or generation facilities.

**Water Quality:** Energy storage facilities do not discharge wastewater into bodies of water; therefore, they fall within the general requirements of the National Pollutant Discharge Elimination System (NPDES).

**Air Quality:** Because operating energy storage facilities do not produce any emissions or air-pollutants project operations are exempt from providing information or demonstrating compliance with state and federal air pollution regulations.

**Expedited Permitting for Energy Storage Co-Located with Renewable Generation:** At sites where renewable energy generation facilities like solar or wind already operate or are proposed, environmental review and permitting can be streamlined. Considering these sites have already conducted site assessments and obtained the necessary permitting to operate, duplicative and redundant environmental assessments and permitting processes can be eliminated by tiering off prior environmental reviews. Streamlining permitting processes at existing renewable generation sites increase the cost-effectiveness of projects without sacrificing environmental standards.

## SOUND LEVELS

Sound levels amongst battery energy storage systems vary based on the facility size, type of enclosure, and the unique technology utilized in each individual system. Projects are thoughtfully designed to minimize noise impacts and use a variety of strategies to integrate facilities into a variety of environments. The sound sources associated with battery storage are not unique, rather they are associated with familiar equipment, such as heating ventilation air conditioning (HVAC) systems, inverters and transformers employed by other types of grid infrastructure. Sounds may also be produced by fans, coolant pumps, or power-switching equipment, which are common in industrial settings. These sources of sound are likely already addressed by the permitting authorities and acoustical analysis may be conducted to confirm the anticipated project will comply, consistent with how other developments are permitted. Generally, when permitting energy storage systems, the expected sound levels fall within the accepted limits integrated into land use zoning ordinances.

## PROJECT CONSTRUCTION & OPERATION

Like other construction projects, battery energy storage developers work with local and state governments to develop and share site plans. Generally, typical construction equipment is utilized and projects can be constructed in accordance with the applicable criteria used for other developments, such as limiting heavy equipment operations to daytime hours. Project construction and operational planning also includes the development of emergency service plans and ongoing maintenance plans, similar to other utility infrastructure projects. This work also includes a delineation of a project's footprint within the proposed project site and the type of enclosure utilized to house the battery systems, among other engineering and construction specifications. Other relevant matters include planning related to exterior landscaping and physical facility security. While traffic volumes and sound levels may increase during periods of construction, consistent with other private construction or public works projects, traffic should not be expected to substantially increase once a facility is complete and operating.

## INTERCONNECTION

The operator of an energy storage system will seek to execute an interconnection service agreement with the relevant electric utility or cooperative. Typically, this application and execution of an interconnection service agreement begins with an interconnection study process which will be completed later in the permitting process of an energy storage project. Technical requirements for interconnection and interoperability are detailed in the IEEE 1547 series of standards for distributed energy resources and the IEEE 2800 series for transmission-connected systems.

## SAFETY CODES & STANDARDS RELEVANT TO ENERGY STORAGE SYSTEMS

Numerous nationally and internationally recognized standards and codes have been developed to inform safe manufacturing, construction, installation, and operation of energy storage systems. Laboratories certified by the Department of Labor Occupational Safety and Health Administration's (OSHA) Nationally Recognized Testing Laboratories (NRTL) Program have spent years developing industry best practices and procedures that are used to mitigate risks and promote safe operation of energy storage facilities. These codes and standards include, but are not limited to, the following:

- **2021 International Fire Code:** contains regulations to safeguard against fires and other hazards and addresses general precautions, emergency planning and preparedness, fire department access and water supplies, automatic sprinkler systems, fire alarm systems, special hazards, and other matters.
- **2021 NFPA 1 Fire Code:** advances fire and life safety for the public and first responders as well as property protection by providing a comprehensive, integrated approach to fire code regulation and hazard management.
- **NFPA 855 Standard for the Installation of Stationary Energy Storage Systems:** provides the minimum requirements for mitigating the hazards associated with energy storage systems.
- **UL 9540 Energy Storage Systems and Equipment:** presents a safety standard for energy storage systems and equipment intended for connection to a local utility grid or standalone application.
- **UL 9540A Test Method:** delineates procedures for testing the fire safety hazards associated with propagating thermal runaway within battery systems.



## PARTNERSHIPS WITH FIRST RESPONDERS

Energy storage system operators develop robust emergency response plans relevant and applicable to each individual energy storage facility. These plans are developed based on a standard template of national best practices that are customized for each facility. These best practices include extensive collaboration with first responders. These plans address emergency situations that might be encountered at an energy storage site, including extreme weather, fires, security incidents and more. These plans also address emergency response roles and highlight the importance of coordinating with first responders—particularly during planning—to ensure a complete, detailed understanding of potential emergencies and the proper safety responses.

Discussions with first responders involves the sharing of important information and consultation on project design, including appropriate placement of roads, entry points, and staging locations, as well as the dissemination of site maps, appropriate signage, emergency contacts, and other safety-relevant items. Partnerships between developers, operators, and first responders may include initial trainings, as well as ongoing follow-up activities and trainings. Energy storage developers and operators are eager to work with local officials to develop a strong partnership and an appropriate plan for their project.

## Effective Permitting Through Industry Collaboration

### The Energy Storage Industry is Prepared to Work Together to Develop Effective Rules and Ordinances

The U.S. energy storage industry welcomes collaborating with government partners, sharing information and best practices, and proactively discussing potential state and local government permitting rules. Collaboration between government partners and industry members can ensure that permitting rules and ordinances can serve as effective guidelines that appropriately account for all relevant considerations, while also ensuring that these valuable technologies can be deployed to enhance a community's electrical grid.

**If you are interested in working with energy storage companies or experts, we welcome you to contact the American Clean Power Association at [membership@cleanpower.org](mailto:membership@cleanpower.org).**

## Additional Resources

**Energy Storage Systems:** What You Need to Know about UL 9540 and 9540A (on-demand webinar): <https://www.ul.com/resources/energy-storage-systems-what-you-need-know-about-ul-9540-and-9540a>

**UL 9540A 4th Edition Unit Level AHJ Checklist:** [https://code-authorities.ul.com/wp-content/uploads/sites/46/2020/09/UL-9540A-AHJ-Checklist\\_Rev-2.pdf](https://code-authorities.ul.com/wp-content/uploads/sites/46/2020/09/UL-9540A-AHJ-Checklist_Rev-2.pdf)

**Lawrence Berkely National Laboratory's Best Practices and Considerations for Siting Battery Energy Storage Systems:** [https://eta-publications.lbl.gov/sites/default/files/battery\\_siting-sein-factsheet\\_052522.pdf](https://eta-publications.lbl.gov/sites/default/files/battery_siting-sein-factsheet_052522.pdf)



Credit: AES



## STAFF REPORT TO THE BOARD OF ADJUSTMENT

### I. SUBJECT

**CASE # BOA 23-04** TO RECEIVE COMMENTS AND CONSIDER ACTION ON A REQUEST FOR A *SPECIAL EXCEPTION USE* BY SCOTT MEEK OF MANSFIELD SAND & SELECT LLC, FOR THE SPECIAL EXCEPTION USE OF *OUTDOOR STORAGE, COMMERCIAL AND INDUSTRIAL* AS REQUIRED BY SECTION 6.2 OF THE UNIFIED DEVELOPMENT CODE FOR 1000 E KENNEDALE PARKWAY, BLOCK 1, LOT 1, OF THE KEDC ADDITION, CITY OF KENNEDALE, TARRANT COUNTY, TEXAS.

### II. ORIGINATED BY: NATHAN GONZALES

### III. SUMMARY

| BACKGROUND AND OVERVIEW          |                                                                                      |
|----------------------------------|--------------------------------------------------------------------------------------|
| Request                          | Special exception use to allow for <i>Outdoor storage- commercial and industrial</i> |
| Applicant                        | Scott Meek, Mansfield Sand & Select                                                  |
| Location                         | 1000 E Kennedale Parkway, Kennedale, TX 76060                                        |
| Surrounding Uses                 | Commercial, Industrial, Residential                                                  |
| Surrounding Zoning               | I, CCOD, C-2, PD-ID                                                                  |
| Future Land Use Plan Designation | Urban Village                                                                        |
| Staff Recommendation             | Deny                                                                                 |

### IV. CURRENT STATUS OF THE PROPERTY

The property is currently a vacant milled asphalt lot and is zoned "I-Industrial District," with half of the property subject to the Commercial Corridor Overlay District (Business 287, UDC Section 8.2). The purpose of the Commercial Corridor Overlay District is to establish a consistent development pattern to enhance the visual image of the corridor and to maximize traffic safety. Land uses of the underlying zoning district are permitted, however, an *Outdoor Storage- Commercial and Industrial* land use is not permitted by right, but instead requires a *Special Exception Use* granted by the Board of Adjustment. There are no longer any buildings or accessory structures at this location as they were demolished years ago. The property is fenced with a chain link fence and barbed wire. The property has sat vacant for a number of years. If and when the property is redeveloped, building siting, landscape, and parking will need to meet the requirements of the Commercial Corridor Overlay District.

The applicant, Scott Meek, owns Mansfield Sand & Select, LLC, which is located in Mansfield, TX (See Exhibit A).



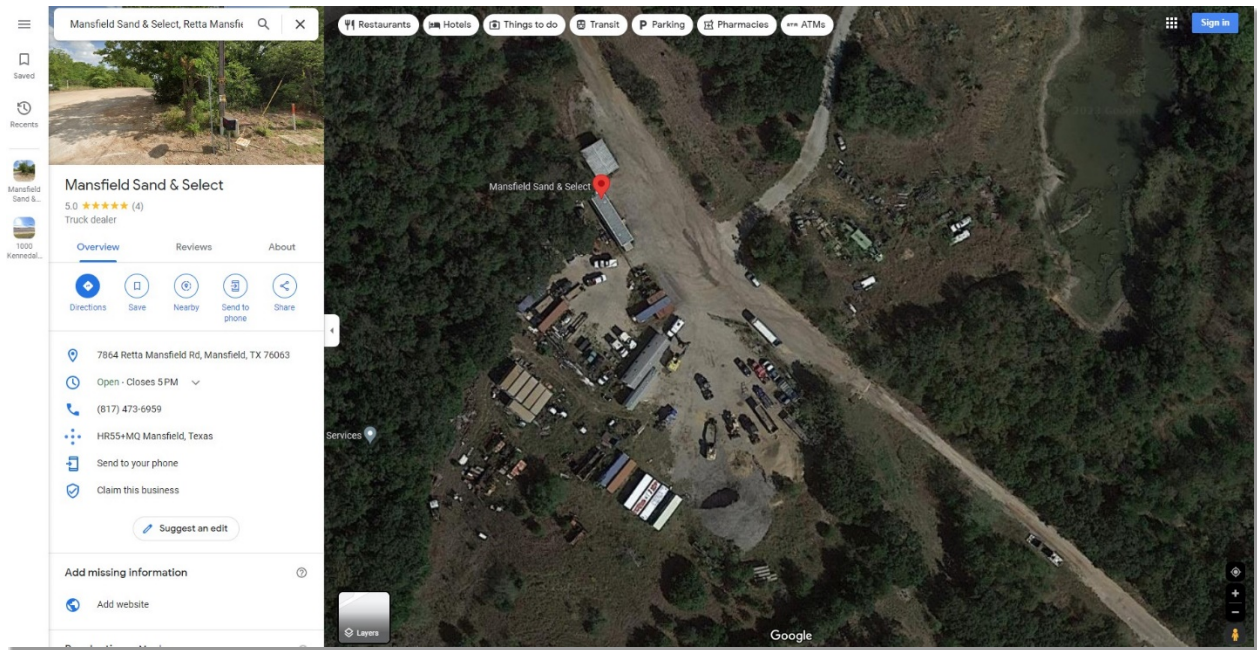


Exhibit A- Mansfield Sand & Select, 7864 Retta Mansfield, Rd, Tarrant County

The applicant is proposing to utilize the property to park commercial vehicles, for a fee, *and* to store industrial materials. It is presumed these materials would be sand and gravel, or those associated with the applicant's Mansfield Sand & Select business operation. At this time, the applicant has not proposed to build a parking facility or structure on-site to support the parking portion of this operation. The applicant has offered to screen both the parking and materials from view, if required. In determining the proper land use classification for this proposal, staff reviewed two land use definitions noted in our Unified Development Code:

*Outdoor storage- commercial and industrial:* The outdoor placement of goods, such as building or construction materials, equipment, vehicles, trailers, and other supplies, for future use, production, storage, assembly, preservation, or disposal. (Requires Special Exception in I District)

*Parking facility, public or commercial-* A public or commercial parking lot or structure providing parking either for free or for a fee. Does not include a towing impound or storage facilities. (Permitted by right in I District)

Staff believes this use best meets the definition of *Outdoor storage- commercial and industrial* as the proposed use *includes* the storage of materials on-site.

## V. SURROUNDING PROPERTIES & NEIGHBORHOOD

The property is surrounded by I-Industrial to the north, south, and west. To the east are properties zoned C-2 Commercial and PD-Industrial (See Exhibit B).



Exhibit B- 1000 E Kennedale Parkway

The Future Land Use Plan (FLUP) envisions an Urban Village in this area of the city, with an adjacent Urban Corridor and a small portion devoted to light industrial land uses to the west and southwest (See Exhibit C)



Exhibit C- Future Land Use Plan





Kennedale's adopted Comprehensive Plans provides samples of types of development that should occur within Urban Villages. These include retail, multi-tenant offices, apartments, and restaurants to name a few. The Urban Corridor includes restaurants, professional offices, retail, and service type offerings.

The FLUP has called for an extension of Little School Rd across Kennedale Parkway providing a connection to New Hope Rd. The planning and route study for this road extension is currently underway. City Council has recently approved a route study to be performed by Freese & Nichols, Inc. Tarrant County has also granted funding to assist with the construction costs of the project. At this time, it is unclear which route the Little School Rd will extend to the south and how much right-of-way will need to be secured and/or extended on the both sides of Kennedale Parkway (See Exhibit D). The city plans to have a bond election later this fall for the construction of this road.

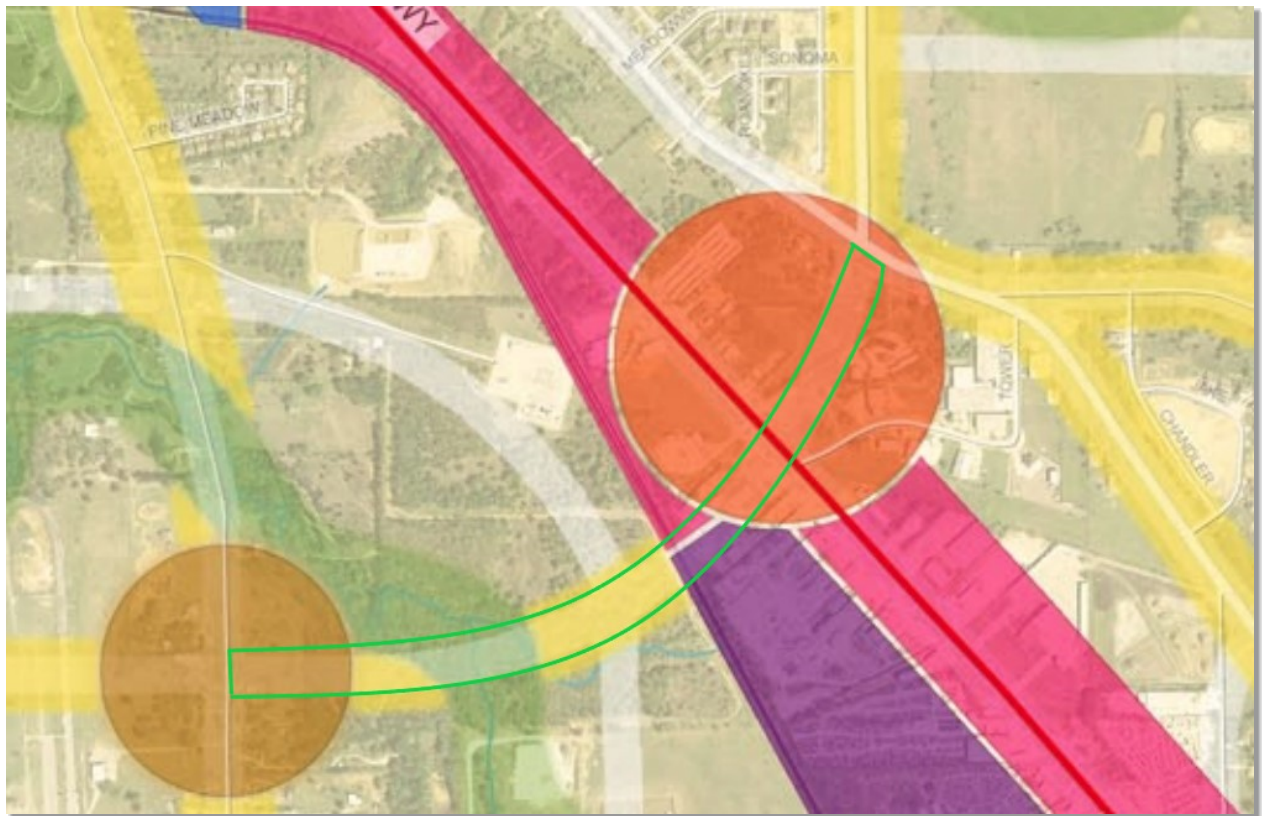


Exhibit D- FLUP Little School Rd Extension



## **STANDARDS FOR GRANTING A SPECIAL EXCEPTION**

No application for a special exception shall be granted by the Board of Adjustment unless the board finds all of the conditions described below are present:

### **STANDARD 1- Will the establishment, maintenance, or operation of the use you are requesting be material detrimental to or endanger the public health, safety, morals, or general welfare?**

While the outdoor storage use does not appear to be detrimental or public health or morals in the general sense, staff believes this land use, at this location, will increase heavy commercial traffic in the area. During the public hearings of the recent moratorium the city put in place, Dunaway, a planning and consulting firm, noted existing traffic congestion on Business 287, among other thoroughfares in the city. According to Dunaway's letter, Kennedale has seen an increase in traffic accidents on major arterials by 23 percent. This is something Board of Adjustment should consider.

### **STANDARD 2- Will the use, values, and enjoyment of other property in the neighborhood for the purposes already permitted to be in any foreseeable manner substantially impaired or diminished by the establishment, maintenance, or operation of the use for which you are requesting a special exception?**

Outdoor storage of vehicles, equipment, and materials are currently present directly north and south of this location on the west side of E Kennedale Parkway. However, the adjacent properties have existing buildings, designated parking areas, and some solid fencing which helps screen most of the outdoor storage of equipment and materials from view. Staff does not believe this use will substantially impair existing businesses or property.

### **STANDARD 3- Will the establishment of the use you are requesting significantly impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district?**

As previously noted in the staff report, this proposed use would not be consistent with the Future Land Use Plan or Comprehensive Plan. Land use at this site certainly needs to be considered when construction of the Little School Rd extension begins, as this area will serve as a new gateway into the western portion of Kennedale. Vehicle parking and material storage may impede the orderly development and improvement of this gateway, as the city would be faced with another caveat to navigate in addition to securing additional right-of-way.

### **STANDARD 4- Have adequate utilities, access roads, drainage, and other necessary site improvements been (or will be) provided? (If adequate improvements are not already in place, you must demonstrate what improvements are will make and how/when)**

The site has existing electric service. There does not appear to be any active water or sewer service accounts. As there was once a previous building on-site, it is assumed utility service taps are existing. These may need to be extended to support any future use, however, the applicant has not proposed any improvements to the site.





**STANDARD 5- Have adequate measures been taken or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets?**

The site has a gate and driveway on the north run of the property. There is an existing driveway to the south along E Kennedale Parkway. Egress out of the site onto E Kennedale Parkway requires users to pull into the center lane to go north bound. Staff does not believe this standard has been met as it is unclear how traffic congestion will be minimized by the applicant. As this area develops, traffic studies would need to be performed. It is likely a traffic signal at this new intersection would be installed sometime in future by TXDOT, however, nothing to date has been proposed.

**STANDARD 6- Does the use conform to all applicable area, yard, height, lot coverage, building size, exterior requirements, and parking space regulation of the district in which it is located?**

No. According to the site plan provided by the applicant, parking is proposed in the rear of the property near the railroad tracks. Presumably, this would mean the front half off of E Kennedale Parkway would be reserved for material storage. This front half of the property is subject to the Commercial Corridor Overlay District which limits parking to a single-row along the parkway. Additionally, Section 11.25 of UDC limits outdoor storage, whether primary or accessory, to 33% of the lot. Solid fencing at least six feet in height is required. Landscaping requirements include trees planted along the property line and right-of-way, as well as one tree for every 20-parking spaces. The site plan provided does not indicate the number of proposed parking spaces, how customers will be served, or where material storage will be placed or screened. Staff does not believe this standard has been met.

**STAFF RECOMMENDATION**

Based on the staff's review of Standards 1, 3, 5, and 6, Staff recommends denial of this request at this time. Should the Board of Adjustment consider recommending approval of the *Special Exception Use* request, staff recommends the following conditions:

- (1) A traffic study be performed by the applicant and submitted for review and approval.
- (2) A revised site plan meeting all UDC requirements be submitted for review and approval.
- (3) A parking plan be submitted for review and approval.
- (4) Solid screening be provided as required.
- (5) Outdoor storage must be placed in the rear of the property, outside the limits of the Commercial Corridor Overlay District, not to exceed 8 feet in height
- (6) Outdoor storage use be limited to one year in duration. Applicant must reapply.

**ATTACHMENTS**

|    |                                                                       |
|----|-----------------------------------------------------------------------|
| 1. | BOA Case 23-04 Mailing List                                           |
| 2. | BOA CASE#23-04 Legal Mailing Letter Notice - 1000 E Kennedale Parkway |
| 3. | FTW Publication BOA CASE 23.-04                                       |
| 4. | FTW Publication MEMO INVOICE                                          |

## MAILING LIST BOA CASE# 23-04

SPEED -CRETE CORPORATION  
1150 E KENNEDALE PKWY  
KENNEDALE, TX 76060

CALLAHAN & FREEMAN INC  
PO BOX 15577  
FORT WORTH, TX 76119

FERRELLGAS LP  
1 LIBERTY PLZ  
LIBERTY, MO 64068

KENNEDALE CITY OF  
405 MUNICIPAL DR  
KENNEDALE, TX 76060

GBH INC  
1004 E KENNEDALE PKWY  
KENNEDALE, TX 76060

SOUTHERN PACIFIC RR CO  
1400 DOUGLAS STOP 1640 ST  
OMAHA, NE 68179

ONCOR ELECTRIC DELIVERY CO LLC  
PO BOX 139100  
DALLAS, TX 75313

HAYNIE HUBERT R  
PO BOX 266  
KENNEDALE, TX 76060

HAWA INC  
2109 LOST VALLEY DR  
EULESS, TX 76039

BULLDOG INTEGRATED GROUP LLC  
PO BOX 15038  
FORT WORTH, TX 76119

MATTHEW 7:24 LLC  
5808 MYRA DR  
MANSFIELD, TX 76063





July 26, 2023

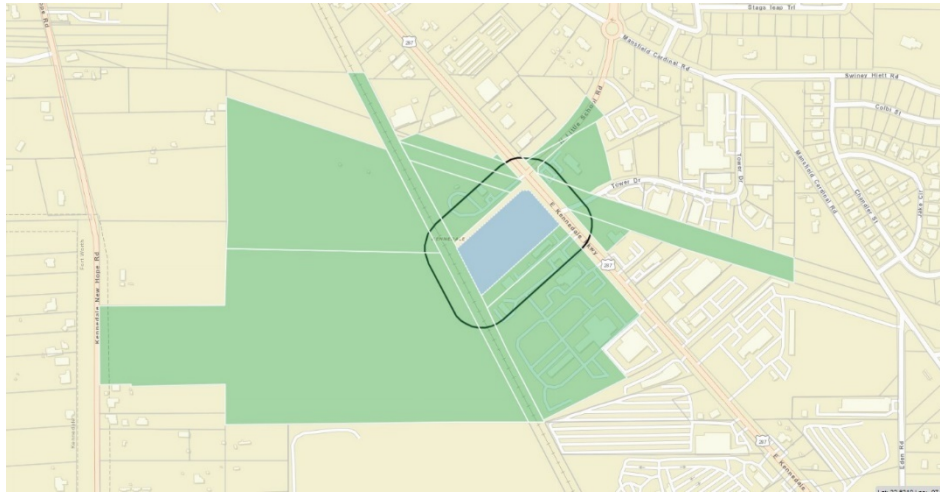
Legal Notice of Public Hearing

The Kennedale Board of Adjustment will hold a public hearing for the following case on **Tuesday, August 8, 2023** at 5:30 P.M. in the City Council Chambers, located at 405 Municipal Drive, Kennedale, Tarrant County, Texas 76060.

CASE # BOA 23-04 to receive comments and consider action on a request for a *Special Exception Use* by Scott Meek of Mansfield Sand & Select LLC, for the Special Exception Use of *Outdoor Storage, Commercial and Industrial* as required BY Section 6.2 of the Unified Development Code for 1000 E Kennedale Parkway, Block 1, Lot 1, of the KEDC Addition, City of Kennedale, Tarrant County, Texas.

We are sending notification to those who own real property within 200 feet of the request in case they wish to attend the public hearings or provide written comments. You are not required to attend the public hearing, but if you choose to attend, you will have the opportunity to speak either in favor of or against the request(s). Written comments may be provided prior to the meeting to the City Secretary's Office, 405 Municipal Drive, Kennedale, TX 76060. If you would like more information about the case or public hearing process, please contact Nathan Gonzales at 817-985-2135 or [ngonzales@cityofkennedale.com](mailto:ngonzales@cityofkennedale.com).

The agenda will be posted at 72 hours before the meeting at [www.cityofkennedale.com/agendas](http://www.cityofkennedale.com/agendas) and the meeting calendar is published at [www.cityofkennedale.com/cal](http://www.cityofkennedale.com/cal). For your reference, a map showing the property is below.



Sincerely,

Nathan Gonzales  
Director of Community Development  
City of Kennedale  
405 Municipal Dr  
Kennedale, TX 76060  
[ngonzales@cityofkennedale.com](mailto:ngonzales@cityofkennedale.com)  
(817)985-2135



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## Legals

**WESTWORTH VILLAGE** is seeking responses to an RFQ for ARPA funded engineering services until 10AM on August 28, 2023. The RFP may be viewed on our webpage at <http://www.cityofwestworth.com/bids> or by contacting the city secretary at 311 Burton Hill Road, Westworth Village, TX. All interested parties are encouraged to reply. IPL0133064 Jul 27 2023

### CITY OF ROANOKE NOTICE OF PUBLIC HEARING ZONING BOARD APPEAL

Roanoke Zoning Board of Adjustment THE ROANOKE ZONING BOARD OF ADJUSTMENT WILL HOLD A PUBLIC HEARING ON THURSDAY, AUGUST 17, 2023, TO CONSIDER AN APPEAL OF AN ADMINISTRATIVE DECISION, TO-WIT: THE PERMIT WAS DENIED PURSUANT TO SECTIONS 12.262 (2) AND 12.751(D) OF THE CODE OF ORDINANCES. THE APPLICANT IS WANTING TO BUILD AN ACCESSORY STRUCTURE THAT EXCEEDS THE MAXIMUM HEIGHT AND ALSO THE MAXIMUM SIZE OF AN ACCESSORY STRUCTURE IN A RESIDENTIAL ZONING DISTRICT. THE PROPOSED PROJECT IS LOCATED ON THE SOUTH SIDE OF DALLAS DRIVE, NEXT TO THE CHURCH OF CHRIST, LEGAL DESCRIPTION: A0923A MAP & PRR, TR 58, 1.0 ACRES, OLD DCAD TR #19(1) CITY OF ROANOKE, DENTON COUNTY, TEXAS, AND HAVING A PROPERTY ADDRESS OF 604 DALLAS DRIVE, ROANOKE, TEXAS. THE PUBLIC HEARING WILL BE HELD AT 7:00 PM. AT THE ROANOKE CITY HALL, LOCATED AT 500 S. OAK STREET, ROANOKE, TEXAS. IPL0131498 Jul 27 2023

### DEPARTMENT OF HOMELAND SECURITY FEDERAL EMERGENCY MANAGEMENT AGENCY

**Proposed Flood Hazard Determinations for the City of Fort Worth, Tarrant County, Texas, Case No. 23-06-0280P.** The Department of Homeland Security's Federal Emergency Management Agency (FEMA) solicits technical information or comments on proposed flood hazard determinations for the Flood Insurance Rate Map (FIRM), and where applicable, the Flood Insurance Study (FIS) report for your community. These flood hazard determinations may include the addition or modification of Base Flood Elevations, base flood depths, Special Flood Hazard Area boundaries or zone designations, or the regulatory floodway. The FIRM and, if applicable, the FIS report have been revised to reflect these flood hazard determinations through issuance of a Letter of Map Revision (LOMR), in accordance with Title 44, Part 65 of the Code of Federal Regulations. These determinations are the basis for the floodplain management measures that your community is required to adopt or show evidence of having in effect to qualify or remain qualified for participation in the National Flood Insurance Program. For more information on the proposed flood hazard determinations and information on the statutory 90-day period provided for appeals, please visit FEMA's website at [https://www.floodmaps.fema.gov/fhm/BFE\\_Status/bfe\\_main.asp](https://www.floodmaps.fema.gov/fhm/BFE_Status/bfe_main.asp), or call the FEMA Mapping and Insurance Exchange (FMIX) toll free at 1-877-FEMA MAP (1-877-336-2627). IPL0133112 Jul 27 Aug 3 2023

### SECTION 00 11 13 INVITATION TO BIDDERS

Sealed bids for the construction of CONSTRUCTION MANAGER AT RISK (CMAR) Preconstruction and Construction Phase Services for Camp Bowie Improvements will be received by the City of Fort Worth Purchasing Office until 1:30 PM. CST, Thursday, AUGUST 24, 2023 as further described below: City of Fort Worth Purchasing Division 200 Texas Street Fort Worth, Texas 76102 Bids will be accepted by: US Mail, Courier, FedEx or hand delivery at the address above; Bids will be opened publicly and read aloud at 2:00 PM CST in the City Council Chambers. This project is funded by the City of Fort Worth and the Tarrant County Commissioners Court through the Tarrant County 2006 and 2021 Transportation Bond Programs GENERAL DESCRIPTION OF WORK A. The major work will consist of the (approximate) following: The project consists of new pavement, brick pavers, lighting, site furnishings, planting and irrigation within the existing right-of-way of Camp Bowie starting at the intersection at Montgomery going east and ending at the intersection at University. Approximate quantities for major items include: 4200 SY of new brick pavers (vehicular), 8000 SY of 6" concrete pavement, 3200 SY stamped concrete (vehicular), 4500 LF of 6" curb and gutter, 4100 LF integral concrete curb, 3,700 SY of 4" enhanced sidewalk. An add alternate is also being proposed adjusting the amount of new brick pavers to 9,200 SY and concrete pavement to 3000 SY. An add alternate is being proposed to include ornamental street lights in the center median of the Camp Bowie Right of way. PREQUALIFICATION Certain improvements included in this project must be performed by a contractor or designated subcontractor who is pre-qualified by the City at the time of bid opening. DOCUMENT EXAMINATION AND PROCUREMENTS The Bidding and Contract Documents may be examined or obtained on-line by visiting the City of Fort Worth's Purchasing Division website at <http://www.fortworthtexas.gov/purchasing/> and clicking on the link to the advertised project folders on the City's electronic document management and collaboration system site. The Contract Documents may be downloaded, viewed, and printed by interested contractors and/or suppliers. EXPRESSION OF INTEREST To ensure potential bidders are kept up to date of any new information pertinent to this project, all interested parties are requested to email Expressions of Interest in this procurement to the project manager(s) at the e-mail addresses listed below. The email should include the company's name, contact person and that individual's email address and phone number. All Addenda will be distributed directly to those who have expressed an interest in the procurement and will also be posted in the City of Fort Worth's purchasing website at <http://fortworthtexas.gov/purchasing/> PREBID CONFERENCE – In person A prebid conference will be held as discussed in the Request for Proposals at the following date, and time: DATE: August 7, 2023 TIME: 2:00 PM ADDRESS: 200 Texas Street, Fort Worth, Texas 76102 If a prebid conference is held, the presentation and any questions and answers provided at the prebid conference will be issued as an Addendum to the call for bids. If a prebid conference is not being held, prospective bidders can e-mail questions or comments to the project manager(s) at the e-mail addresses listed below. Emailed questions will suffice as "questions in writing." If necessary, Addenda will be issued. DEVELOPER'S RIGHT TO ACCEPT OR REJECT BIDS Developer reserves the right to waive irregularities and to accept or reject any or all bids. AWARD Developer will award a contract to the Bidder presenting the best value for the submitted work. INQUIRIES All inquiries relative to this procurement should be addressed to the following: Attn: Victor Tornero, P.E., City of Fort Worth Email: Victor.Tornero@FortWorthTexas.gov Phone: 817-392-7830 AND Attn: Ty Thompson, P.E., City of Fort Worth Email: thansen@tpgw.com Phone: 817-253-0229

ADVERTISEMENT DATES July 27, 2023 August 3, 2023 IPL0132488 Jul 27 Aug 3 2023

### A PUBLIC HEARING NOTICE OF HURST COMMUNITY SERVICES DEVELOPMENT CORPORATION PROJECT

NOTICE IS HEREBY GIVEN that the Hurst Community Services Development Corporation will conduct a public hearing at 4:30 p.m. on Tuesday, August 8, 2023 at City Hall, 1505 Precinct Line Road, Hurst, Texas on projects to be undertaken by the Corporation for Fiscal Year 2023-2024. All citizens are invited to attend and provide written and oral comments and ask questions concerning the 2023-2024 projects. Rita Frick, Secretary Hurst Community Services Development Corporation IPL0132690 Jul 27 2023

### NOTICE OF PUBLIC HEARING THE KENNEDALE BOARD OF ADJUSTMENT WILL HOLD A PUBLIC HEARING FOR THE FOLLOWING CASE ON TUESDAY, AUGUST 8TH, 2023 AT 5:30 PM. IN THE CITY COUNCIL CHAMBERS. LOCATED AT 405 MUNICIPAL DRIVE, KENNEDALE, TARRANT COUNTY, TEXAS 76060:

CASE # BOA 23-04 TO RECEIVE COMMENTS AND CONSIDER ACTION ON A REQUEST FOR A SPECIAL EXCEPTION USE BY SCOTT MEEK OF MANSFIELD SAND & SELECT LLC, FOR THE SPECIAL EXCEPTION USE OF OUTDOOR STORAGE, COMMERCIAL AND INDUSTRIAL AS REQUIRED BY SECTION 6.2 OF THE UNIFIED DEVELOPMENT CODE FOR 1000 E KENNEDALE PARKWAY, BLOCK 1, LOT 1, OF THE KEDC ADDITION, CITY OF KENNEDALE, TARRANT COUNTY, TEXAS. CASE# BOA 23-05 TO RECEIVE COMMENTS AND CONSIDER ACTION ON A REQUEST FOR A SPECIAL EXCEPTION FOR PERMITTED PAVING MATERIALS BY TAMIKO SARGENT AS REQUIRED BY SECTION 11.38.9 (C) OF THE UNIFIED DEVELOPMENT CODE FOR 900 KENNEDALE SUBLETT RD, BLOCK 1, LOT 1, OF THE SARGENT ADDITION, CITY OF KENNEDALE, TARRANT COUNTY, TEXAS. INTERESTED PERSONS ARE ENCOURAGED TO ATTEND THE PUBLIC HEARINGS TO OFFER PUBLIC COMMENTS OR PROVIDE WRITTEN COMMENTS PRIOR TO THE MEETING TO COMMUNITY DEVELOPMENT DEPARTMENT, 405 MUNICIPAL DRIVE, KENNEDALE, TX, 76060. FOR MORE INFORMATION, PLEASE CALL (817) 985-2135. IPL0133157 Jul 27 2023

### CITY OF GRAND PRAIRIE ADVERTISEMENT FOR BIDS

Sealed bids will be received at 300 W. Main Street, Grand Prairie TX 75050 or via Planetbids until August 4, 2023, at 2:00 PM, and publicly opened and read via teleconference for the purchase of the following. A non-mandatory meeting will be held on July 28th, 2023, at 10:00 a.m. at Parks and Recreation Department, 400 College Street, Grand Prairie, TX 75050 RFB # 23180 – Portable Toilet Rental & Service Further information and specifications may be obtained at <https://pbsystem.planetbids.com/portal/53284/portal-home> or from the Purchasing Division at 972-237-8372. The city reserves the right to reject any or all bids and to waive formalities. The city also reserves the right to purchase these items through state awarded contracts or other intergovernmental agreements when it is in the best interest of the city. IPL0132227 Jul 20,27 2023

### CITY OF ROANOKE NOTICE OF PUBLIC HEARING ROANOKE CITY COUNCIL

A public hearing will be held by the Roanoke City Council on Tuesday, August 8, 2023 at 7:00 p.m. in the City Council Chambers – 2ND floor of Roanoke City Hall located at 500 S. Oak Street, Roanoke, Texas. The purpose of the public hearing will be to hear public comments for consideration of the proposed City of Roanoke Operating and Capital Budget for Fiscal Year 2023-24, including the Roanoke Economic and Industrial Development Corporation (Type A) Fiscal Year 2023-24 Annual Budget. THIS BUDGET WILL RAISE MORE TOTAL PROPERTY TAXES THAN LAST YEAR'S BUDGET BY \$805,860 OR 7.24% AND OF THAT AMOUNT, \$543,794 IS TAX REVENUE TO BE RAISED FROM NEW PROPERTY ADDED TO THE TAX ROLL THIS YEAR. IPL0132852 Jul 27 2023

### PUBLIC NOTICE Crime Tax Budget Hearing

The Hurst Crime Control and Prevention District Board will hold a public hearing on August 8, 2023, at 5:00 p.m. The public hearing will be held at Hurst City Hall, 1505 Precinct Line Road. All Citizens are invited to attend and provide the board/city council with written and oral comments and ask questions concerning the 2023-2024 fiscal year budget for the Hurst Crime Control and Prevention District. The proposed budget can be inspected by the public from 8:00 a.m. until 5:00 p.m., Monday through Friday in the City Secretary's Office, 1505 Precinct Line Road, or at the Hurst Public Library, 901 Precinct Line Road during regular operating hours, or anytime on the City's website. IPL0132685 Jul 27 2023

### PUBLIC NOTICE CRIME TAX BUDGET HEARING

THE HURST CITY COUNCIL WILL HOLD A PUBLIC HEARING ON AUGUST 8, 2023 AT 6:30 PM. AT HURST CITY HALL, 1505 PRECINCT LINE ROAD. ALL CITIZENS ARE INVITED TO ATTEND AND PROVIDE THE CITY COUNCIL WITH WRITTEN OR ORAL COMMENTS AND ASK QUESTIONS CONCERNING THE CITY'S FISCAL YEAR 2023-2024 PROPOSED ANTI-CRIME TAX BUDGET. THE PROPOSED BUDGET CAN BE INSPECTED BY THE PUBLIC FROM 8:00 A.M. UNTIL 5:00 PM., MONDAY THROUGH FRIDAY IN THE CITY SECRETARY'S OFFICE, AT HURST CITY HALL, OR AT THE HURST PUBLIC LIBRARY, 901 PRECINCT LINE ROAD, DURING REGULAR LIBRARY HOURS, OR ANYTIME ON THE CITY'S WEBSITE. IPL0132687 Jul 27 2023

### NOTICE TO OFFERORS

Proposals for the Crime Lab Full Building Generator Replacement, 3616 E. Lancaster Ave., Fort Worth, Texas 76103 (PMD2023-10), in Fort Worth Texas will be received at the Purchasing Office, City of Fort Worth, 200 Texas Street, Fort Worth, 76102, until 1:30 PM on Thursday, August 24, 2023, and will be opened and publicly read aloud approximately thirty minutes later in the Council Chambers. After evaluating the Proposals submitted, the City shall select the Offeror that offers the Best Value to the City and enter into negotiations with that Offeror. The City may discuss with the selected Offeror options for a scope or time modification and any price change associated with such modification. The last day for questions from prospective Offerors is at 5:00 PM on Friday, August 11, 2023. A Pre-Proposal Conference will be held at 10:30 A.M., Wednesday, August 9, 2023 at Architectural Services Conference Room at 401 W. 13th St. Fort Worth, TX. 76102. A guided tour of the site will follow the Conference. The offers will be valid for ONE HUNDRED TWENTY (120) calendar days. Estimated construction cost is approximately \$900,000.00. The Offeror will add a 7.5% Owner's Contingency Allowance on a separate line item on the Proposal form and only the Owner will approve the use of this allowance during construction. Any Allowance remaining at the end of construction will be retained by the City of Fort Worth. This Allowance is not to be included in the Base Proposal and will not be used in the Best Value selection process. Refer to the evaluation matrix for the selection of the Best Value Offeror in the Instructions to Offerors. Refer to the Request for Proposal and documents for the Business Equity Provision Information. The Business Equity participation will not be evaluated in awarding this Contract. The Business Equity Goal REQUIREMENT is WAIVED, and set at 0%. Also, Refer to Section 2. BUSINESS EQUITY PROVISIONS FOR BEST VALUE PROPOSAL in the Instructions to Offerors. Offerors must submit a bid bond with their proposal. Offeror(s) to whom an award of contract(s) is made will be required to provide Payment and Performance Bonds and provide Contractors General Liability and Statutory Workers Compensation Coverage. If you intend to submit a Proposal, request you inform the Project Manager or Architect/Engineer who can then inform the interested subcontractors. General Contractors and Suppliers may make copies of the Instructions to Offerors, General Conditions, Drawings, and Specifications through their printer. The construction documents are not available at the City but may be viewed and printed on-line by cutting and pasting the following link into your browser: <https://docs.b360.autodesk.com/shares/d93ac667-24c7-4f44-aa31-1567d0bb2590> Contact the Project Manager, Don Isaacs, at (817) 392-8498 or don.Isaacs@fortworthtexas.gov for assistance. For additional information contact the Project Engineer, Paul Morris, at (682)348-0792 or paul.morris@bhinc.com IFL0133094 Jul 27 Aug 3 2023

APARTMENT HUNTING? Let Classifieds Help Star-Telegram STAR-TELEGRAM.COM

### CITY OF GRAND PRAIRIE

Sealed bids will be received via www.planetbids.com until August 16, 2023, at 10:00 AM, and opened and read via teleconference for the purchase of the following: RFB # 23188 – Scale Repairs A Mandatory Pre-Bid Meeting will be held on Tuesday, August 8, 2023, at 10:30 AM. at the City of Grand Prairie Landfill, located at 1102 MacArthur Boulevard, Grand Prairie, TX 75050. Further information and specifications may be obtained at [www.planetbids.com](http://www.planetbids.com), [www.gptx.org](http://www.gptx.org), or the Purchasing Division at (972) 237-8269. The city reserves the right to reject any or all bids and to waive formalities. The city also reserves the right to purchase these items through state-awarded contracts or other intergovernmental agreements when it is in the best interest of the city. IPL0133153 Jul 27 Aug 3 2023

### SECTION 00 11 13 INVITATION TO BIDDERS

RECEIPT OF BIDS Sealed bids for the construction of Holly WTP Backup Power Generation Services City Project No. 103410-3 ("Project") will be received by the City of Fort Worth Purchasing Office until 1:30 PM. CST, August 24, 2023 as further described below: City of Fort Worth Purchasing Division 200 Texas Street Fort Worth, Texas 76102 Bids will be accepted by: US Mail, Courier, FedEx or hand delivery at the address above; Bids will be opened publicly and read aloud at 2:00 PM CST in the City Council Chambers. In lieu of delivering completed Business Equity (M/WBE) forms for the project to the Purchasing Office, bidders shall e-mail the completed Business Equity forms to the City Project Manager no later than 2:00 PM on the second City Business Day after the bid opening date, exclusive of the bid opening date. GENERAL DESCRIPTION OF WORK The major work will consist of the (approximate) following: Provide for the construction, installation, startup services for three diesel backup power generators, foundations and platforms for each, and associated ducting and electrical equipment. Construct and install the slab, foundation, and associated mechanical and electrical equipment for one pre-cast electrical buildings each housing 1 generator switchgear and 1 medium voltage switchgear. PREQUALIFICATION Certain improvements included in this project must be performed by a contractor or designated subcontractor who is pre-qualified by the City at the time of bid opening. The procedures for qualification and pre-qualification are outlined in the Section 3 of 00 21 13 – INSTRUCTIONS TO BIDDERS. DOCUMENT EXAMINATION AND PROCUREMENTS The Bidding and Contract Documents may be examined or obtained on-line by visiting the City of Fort Worth's Purchasing Division website at <https://docs.b360.autodesk.com/shares/7e898ae1-c4c4-4352-b137-1948ed621a50> Addenda Folder <https://docs.b360.autodesk.com/shares/37a7267e-0eeb-43a8-b77b-2e458b3a5c05> Physical copies of the Documents will not be provided by the City or Design Engineer as part of the Bidding process. EXPRESSION OF INTEREST To ensure potential bidders are kept up to date of any new information pertinent to this project, all interested parties are requested to email Expressions of Interest in this procurement to the City Project Manager and the Design Engineer. The email should include the company's name, contact person and that individual's email address and phone number. All Addenda will be distributed directly to those who have expressed an interest in the procurement and will also be posted in the City of Fort Worth's purchasing website at <http://fortworthtexas.gov/purchasing/> PRE-BID CONFERENCE – Web Conference A non-mandatory pre-bid conference will be held as discussed in Section 00 21 13 – INSTRUCTIONS TO BIDDERS at the following location, date, and time: DATE: 10 August 2023 TIME: 10:00 AM LOCATION: SCADA Conference Room PLACE: South Holly Water Treatment Plant, 15111 th Avenue, Fort Worth Texas 76102 A pre-bid site visit will held after the Pre-Bid Conference The presentation and any questions and answers provided at the pre-bid conference will be issued as an Addendum to the call for bids. Prospective bidders can e-mail questions or comments in accordance with Section 6 of the Instructions to Bidders referenced above to the project manager(s) at the e-mail addresses listed below. Emailed questions will suffice as "questions in writing." If necessary, Addenda will be issued pursuant to the Instructions to Bidders. CITY'S RIGHT TO ACCEPT OR REJECT BIDS City reserves the right to waive irregularities and to accept or reject any or all bids. AWARD City will award a contract to the Bidder presenting the lowest price, the qualifications and competencies considered. INQUIRIES All inquiries relative to this procurement should be addressed to the following: Attn: David Townsend, City of Fort Worth Email: David.townsend@fortworthtexas.gov Phone: 817-392-8430 AND/OR Attn: Robb Oley, Freese and Nichols, Inc. Email: robb.oley@freese.com Phone: 817-735-7562 IPL0133063 Jul 27 Aug 3 2023

Garage Sale Friday/Saturday 4400 Standish, Fort Worth, TX 76110 Multiple families summer clean out

### Animals

**Dogs**  
**Labradoodles puppies!**  
Will be ready for their forever homes on August 17. Currently taking deposits. Mom is a F1B labradoodle and Dad is a standard poodle. Text 940-282-0786 for more information

**Great Pyrenees Puppies**  
\$400. Amazing livestock guardians or companions. 3256601744

**Mini Aussie Puppies**  
Mini Aussies Mini Aussies ready for their forever homes. Shots up to date. Working on house training. We are in Mineral Wells, can meet if needed. Message me for details. 940-445-9363 or addavis.2004@yahoo.com.

### Merchandise

**Miscellaneous**  
**2022 FOOD TRUCK TRAILER FOR SALE 7X16**  
New contents call Cris 817 243 7503 New commercial popcorn machine, snow cone machine, hot dog steamer, vent hood, fryer, grill, stove, 22-gal propane tank, sink, hand sink, electric water heater, prep table, generator, two 8-foot stainless steel tables, box freezer, two water tanks, food warmer, microwave, cash register, LED open light.

**Want to Buy**  
**WE BUY JUNK CARS**  
With Titles only 817-550-7779 Guaranteed same day pickup

### Real Estate

**Commercial**  
**FOR RENT Industrial Multiuse Flexspace**  
76108 - White Settlement 347 N. Cherry Lane \$625 mo, Approx 600 sqft 76087 - Weatherford / Aledo 5973 Stacy Lane 101 \$2,195 mo, Approx 1,600 sqft **Gene Thompson & Associates 817-246-4646 gtax.com Hablamos Español**

**For Rent**  
**3016 Sappington Place Ft. Worth**  
2 bedroom / 1 bath house \$800 / month plus utilities **817-692-3896**

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**Announcements**  
**Community Events**  
**Literacy Days at the Fort Worth Nature Center & Refuge**  
9601 Fossil Ridge Rd. Fort Worth 76135  
7 a.m.-noon  
Aug. 7, 2023  
FREE admission. Learn more at fwpl.info/naturecenter.

**Buffalo Bros Sundance 4 Year Anniversary**  
Downtown Fort Worth  
11am - 2am  
08/02/2023  
Come help us celebrate 4 years at our Downtown Fort Worth Buffalo Bros! (That's Wing Wednesday)

**Amplify 817 Showcase**  
Will Rogers Auditorium  
6-10 p.m.  
Aug. 18, 2023  
Join us for a special, free concert highlighting a dynamic, diverse mix of local Amplify 817 musicians!

Visit fwpl.info/817 for more info.

**Teachers Fill the Bag**  
Former Central Library Downtown  
10 a.m.-3 p.m.  
Aug. 5 & 6, 2023  
Final, two-day Fill the Bag event for teachers/homeschoolers with a Fort Worth Public Library educator card. More info: fwpl.info/fill

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**Garage Sales**  
**Garage Sale Friday/Saturday**  
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**Dogs**  
**Labradoodles puppies!**  
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**Great Pyrenees Puppies**  
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**Morkie**  
Morkie pup,male,friendly-\$800/OBO;-shots 817-504-7192

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## Real Estate

### For Rent

**76108 - White Settlement**  
300 Delmar Ct #1 1-1-CP \$875  
924 McCully 1-1-CP \$995  
**76020 - Pelican Bay Homes**  
1831 Pelican Oval 2-2-1 \$1,295  
1845 Pelican Dr. N. 3-2-1 \$1,395  
1572 Reef 3-2-1 \$1,395  
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817-246-4646 gtax.com  
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### For Sale

**5200 Preservation Avenue Colleyville**  
**Luxurious single level living.**  
Gated community. \$104,000 upgrades. Below market @\$969,900.  
**See in Zillow 8179882181**

**141 Scott Lane Weatherford TX 76085**  
**BY OWNER Near Azle**  
1.73 ac. 3br/2bath No HOA. 1328 sq ft shop. 24x24 bldg Azle ISD  
**817-925-8829 or 817-691-1328 470,000.00**

**Real Estate Misc.**

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Herald Sun - Durham  
Idaho Statesman  
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Modesto Bee  
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Sacramento Bee  
Fort Worth Star-Telegram  
The State - Columbia  
Sun Herald - Biloxi

Sun News - Myrtle Beach  
The News Tribune Tacoma  
The Telegraph - Macon  
San Luis Obispo Tribune  
Tri-City Herald  
Wichita Eagle

CITY OF KENNEDALE  
405 MUNICIPAL DR  
KENNEDEALE TX 760602249

| MEMO INVOICE     |               |
|------------------|---------------|
| Order No.:       | 449121        |
| Memo Date:       | 07/27/2023    |
| Bill-To Account: | 19300         |
| Sales Rep:       | Hayley Martin |

| Dates                   | Order No. | Description                              | Product                                                  | Size     | Billed Units | Times Run | Net Amount |
|-------------------------|-----------|------------------------------------------|----------------------------------------------------------|----------|--------------|-----------|------------|
| 07/27/2023 - 07/27/2023 | 449121    | Print Legal Ad-IPL01331570<br>IPL0133157 | FTW-Star-Telegram<br>Legal   Legals & Public Notices CLS | 1 x 46 L | 46 L         | 1         | \$80.57    |

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Please Return This Portion With Your Payment (Thank You)

McClatchy Company LLC  
PO Box 510150  
Livonia MI 48151

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CITY OF KENNEDALE  
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KENNEDEALE TX 760602249

| MEMO INVOICE  |                   |
|---------------|-------------------|
| Order No.:    | 449121            |
| Account No.:  | 19300             |
| Account Name: | CITY OF KENNEDALE |
| Order Amount: | \$80.57           |

Email questions to [ssccreditandcollections@mcclatchy.com](mailto:ssccreditandcollections@mcclatchy.com)

McClatchy Company LLC  
PO Box 510150  
Livonia MI 48151



SITE POSTING- 900 KENNEDALE SUBLETT RD





# APPLICATION

## BOARD OF ADJUSTMENT · SPECIAL EXCEPTION

### Required Attachments

Please review the following requirements. Your application **will not be accepted** if any of the below items are missing or incomplete. Please submit your completed application to the Planning and Permits Department in person or via email at [permits@cityofkennedale.com](mailto:permits@cityofkennedale.com).

- ☐ Two site plans drawn to scale with all structures, fences, dimensions, property lines, etc. and how you propose to use the property.
- ☐ A statement to the BOA explaining your request and how your proposed use would meet the six standards for a special exception.
- ☐ Owner affidavit form completed if the applicant is not the property owner.
- ☐ A \$250 filing fee.
- ☐ Any other information that you feel will help explain your request.

### Applicant Information

Applicant Name: Mansfield Sand & Select, LLC  
 Applicant Address: P.O. Box 1608 Mansfield, TX 76063  
 Applicant Phone: 817-473-6959 Applicant Email: Scott Meek@mansfieldsand.com  
 Property Address: 1000 E. Kennedale Pkwy 817 825 1850  
 Property Legal Description: KEDC Addition Block 1 LOT 1  
 Special Exception Use Requested: Storage and Parking

### Owner Information (If different than applicant)

Owner Name: Bulldog Integrated Group, LLC  
 Owner Address: 3137 Horton rd. Forest Hill TX 76119  
 Owner Phone: 817-205-7108 Owner Email: Barclay@waddellexc.com



**Special Exception Request**

Please provide a statement explaining your request and how your proposed use will meet the following six standards:

1. Will the establishment, maintenance, or operation of the use you are requesting be materially detrimental to or endanger the public health, safety, morals, or general welfare?
2. Will the uses, values, and enjoyment of other property in the neighborhood for purposes already permitted be in any foreseeable manner substantially impaired or diminished by the establishment, maintenance, or operation of the use for which you are requesting a special exception?
3. Will the establishment of the use you are requesting significantly impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district?
4. Have adequate utilities, access roads, drainage, and other necessary site improvements been (or will be) provided? (If adequate improvements are not already in place, you must demonstrate what improvements you will make and how/when).
5. Have adequate measures been taken or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets?
6. Does the use conform to all applicable area, yard, height, lot coverage, building size, exterior requirements, and parking space regulations of the district in which it is located?

**Special Exception Checklist**

Has a previous application or appeal been filed on this property? ☐ Yes ☒ No

If yes, when was the application or appeal filed? N/A

Has a special exception for the same use been granted for this property? ☐ Yes ☒ No

If this request of for oil or gas well drilling, how many wells are requested? N/A

☒ New Construction ☐ Addition ☐ Remodel

**Site Improvements**

Adequate water service in place? ☒ Yes ☐ No

Size of water line available: none needed

Adequate sewer service in place? ☒ Yes ☐ No

Size of sewer line available: none needed

Adequate drainage facilities in place? ☒ Yes ☐ No

Describe: rip rap outflow

Adequate access roads in place? ☒ Yes ☐ No

Describe: \_\_\_\_\_

Other necessary site improvements: \_\_\_\_\_

**Ingress and Egress**

Drive approach width is adequate? ☒ Yes ☐ No

Drive/parking are sufficient to prevent/minimize stacking/congestion in public streets? ☒ Yes ☐ No

Number of parking spaces provided: 89

**Applicant Agreement**

By signing below, I acknowledge that I have read and completed all applicable requirements. I understand that if I have submitted an incomplete or false application, my application may be rejected and that the fee is nonrefundable.

Signature of Applicant: \_\_\_\_\_ Date: \_\_\_\_\_

Please submit to [permits@cityofkennedale.com](mailto:permits@cityofkennedale.com) with supporting documents if applicable.

Planning and Development · City of Kennedale · 405 Municipal Dr. · Kennedale, TX 76063 · (817) 985-2133

**City of Kennedale  
Board of Adjustment  
Owner Affidavit**

Case # BOA \_\_\_\_\_  
 Property Address: 1000 E. Kennedale Pkwy  
 Legal Description: KEDC Addition Block 1 Lot 1  
 Applicant Name: Mansfield Sand & Select, LLC  
 Applicant Email: ScottMeek@MansfieldSand.com  
 Type of Request: Special Exception

I, Barclay Waddell  
Barclay Waddell, current owner of above mentioned property, authorize  
 the applicant or his or her authorized representative to make application for the Kennedale Board of  
 Adjustment to consider granting the above referenced request on my behalf and to appear before the  
 Board.

Owner Signature Barclay Waddell

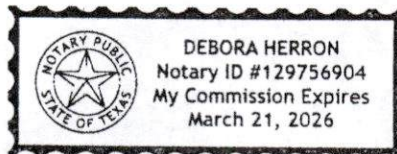
Date 6-5-23

\*\*\*\*\*

SWORN TO and Subscribed before me by Barclay Waddell

ON THIS 5th DAY OF June, 2023

Debra New  
 Notary Public, Tarrant County, Texas





### **City of Kennedale Board of Adjustment Procedures**

The Board of Adjustment is composed of five members and up to four alternates who are residents and taxpayers of the City of Kennedale, each of whom has been appointed by the City Council. The Board must hear each case and render a decision based on the merits of the case. The Board's decisions are governed by the City of Kennedale regulations and by state law. Please note that the Board must follow these standards in order to find in an applicant's favor; if the standards are not met, the Board cannot grant the applicant's request.

1. After the meeting is called to order, all necessary business will be taken care of before the hearing of the first case. Necessary business may include, but is not limited to, hearing from visitors about topics not related to the cases posted on the agenda to be heard by the Board and approval of minutes from previous meetings.
2. When it is time for a specific case to be heard, the Chairman of the Board will read a brief summary of the request. A member of the city staff may then be called upon by the Chairman to give a presentation providing pertinent facts concerning the case to be reviewed.
3. The Chairman will then call upon the applicant to present the case and all evidence supporting his request. The applicant will have fifteen minutes to present their case and all supporting evidence, including presentations by witnesses or supporters brought by the applicant. The applicant may ask for one extension of a maximum five minutes, if needed, to complete their presentation.
4. The Board may ask the applicant a series of questions, and only the applicant and or his/her representatives may respond. No one from the audience may address the Board except during the public hearing or unless specifically questioned by a member of the Board.
5. The Chairman will then open the public hearing and will call for those in support of the case (those who are not witnesses or supporters brought by the applicant) to address the Board. Speakers will address all comments to the Chairman of the Board. Each speaker will have a maximum of three minutes to address the Board.
6. The Chairman shall next call on those opposed to the granting of the applicant's request to present their arguments. Speakers will address all comments to the Chairman of the Board. Each speaker will have a maximum of three minutes to address the Board.
7. The applicant shall have the opportunity to cross examine any adverse witness and shall have a maximum of five minutes to cross examine. The applicant shall then have the right of rebuttal to arguments presented by the opposition and shall have a maximum of five minutes to rebut. Following the rebuttal, the Chairman shall order the hearing closed.

8. Each side shall proceed without interruption by the other, and all arguments/pleading shall be addressed to the Board. No questioning between individuals will be permitted except during cross-examination during the time allotted by the Board. During the hearing, no Board members shall discuss, debate, or argue an issue with the applicant or any other speakers who address the Board during the hearing, nor indicate his/her probable vote on the appeal.
9. After all have been heard, the Chairman will close the public hearing and the Board members will discuss the case and express opinions as to its merits. During its review, the Board may call back any applicant or speaker for clarification of facts presented in the hearing. Note: During this discussion period, members of the audience are to refrain from addressing the Board or making any public statement. Should the need arise, the Chairman is free to open the public hearing again and request any party for clarification or additional information. After further discussion, the public hearing will again close.
10. When the Board has received all required facts concerning the case, the Chairman will entertain a motion. One Board member will make a motion. If the motion receives a second, the Chairman will allow further discussion if needed. The vote will then be taken and the Chairman will announce the decision. At this time any additional cases will be heard. After all scheduled cases have been called, the Board may conduct any further business or adjourn.
11. Normally decisions on appeals will be given within thirty days after the required public hearing or after receipt of all evidence or information. Appeals of the decision made by the Board of Adjustment must be filed within ten days after the Board's decision has been filed in the office of the City Secretary.



| For Office Use Only                            |                                                          |
|------------------------------------------------|----------------------------------------------------------|
| Completeness Check                             |                                                          |
| Application form completely filled and signed? | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| Attached site plan?                            | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| Fee paid?                                      | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| Sign _____                                     | Date _____                                               |

June 5, 2023

To:  
City of Kennedale  
City of Kennedale Board of Adjustments

To whom it may concern,

We would like a special exception to operate a rental truck parking lot and industrial storage at 1000 E. Kennedale Parkway. This property currently has a milled asphalt surface and chain link fence.

The following statements are to address the cities six standards:

The parking lot will not be detrimental to the city, public health, safety, or general welfare. We believe the parking lot will complement the neighborhood and give independent small truckers a place to park other than on the side of the street.

We believe this will be good for the development of Little School Rd. we will not have any building or concrete because if the city took some of the right of way from the property owner for Little School Rd, with the tenants believe we could still operate, but with less space and income.

The E. Kennedale Parkway approach has been fenced off, eliminating potential traffic issues.

If Little School Rd is extended/constructed, we would need a new approach further away from E. Kennedale Parkway, and gate would need to be inset into the property space. We would assume the new approach and relocation of fence and it would be part of the new road construction provided by the city we the tenants would inset the gate.

The only other utility needed would be electric for future upgrades for lights and automatic gate. Overhead electric is already on the property.

The property now drains to the south east corner, draining through rip rap into the railroad bar ditch. We are not creating more drainage and will not be changing the existing drainage.

If the chain-link is an issue for this use, we could add mesh screen on the outside or use slats in the chain-link.

Sincerely,

Scott Meek



03839567

LITTLE SCHOOL RD

41563441

2084-352

Kennedale ISD

06239625

A 378

Kennedale

03839761

2084-348

IS/GI







03839567

LITTLE SCHOOL RD

Kennedale

A-378

06239625

2084-352

Kennedale ISD

41563441

03839761

2084-348

IS/GI





## STAFF REPORT TO THE BOARD OF ADJUSTMENT

### I. SUBJECT

**CASE# BOA 23-05** TO RECEIVE COMMENTS AND CONSIDER ACTION ON A REQUEST FOR A SPECIAL EXCEPTION FOR PERMITTED PAVING MATERIALS BY TAMIKO SARGENT AS REQUIRED BY SECTION 11.38.9 (C) OF THE UNIFIED DEVELOPMENT CODE FOR 900 KENNEDALE SUBLETT RD, BLOCK 1, LOT 1, OF THE SARGENT ADDITION, CITY OF KENNEDALE, TARRANT COUNTY, TEXAS.

### II. ORIGINATED BY: NATHAN GONZALES

### III. SUMMARY

| BACKGROUND AND OVERVIEW     |                            |
|-----------------------------|----------------------------|
| Request                     | Permitted Paving Materials |
| Applicant                   | Tamiko Sargent             |
| Location                    | 900 Kennedale Sublett Rd   |
| Surrounding Uses            | Residential, Agriculture   |
| Surrounding Zoning          | AG, NV, R-2, C1            |
| Future Land Use Designation | Neighborhood Village       |
| Staff Recommendation        | Approve with Conditions    |

### IV. CURRENT STATUS OF THE PROPERTY

The property is currently zoned NV- Neighborhood Village and is undeveloped. A single-family home once stood at this site, however, this was demolished years ago. (See Exhibit A).

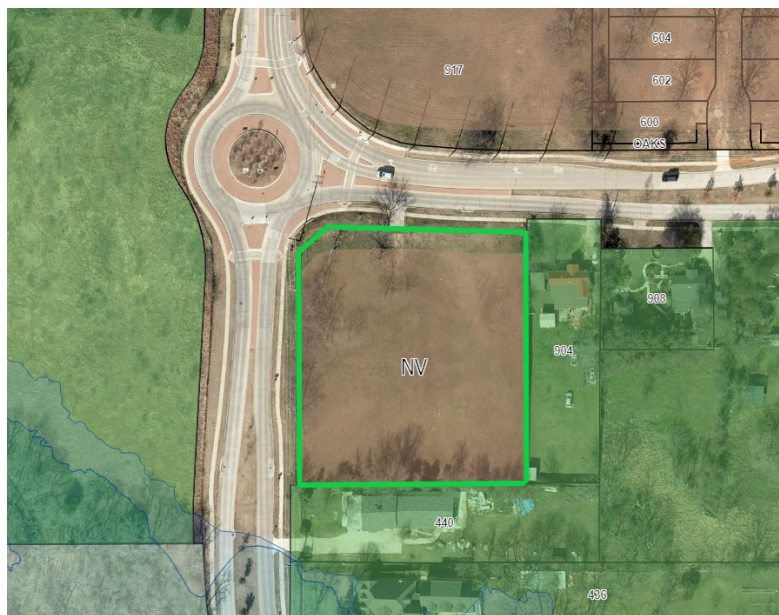


Exhibit A- 900 Kennedale Sublett Rd, Kennedale, TX 76060



As you may be aware, the applicant has plans to build a community center at this location. To help support this vision, the applicant is proposing to break ground on a community garden and farmer's market. This proposal would entail a drive and small parking area for mobile vendors at the center of the property, consistent with the village center requirement of their NV- Neighborhood Village zoning. A concept plan has been provided by the applicant in their submittal documents for your review.

### **SURROUNDING PROPERTIES & NEIGHBORHOOD**

The property is surrounded by NV- Neighborhood Village to the north, and AG to the east, west, and directly south. Expanding outward you will find R-2, R-3, and C-1 zoned properties (See Exhibit B).

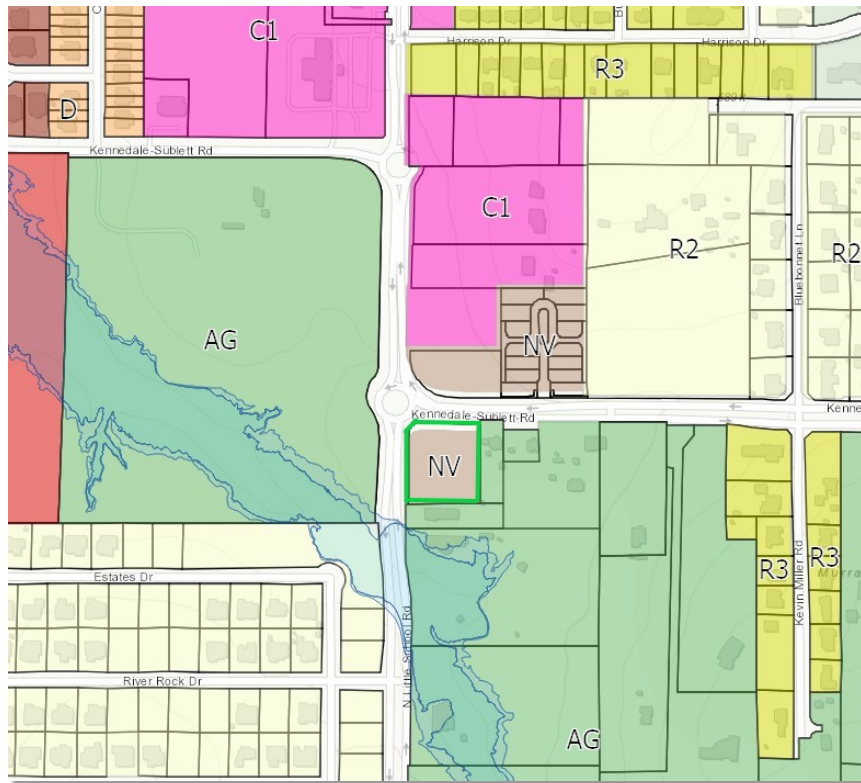


Exhibit B- 900 Kennedale Sublett Rd (NV centered and outlined in green)



The Future Land Use Plan (FLUP) envisions a Neighborhood Village in this area of the city. (See Exhibit C)

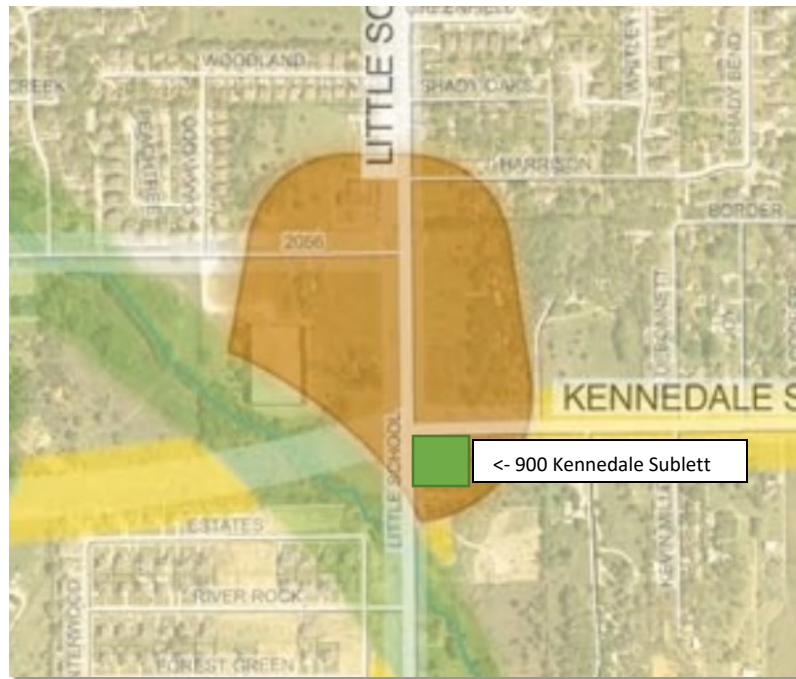


Exhibit C- Future Land Use Plan

Kennedale's adopted Comprehensive Plans provides samples of types of development that should occur within Neighborhood Villages. These include townhomes, small-scale multifamily, neighborhood-serving retail and services, restaurants, and community offerings. Staff has found this proposed use to be consistent with both the current Comprehensive Plan and Future Land Use Plan. It should also be noted that the mobile food vendor portion of the proposal is permitted by right in the NV zoning district.

Upon review of the applicable sections from the Kennedale Unified Development Code (UDC) and city ordinances, the proposed gravel parking area to support their mobile vendor operation was not listed as a permitted paving material. Currently, City Ordinance Section 10-72 (k) requires parking for mobile food establishments to be located on a paved asphalt or concert surface. Mobile food vendors are also subject to Specific Use Requirements listed in Section 11-38 of the UDC. This too requires a paved surface. However, under Sec. 11-38 (9) (c), alternative paving materials may be considered and approved by the Board of Adjustment as a *special exception*.

The applicant is seeking the Board of Adjustment's approval to install a flex-base gravel drive and parking area to support their community garden and fund-raising efforts.



## STANDARDS FOR GRANTING A SPECIAL EXCEPTION

No application for a special exception shall be granted by the Board of Adjustment unless the board finds all of the conditions described below are present:

**STANDARD 1- Will the establishment, maintenance, or operation of the use you are requesting be material detrimental to or endanger the public health, safety, morals, or general welfare?**

No. Staff has found this proposed use, including utilizing a mobile vendor for fund-raising, to be consistent with the intent of the NV zoning district and UDC.

**STANDARD 2- Will the use, values, and enjoyment of other property in the neighborhood for the purposes already permitted to be in any foreseeable manner substantially impaired or diminished by the establishment, maintenance, or operation of the use for which you are requesting a special exception?**

No. This community garden and farmer's market would be a *first-of-its-kind* in Kennedale and one all nearby residents could benefit from. A 2021 article by the Fort Worth Report highlighted urban farming as a way to combat food deserts in Southeast Tarrant County (Attached). In fact, the same report included a photo from Kennedale's Business 287 gateway. This section of the city is identified in the USDA Economic Research Service Atlas map which tracks food deserts nationwide (Exhibit D).

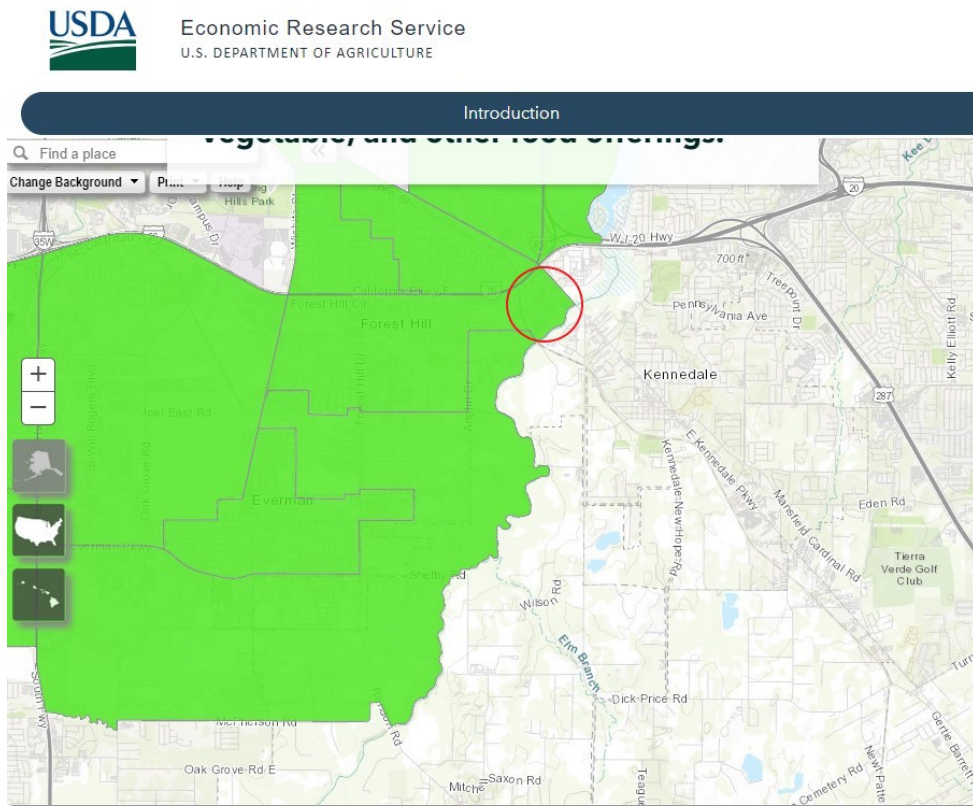


Exhibit D- USDA Economic Research Atlas Map (Incorrectly listed as Forest Hill, TX)



**STANDARD 3- Will the establishment of the use you are requesting significantly impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district?**

No. Staff believes the use of flex-base gravel at this location for a drive and parking area would serve as a temporary, low-impact, solution to help jump-start development at this site. Considering where the temporary parking would be installed, allowing gravel would help reduce any unnecessary costs associated with installing a paved asphalt or concrete parking area that would need to be demolished if and when a permanent structure is built.

**STANDARD 4- Have adequate utilities, access roads, drainage, and other necessary site improvements been (or will be) provided? (If adequate improvements are not already in place, you must demonstrate what improvements are will make and how/when)**

Yes. Staff believes all site utilities are present and/or in close proximity to support use at the site.

**STANDARD 5- Have adequate measures been taken or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets?**

The site already includes a drive approach off of Kennedale Sublett and the applicant is considering installing a second approach off of Little School Road to help minimize traffic congestion in and out of the site, should it be needed. Staff has spoken with the applicant and recommended the parking area be kept small to minimize vehicular traffic. Staff has also recommended the applicant encourage the community to walk or bike to the site, negating the need to operate a motor vehicle as a primary mode of transportation.

**STANDARD 6- Does the use conform to all applicable area, yard, height, lot coverage, building size, exterior requirements, and parking space regulation of the district in which it is located?**

Yes. The gravel parking area will be placed approximately 60 feet inside the of the property, 30 feet behind the front building lines as required in the NV District.

#### **STAFF RECOMMENDATION**

Staff recommends approval of the request to use flex-base gravel as a temporary drive and parking area with the following conditions:

- (1) Off-street parking be limited to the area for which gravel is provided.
- (2) The gravel be compacted and maintained so as to prevent any weeds or grass from growing through the drive and parking surface.
- (3) A secondary entrance be provided, under permit, if determined by the city to be needed.
- (4) Temporary restrooms be provided on the days a mobile food vendor operates.

#### **ATTACHMENTS**

|    |                                                          |
|----|----------------------------------------------------------|
| 1. | BOA CASE#23-05 Mailing Notice - 900 Kennedale Sublett Rd |
| 2. | BOA Case 23-05 Mailing List                              |
| 3. | FTW Publication BOA CASE 23-05                           |
| 4. | FTW Publication MEMO INVOICE                             |



Nathan Gonzales  
Director of Community Development  
City of Kennedale  
405 Municipal Dr  
Kennedale, TX 76060  
[ngonzales@cityofkennedale.com](mailto:ngonzales@cityofkennedale.com)  
(817)985-2135

## **BOA CASE 23-05 Mailing List**

SARGENT MATTHEW SR  
905 SHADY OAKS DR, KENNEDALE, TX 76060

RIVERA WANDA K  
904 KENNEDALE SUBLETT RD, KENNEDALE, TX 76060-5816

DOTSON ROBIN  
602 OAKS CT, KENNEDALE, TX 76060

PREFERRED HOMES LTD  
2880 W PIONEER PKWY SUITE A, ARLINGTON, TX 76013

SALVANT WAYNE FRANCIS  
5108 WESTHAVEN RD, ARLINGTON, TX 76017

MORRIS ROBERT  
824 KENNEDALE SUBLETT RD, KENNEDALE, TX 76060-2828

LALONDE THOMAS A JR  
436 LITTLE SCHOOL RD, KENNEDALE, TX 76060

TRAN ANDREW  
4209 BROADWAY # 401, HALTOM CITY, TX 76117

PROPERTY OWNER  
916 KENNEDALE SUBLETT RD  
KENNEDALE, TX 76060

FANNING JOHN SAMUEL  
604 OAKS CT  
KENNEDALE, TX 76060



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## Legals

**WESTWORTH VILLAGE** is seeking responses to an RFQ for ARPA funded engineering services until 10AM on August 28, 2023. The RFP may be viewed on our webpage at <http://www.cityofwestworth.com/bids> or by contacting the city secretary at 311 Burton Hill Road, Westworth Village, TX. All interested parties are encouraged to reply. IPL0133064 Jul 27 2023

### CITY OF ROANOKE NOTICE OF PUBLIC HEARING ZONING BOARD APPEAL

Roanoke Zoning Board of Adjustment THE ROANOKE ZONING BOARD OF ADJUSTMENT WILL HOLD A PUBLIC HEARING ON THURSDAY, AUGUST 17, 2023, TO CONSIDER AN APPEAL OF AN ADMINISTRATIVE DECISION, TO-WIT: THE PERMIT WAS DENIED PURSUANT TO SECTIONS 12.262 (2) AND 12.751(D) OF THE CODE OF ORDINANCES. THE APPLICANT IS WANTING TO BUILD AN ACCESSORY STRUCTURE THAT EXCEEDS THE MAXIMUM HEIGHT AND ALSO THE MAXIMUM SIZE OF AN ACCESSORY STRUCTURE IN A RESIDENTIAL ZONING DISTRICT. THE PROPOSED PROJECT IS LOCATED ON THE SOUTH SIDE OF DALLAS DRIVE, NEXT TO THE CHURCH OF CHRIST, LEGAL DESCRIPTION: A0923A MAP & PRR, TR 58, 1.0 ACRES, OLD DCAD TR #19(1) CITY OF ROANOKE, DENTON COUNTY, TEXAS, AND HAVING A PROPERTY ADDRESS OF 604 DALLAS DRIVE, ROANOKE, TEXAS. THE PUBLIC HEARING WILL BE HELD AT 7:00 PM. AT THE ROANOKE CITY HALL, LOCATED AT 500 S. OAK STREET, ROANOKE, TEXAS. IPL0131498 Jul 27 2023

### DEPARTMENT OF HOMELAND SECURITY FEDERAL EMERGENCY MANAGEMENT AGENCY

**Proposed Flood Hazard Determinations for the City of Fort Worth, Tarrant County, Texas, Case No. 23-06-0280P.** The Department of Homeland Security's Federal Emergency Management Agency (FEMA) solicits technical information or comments on proposed flood hazard determinations for the Flood Insurance Rate Map (FIRM), and where applicable, the Flood Insurance Study (FIS) report for your community. These flood hazard determinations may include the addition or modification of Base Flood Elevations, base flood depths, Special Flood Hazard Area boundaries or zone designations, or the regulatory floodway. The FIRM and, if applicable, the FIS report have been revised to reflect these flood hazard determinations through issuance of a Letter of Map Revision (LOMR), in accordance with Title 44, Part 65 of the Code of Federal Regulations. These determinations are the basis for the floodplain management measures that your community is required to adopt or show evidence of having in effect to qualify or remain qualified for participation in the National Flood Insurance Program. For more information on the proposed flood hazard determinations and information on the statutory 90-day period provided for appeals, please visit FEMA's website at [https://www.floodmaps.fema.gov/fhm/BFE\\_Status/bfe\\_main.asp](https://www.floodmaps.fema.gov/fhm/BFE_Status/bfe_main.asp), or call the FEMA Mapping and Insurance eXchange (FMIX) toll free at 1-877-FEMA MAP (1-877-336-2627). IPL0133112 Jul 27 Aug 3 2023

### SECTION 00 11 13 INVITATION TO BIDDERS

Sealed bids for the construction of CONSTRUCTION MANAGER AT RISK (CMAR) Preconstruction and Construction Phase Services for Camp Bowie Improvements will be received by the City of Fort Worth Purchasing Office until 1:30 PM. CST, Thursday, AUGUST 24, 2023 as further described below:

City of Fort Worth  
Purchasing Division  
200 Texas Street  
Fort Worth, Texas 76102  
Bids will be accepted by: US Mail, Courier, FedEx or hand delivery at the address above;  
Bids will be opened publicly and read aloud at 2:00 PM CST in the City Council Chambers.

This project is funded by the City of Fort Worth and the Tarrant County Commissioners Court through the Tarrant County 2006 and 2021 Transportation Bond Programs

#### GENERAL DESCRIPTION OF WORK

A. The major work will consist of the (approximate) following:  
The project consists of new pavement, brick pavers, lighting, site furnishings, planting and irrigation within the existing right-of-way of Camp Bowie starting at the intersection at Montgomery going east and ending at the intersection at University. Approximate quantities for major items include: 4200 SY of new brick pavers (vehicular), 8000 SY of 6" concrete pavement, 3200 SY stamped concrete (vehicular), 4500 LF of 6" curb and gutter, 4100 LF integral concrete curb, 3,700 SY of 4" enhanced sidewalk.

An add alternate is also being proposed adjusting the amount of new brick pavers to 9,200 SY and concrete pavement to 3000 SY.

An add alternate is being proposed to include ornamental street lights in the center median of the Camp Bowie Right of way.

#### PREQUALIFICATION

Certain improvements included in this project must be performed by a contractor or designated subcontractor who is pre-qualified by the City at the time of bid opening.

#### DOCUMENT EXAMINATION AND PROCUREMENTS

The Bidding and Contract Documents may be examined or obtained on-line by visiting the City of Fort Worth's Purchasing Division website at <http://www.fortworthtexas.gov/purchasing/> and clicking on the link to the advertised project folders on the City's electronic document management and collaboration system site. The Contract Documents may be downloaded, viewed, and printed by interested contractors and/or suppliers.

#### EXPRESSION OF INTEREST

To ensure potential bidders are kept up to date of any new information pertinent to this project, all interested parties are requested to email Expressions of Interest in this procurement to the project manager(s) at the e-mail addresses listed below. The email should include the company's name, contact person and that individual's email address and phone number. All Addenda will be distributed directly to those who have expressed an interest in the procurement and will also be posted in the City of Fort Worth's purchasing website at <http://fortworthtexas.gov/purchasing/>

#### PREBID CONFERENCE – In person

A prebid conference will be held as discussed in the Request for Proposals at the following date, and time:

DATE: August 7, 2023

TIME: 2:00 PM

ADDRESS: 200 Texas Street, Fort Worth, Texas 76102

If a prebid conference is held, the presentation and any questions and answers provided at the prebid conference will be issued as an Addendum to the call for bids. If a prebid conference is not being held, prospective bidders can e-mail questions or comments to the project manager(s) at the e-mail addresses listed below. Emailed questions will suffice as "questions in writing." If necessary, Addenda will be issued.

#### DEVELOPER'S RIGHT TO ACCEPT OR REJECT BIDS

Developer reserves the right to waive irregularities and to accept or reject any or all bids.

#### AWARD

Developer will award a contract to the Bidder presenting the best value for the submitted work.

#### INQUIRIES

All inquiries relative to this procurement should be addressed to the following: Attn: Victor Tormero, P.E., City of Fort Worth

Email: Victor.Tormero@FortWorthTexas.gov

Phone: 817-392-7830

AND

Attn: Ty Thompson, PE, City of Fort Worth

Email: thansen@tpgw.com

Phone: 817-253-0229

AND

Attn: Taylor Hansen, PMP

Email: thansen@tpgw.com

Phone: 817-253-0229

ADVERTISEMENT DATES

July 27, 2023

August 3, 2023

IPL0132488

Jul 27 Aug 3 2023

### A PUBLIC HEARING NOTICE OF HURST COMMUNITY SERVICES DEVELOPMENT CORPORATION PROJECT

NOTICE IS HEREBY GIVEN that the Hurst Community Services Development Corporation will conduct a public hearing at 4:30 p.m. on Tuesday, August 8, 2023 at City Hall, 1505 Precinct Line Road, Hurst, Texas on projects to be undertaken by the Corporation for Fiscal Year 2023-2024. All citizens are invited to attend and provide written and oral comments and ask questions concerning the 2023-2024 projects. Rita Frick, Secretary

Hurst Community Services

Development Corporation

IPL0132690

Jul 27 2023

### NOTICE OF PUBLIC HEARING

THE KENNEDALE BOARD OF ADJUSTMENT WILL HOLD A PUBLIC HEARING FOR THE FOLLOWING CASE ON TUESDAY, AUGUST 8TH, 2023 AT 5:30 PM. IN THE CITY COUNCIL CHAMBERS. LOCATED AT 405 MUNICIPAL DRIVE, KENNEDALE, TARRANT COUNTY, TEXAS 76060:

CASE # BOA 23-04 TO RECEIVE COMMENTS AND CONSIDER ACTION ON A REQUEST FOR A SPECIAL EXCEPTION USE BY SCOTT MEEK OF MANSFIELD SAND & SELECT LLC, FOR THE SPECIAL EXCEPTION USE OF OUTDOOR STORAGE, COMMERCIAL AND INDUSTRIAL AS REQUIRED BY SECTION 6.2 OF THE UNIFIED DEVELOPMENT CODE FOR 1000 E KENNEDALE PARKWAY, BLOCK 1, LOT 1, OF THE KEDC ADDITION, CITY OF KENNEDALE, TARRANT COUNTY, TEXAS.

CASE# BOA 23-05 TO RECEIVE COMMENTS AND CONSIDER ACTION ON A REQUEST FOR A SPECIAL EXCEPTION FOR PERMITTED PAVING MATERIALS BY TAMIKO SARGENT AS REQUIRED BY SECTION 11.38.9 (C) OF THE UNIFIED DEVELOPMENT CODE FOR 900 KENNEDALE SUBLETT RD, BLOCK 1, LOT 1, OF THE SARGENT ADDITION, CITY OF KENNEDALE, TARRANT COUNTY, TEXAS.

INTERESTED PERSONS ARE ENCOURAGED TO ATTEND THE PUBLIC HEARINGS TO OFFER PUBLIC COMMENTS OR PROVIDE WRITTEN COMMENTS PRIOR TO THE MEETING TO COMMUNITY DEVELOPMENT DEPARTMENT, 405 MUNICIPAL DRIVE, KENNEDALE, TX, 76060. FOR MORE INFORMATION, PLEASE CALL (817) 985-2135.

IPL0133157

Jul 27 2023

### CITY OF GRAND PRAIRIE ADVERTISEMENT FOR BIDS

Sealed bids will be received at 300 W. Main Street, Grand Prairie TX 75050 or via Planetbids until August 4, 2023, at 2:00 PM, and publicly opened and read via teleconference for the purchase of the following. A non-mandatory meeting will be held on July 28th, 2023, at 10:00 a.m. at Parks and Recreation Department, 400 College Street, Grand Prairie, TX 75050 RFB # 23180 – Portable Toilet Rental & Service

Further information and specifications may be obtained at <https://pbsystem.planetbids.com/portal/53284/portal-home> or from the Purchasing Division at 972-237-8372.

The city reserves the right to reject any or all bids and to waive formalities. The city also reserves the right to purchase these items through state awarded contracts or other intergovernmental agreements when it is in the best interest of the city.

IPL0132227

Jul 20, 27 2023

### CITY OF ROANOKE NOTICE OF PUBLIC HEARING ROANOKE CITY COUNCIL

A public hearing will be held by the Roanoke City Council on Tuesday, August 8, 2023 at 7:00 p.m. in the City Council Chambers – 2ND floor of Roanoke City Hall located at 500 S. Oak Street, Roanoke, Texas. The purpose of the public hearing will be to hear public comments for consideration of the proposed City of Roanoke Operating and Capital Budget for Fiscal Year 2023-24, including the Roanoke Economic and Industrial Development Corporation (Type A) Fiscal Year 2023-24 Annual Budget.

THIS BUDGET WILL RAISE MORE TOTAL PROPERTY TAXES THAN LAST YEAR'S BUDGET BY \$805,860 OR 7.24% AND OF THAT AMOUNT, \$543,794 IS TAX REVENUE TO BE RAISED FROM NEW PROPERTY ADDED TO THE TAX ROLL THIS YEAR. IPL0132852 Jul 27 2023

### PUBLIC NOTICE

Crime Tax Budget Hearing  
The Hurst Crime Control and Prevention District Board will hold a public hearing on August 8, 2023, at 5:00 p.m. The public hearing will be held at Hurst City Hall, 1505 Precinct Line Road. All Citizens are invited to attend and provide the board/city council with written and oral comments and ask questions concerning the 2023-2024 fiscal year budget for the Hurst Crime Control and Prevention District. The proposed budget can be inspected by the public from 8:00 a.m. until 5:00 p.m., Monday through Friday in the City Secretary's Office, 1505 Precinct Line Road, or at the Hurst Public Library, 901 Precinct Line Road during regular operating hours, or anytime on the City's website. IPL0132685 Jul 27 2023

### PUBLIC NOTICE

CRIME TAX BUDGET HEARING

THE HURST CITY COUNCIL WILL HOLD A PUBLIC HEARING ON AUGUST 8, 2023 AT 6:30 PM. AT HURST CITY HALL, 1505 PRECINCT LINE ROAD. ALL CITIZENS ARE INVITED TO ATTEND AND PROVIDE THE CITY COUNCIL WITH WRITTEN OR ORAL COMMENTS AND ASK QUESTIONS CONCERNING THE CITY'S FISCAL YEAR 2023-2024 PROPOSED ANTI-CRIME TAX BUDGET. THE PROPOSED BUDGET CAN BE INSPECTED BY THE PUBLIC FROM 8:00 A.M. UNTIL 5:00 PM., MONDAY THROUGH FRIDAY IN THE CITY SECRETARY'S OFFICE, AT HURST CITY HALL, OR AT THE HURST PUBLIC LIBRARY, 901 PRECINCT LINE ROAD, DURING REGULAR LIBRARY HOURS, OR ANYTIME ON THE CITY'S WEBSITE. IPL0132687 Jul 27 2023

### NOTICE TO OFFERORS

Proposals for the Crime Lab Full Building Generator Replacement, 3616 E. Lancaster Ave., Fort Worth, Texas 76103 (PMD2023-10), in Fort Worth Texas will be received at the Purchasing Office, City of Fort Worth, 200 Texas Street, Fort Worth, 76102, until 1:30 PM on Thursday, August 24, 2023, and will be opened and publicly read aloud approximately thirty minutes later in the Council Chambers. After evaluating the Proposals submitted, the City shall select the Offeror that offers the Best Value to the City and enter into negotiations with that Offeror. The City may discuss with the selected Offeror options for a scope or time modification and any price change associated with such modification.

The last day for questions from prospective Offerors is at 5:00 PM on Friday, August 11, 2023.

A Pre-Proposal Conference will be held at 10:30 A.M., Wednesday, August 9, 2023 at Architectural Services Conference Room at 401 W. 13th St. Fort Worth, TX. 76102. A guided tour of the site will follow the Conference. The offers will be valid for ONE HUNDRED TWENTY (120) calendar days. Estimated construction cost is approximately \$900,000.00.

The Offeror will add a 7.5% Owner's Contingency Allowance on a separate line item on the Proposal form and only the Owner will approve the use of this allowance during construction. Any Allowance remaining at the end of construction will be retained by the City of Fort Worth. This Allowance is not to be included in the Base Proposal and will not be used in the Best Value selection process.

Refer to the evaluation matrix for the selection of the Best Value Offeror in the Instructions to Offerors.

Refer to the Request for Proposal and documents for the Business Equity Provision Information. The Business Equity participation will not be evaluated in awarding this Contract. The Business Equity Goal REQUIREMENT is WAIVED, and set at 0%.

Also, Refer to Section 2. BUSINESS EQUITY PROVISIONS FOR BEST VALUE PROPOSAL in the Instructions to Offerors.

Offerors must submit a bid bond with their proposal. Offeror(s) to whom an award of contract(s) is made will be required to provide Payment and Performance Bonds and provide Contractors General Liability and Statutory Workers Compensation Coverage.

If you intend to submit a Proposal, request you inform the Project Manager or Architect/Engineer who can then inform the interested subcontractors.

General Contractors and Suppliers may make copies of the Instructions to Offerors, General Conditions, Drawings, and Specifications through their printer. The construction documents are not available at the City but may be viewed and printed on-line by cutting and pasting the following link into your browser:

<https://docs.b360.autodesk.com/shares/d93ac667-24c7-4f44-aa31-1567d0bb2590>

Contact the Project Manager, Don Isaacs, at (817) 392-8498 or email Donaldisaacs@fortworthtexas.gov for assistance. For additional information contact the Project Engineer, Paul Morris, at (682)348-0792 or email pmorris@bhinc.com

IPL0133094

Jul 27 Aug 3 2023

## APARTMENT HUNTING?

Let Classifieds Help  
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STAR-TELEGRAM.COM

### CITY OF GRAND PRAIRIE

Sealed bids will be received via www.planetbids.com until August 16, 2023, at 10:00 AM, and opened and read via teleconference for the purchase of the following:

RFB # 23188 – Scale Repairs  
A Mandatory Pre-Bid Meeting will be held on Tuesday, August 8, 2023, at 10:30 AM. at the City of Grand Prairie Landfill, located at 1102 MacArthur Boulevard, Grand Prairie, TX 75050. Further information and specifications may be obtained at [www.planetbids.com](http://www.planetbids.com), [www.gptx.org](http://www.gptx.org), or the Purchasing Division at (972) 237-8269.

The city reserves the right to reject any or all bids and to waive formalities. The city also reserves the right to purchase these items through state-awarded contracts or other intergovernmental agreements when it is in the best interest of the city. IPL0133153 Jul 27 Aug 3 2023

### SECTION 00 11 13

INVITATION TO BIDDERS  
RECEIPT OF BIDS

Sealed bids for the construction of Holly WTP Backup Power Generation Services City Project No. 103410-3 ("Project") will be received by the City of Fort Worth Purchasing Office until 1:30 PM. CST, August 24, 2023 as further described below:

City of Fort Worth  
Purchasing Division  
200 Texas Street  
Fort Worth, Texas 76102

Bids will be accepted by: US Mail, Courier, FedEx or hand delivery at the address above; Bids will be opened publicly and read aloud at 2:00 PM CST in the City Council Chambers.

In lieu of delivering completed Business Equity (M/WBE) forms for the project to the Purchasing Office, bidders shall e-mail the completed Business Equity forms to the City Project Manager no later than 2:00 PM on the second City Business Day after the bid opening date, exclusive of the bid opening date.

GENERAL DESCRIPTION OF WORK

The major work will consist of the (approximate) following: Provide for the construction, installation, startup services for three diesel backup power generators, foundations and platforms for each, and associated ducting and electrical equipment. Construct and install the slab, foundation, and associated mechanical and electrical equipment for one pre-cast electrical buildings each housing 1 generator switchgear and 1 medium voltage switchgear.

#### PREQUALIFICATION

Certain improvements included in this project must be performed by a contractor or designated subcontractor who is pre-qualified by the City at the time of bid opening. The procedures for qualification and pre-qualification are outlined in the Section 3 of 00 21 13 – INSTRUCTIONS TO BIDDERS. DOCUMENT EXAMINATION AND PROCUREMENTS

The Bidding and Contract Documents may be examined or obtained on-line by visiting the City of Fort Worth's Purchasing Division website at <https://docs.b360.autodesk.com/shares/7e898ae1-c4c4-4352-b137-1948ed621a50>

Addenda Folder  
<https://docs.b360.autodesk.com/shares/37a7267e-0eeb-43a8-b77b-2e458b3a5c05>

Physical copies of the Documents will not be provided by the City or Design Engineer as part of the Bidding process.

EXPRESSION OF INTEREST  
To ensure potential bidders are kept up to date of any new information pertinent to this project, all interested parties are requested to email Expressions of Interest in this procurement to the project manager(s) at the e-mail addresses listed below.

The email should include the company's name, contact person and that individual's email address and phone number. All Addenda will be distributed directly to those who have expressed an interest in the procurement and will also be posted in the City of Fort Worth's purchasing website at <http://fortworthtexas.gov/purchasing/>

PRE-BID CONFERENCE – Web Conference

A non-mandatory pre-bid conference will be held as discussed in Section 00 21 13 – INSTRUCTIONS TO BIDDERS at the following location, date, and time:

DATE: 10 August 2023

TIME: 10:00 AM

LOCATION: SCADA Conference Room

PLACE: South Holly Water Treatment Plant, 1511 11 th Avenue, Fort Worth Texas 76102

A pre-bid site visit will held after the Pre-Bid Conference

The presentation and any questions and answers provided at the pre-bid conference will be issued as an Addendum to the call for bids. Prospective bidders can e-mail questions or comments in accordance with Section 6 of the Instructions to Bidders referenced above to the project manager(s) at the e-mail addresses listed below. Emailed questions will suffice as "questions in writing." If necessary, Addenda will be issued pursuant to the Instructions to Bidders.

CITY'S RIGHT TO ACCEPT OR REJECT BIDS

City reserves the right to waive irregularities and to accept or reject any or all bids.

#### AWARD

City will award a contract to the Bidder presenting the lowest price, qualifications and competencies considered.

#### INQUIRIES

All inquiries relative to this procurement should be addressed to the following:

Attn: David Townsend, City of Fort Worth

Email: David.townsend@fortworthtexas.gov

Phone: 817-392-8430

AND/OR

Attn: Robb Otey, Freese and Nichols, Inc.

Email: robb.otey@freese.com

Phone: 817-735-7562

IPL0133063

Jul 27 Aug 3 2023

## NEW CAR ENVY?

Let Classifieds Help  
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## Announcements

### Community Events

### Literacy Days at the Fort Worth Nature Center & Refuge

9601 Fossil Ridge Rd. Fort Worth 76135

7 a.m.-noon

Aug. 7, 2023

FREE admission. Learn more at [fwpl.info/naturecenter](http://fwpl.info/naturecenter).

### Buffalo Bros Sundance 4 Year Anniversary

Downtown Fort Worth

11am - 2am

08/02/2023

Come help us celebrate 4 years at our Downtown Fort Worth Buffalo Bros! (That's Wing Wednesday)



### Amplify 817 Showcase

Will Rogers Auditorium

6-10 p.m.

Aug. 18, 2023

Join us for a special, free concert highlighting a dynamic, diverse mix of local Amplify 817 musicians!

Visit [fwpl.info/817](http://fwpl.info/817) for more info.



### Teachers Fill the Bag

Former Central Library Downtown

10 a.m.-3 p.m.

Aug. 5 & 6, 2023

Final, two-day Fill the Bag event for teachers/homeschoolers with a Fort Worth Public Library educator card. More info: [fwpl.info/f](http://fwpl.info/fill)





Beaufort Gazette  
Belleville News-Democrat  
Bellingham Herald  
Bradenton Herald  
Centre Daily Times  
Charlotte Observer  
Columbus Ledger-Enquirer  
Fresno Bee

The Herald - Rock Hill  
Herald Sun - Durham  
Idaho Statesman  
Island Packet  
Kansas City Star  
Lexington Herald-Leader  
Merced Sun-Star  
Miami Herald

el Nuevo Herald - Miami  
Modesto Bee  
Raleigh News & Observer  
The Olympian  
Sacramento Bee  
Fort Worth Star-Telegram  
The State - Columbia  
Sun Herald - Biloxi

Sun News - Myrtle Beach  
The News Tribune Tacoma  
The Telegraph - Macon  
San Luis Obispo Tribune  
Tri-City Herald  
Wichita Eagle

CITY OF KENNEDALE  
405 MUNICIPAL DR  
KENNEDEALE TX 760602249

| MEMO INVOICE     |               |
|------------------|---------------|
| Order No.:       | 449121        |
| Memo Date:       | 07/27/2023    |
| Bill-To Account: | 19300         |
| Sales Rep:       | Hayley Martin |

| Dates                   | Order No. | Description                              | Product                                                  | Size     | Billed Units | Times Run | Net Amount |
|-------------------------|-----------|------------------------------------------|----------------------------------------------------------|----------|--------------|-----------|------------|
| 07/27/2023 - 07/27/2023 | 449121    | Print Legal Ad-IPL01331570<br>IPL0133157 | FTW-Star-Telegram<br>Legal   Legals & Public Notices CLS | 1 x 46 L | 46 L         | 1         | \$80.57    |

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Please Return This Portion With Your Payment (Thank You)

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Livonia MI 48151

\*\*\* MEMO INVOICE \*\*\*

CITY OF KENNEDALE  
405 MUNICIPAL DR  
KENNEDEALE TX 760602249

| MEMO INVOICE  |                   |
|---------------|-------------------|
| Order No.:    | 449121            |
| Account No.:  | 19300             |
| Account Name: | CITY OF KENNEDALE |
| Order Amount: | \$80.57           |

Email questions to [ssccreditandcollections@mcclatchy.com](mailto:ssccreditandcollections@mcclatchy.com)

McClatchy Company LLC  
PO Box 510150  
Livonia MI 48151



SITE POSTING- 900 KENNEDALE SUBLETT RD





BUSINESS

## Urban farming combats food deserts in Southeast Fort Worth with community empowerment

by Brooke Colombo  
August 5, 2021 7:28 pm



Ursula and Steven Nuñez unload hundreds of pounds of discarded fruit from local grocers to weigh. This fruit will get composted in the pile behind them to create nutrient-rich soil for planting. (Brooke Colombo | Fort Worth Report)





On the western edge of Glencrest Civic League in Southeast Fort Worth sits a property that soon could become an epicenter of education and agriculture for the community.

There sits a three-and-a-half-acre farm, Mind Your Garden, manned by husband and wife Steven and Ursula Nuñez, 38.

Several days a week, Steven heads to local grocery stores to pick up their unsold and undesirable produce. Much of it is still in edible condition while the rest is buzzing with flies and dripping with juice as the pair unload the crates to weigh them.

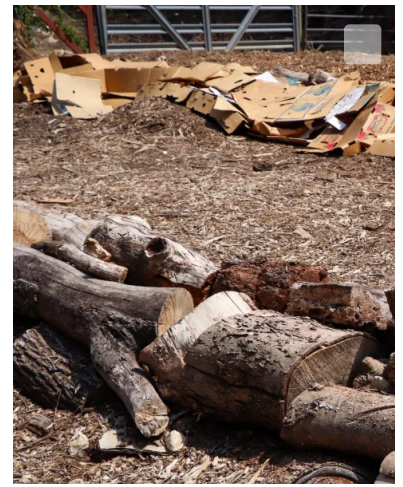
“It’s a lot of work. It’s hard work,” Ursula said. “But it’s good work and we like to work and it’s therapeutic.”

Today’s haul was on the high end for the farm. The most they’ve received is over 1,000 pounds. of discarded produce. The couple composts the produce to use as fertilizer.

They’ll add it to their terraced gardens to prepare the soil for planting in fall. For now, they’re sowing the seeds for an urban farm, with which they hope to combat food scarcity and promote healthy living.



Steven loads and unloads produce onto a scale. His truck bed was full with various fruits and vegetables, some still in edible condition. (Brooke Colombo | Fort Worth Report)



Cardboard from the discarded produce and recycled wood sustainable as possible. (Brooke Colombo | Fort Worth Report)

In 2013, the Nuñezes bought the property, which once belonged to Steven’s parents. The house on the property eventually became their home. But Steven always planned to make the backyard into a garden.

Steven’s passion and expertise began when he studied abroad in Guatemala, where he learned about urban agriculture. He then attended a workshop from the National Center for Appropriate Technology designed to teach veterans about agriculture.

These experiences inspired him to pursue a master’s degree in landscape architecture from the University of Texas at Arlington. Steven and Ursula also received certifications in permaculture and Ursula has a background in education.

While looking for a thesis topic, Steven learned about food deserts in Southeast Fort Worth, where some residents didn’t have sufficient access to food. The Nuñezes said they feel the best way to address this is through an educational shift in the community.

“Food is what brings all of us together,” Steven said. “We can be a facilitator for the community to come in and have healthy food options and the education and social community building aspect.”

Mind Your Garden is now one of a handful of community gardens in the [Grow Southeast](#) network, an independent initiative that helps farms reach success.

### About Glencrest and Southeast food deserts

Not all of Southeast Fort Worth is a food desert, but some of its census tracts meet the federal definition for one. In order for a census tract to be a food desert, according to the USDA’s [Food Access Research Atlas](#), it must meet two criteria:

1. The poverty rate must be 20% or higher, or the median household income must be at or below 80% of the median household income for the region.
2. At least 500 people and/or at least 33% of the households must live more than a half-mile from a large grocery store or supermarket in urban areas.

Food deserts usually have an abundance of convenience stores, fast-food restaurants and liquor stores.



The Nuñez family sits in their backyard where they have coffee each morning and brainstorm ideas to serve their community. Steven said the farm is his greatest passion and they want it to be their lifestyle and business. (Brooke Colombo | Fort Worth Report)





A QT, Popeyes and Burger King sit on the Southbound side of HWY 287. The majority of food sources for the Glencrest Civic League are located in this area and are fast food, liquor or convenience stores. (Brooke Colombo | Fort Worth Report).

Linda Fulmer, the executive director of Healthy Tarrant County Collaboration, who partners with Grow Southeast, has lived in Fort Worth since 1980 and remembers the shift of Southeast Fort Worth to a low-income area.

“(Southeast Meadowbrook) was an aging community with homes built in the 1930s and 1940s that were mainly occupied by aging original homeowners,” she said. “At that time there were eight grocery stores within three miles of my little house. Today only one of those stores remains in operation.”

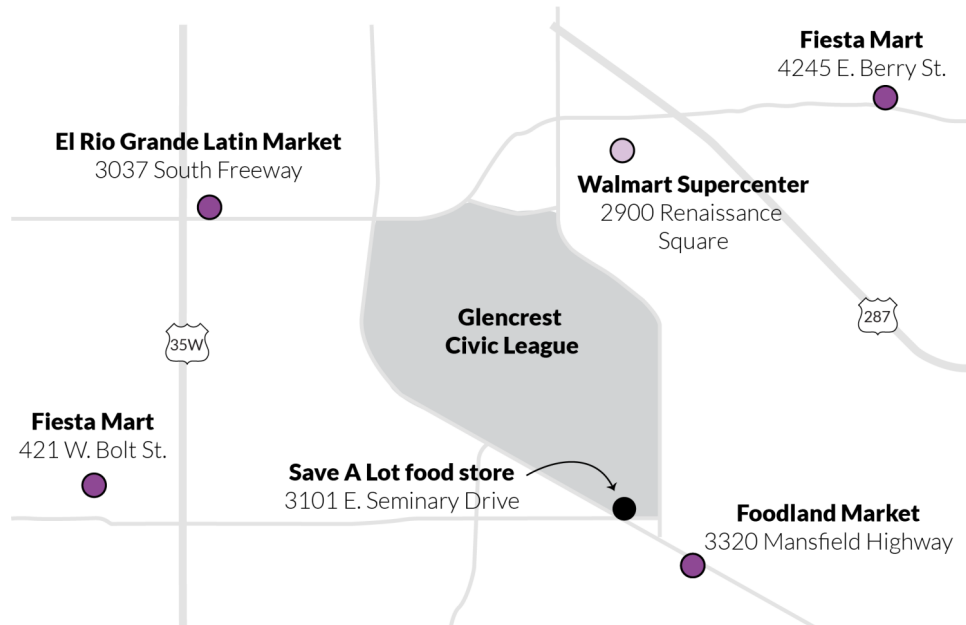
Original homeowners in the area died or moved away, and the homes became available for rent by lower-income families. Many residents take their money to stores outside of the area, Fulmer said, which “erodes the shopper public for what stores remain.” Grocery stores are not a high-profit business, she said, so the stores look for a high density of residents with disposable income.

Glencrest Civic League is about five miles southeast of downtown Fort Worth and South of Highway 287. There is one small market (a Save A Lot food store at 3101 E. Seminary Drive) and one large grocery (a Foodland at 3320 Mansfield Highway) within a half-mile-service radius of the neighborhood limits.

Both are located at the southernmost edge of the neighborhood, making them less accessible to the majority of the neighborhood. Steven’s [thesis](#), published in December 2018, found 70% of the neighborhood’s food sources are located at its southernmost tip. His thesis also found 9% of residents did not have at least one vehicle for their household.

# Glencrest Civic League has insufficient access to large grocers, supermarkets

Glencrest Civic League is a food desert, or area where **at least 1 in 3 residents live more than a half-mile from a large grocery store** or supermarket. The neighborhood has two grocers — one small, one large — at its Southern tip, within a half-mile of its borders.



Sources: USDA, 2018 thesis of Steven Nunez, Google Maps 2021

Alexis Allison | Fort Worth Report

“Part of understanding food insecurity is also understanding the demographics of the communities,” said Jesse Herrera, CoAct’s founder and executive director, who works with Grow Southeast. “Historically, there have been effects one could attribute to redlining or other systemic oppressions that have led our communities to the path they’re on.”

With 29% of households below the poverty line, Glencrest Civic League is considered a low-income neighborhood, according to census tract [data](#). This is about double the poverty rate in Fort Worth (14.5%) and more than double the rate in Tarrant County (12%). Sixty-one percent of residents have a household income under \$50,000.

The neighborhood is 56% Black, 36% Hispanic, 4% white, 2% Asian and 2% Pacific Islander. Of its 466 residents, 11.6% of the population has veteran status.

While lack of food options is an issue, so too is poor infrastructure. A lack of sidewalks, lack of exterior lighting and inefficient or insufficient bus routes can make it difficult to access food, Herrera said.

“If your food takes you an hour, two hours, three hours to get to and from there — that’s assuming these routes would actually be open by the time an individual gets off work — that’s part of what leads to food scarcity,” Herrera said.

The area’s economy affects food insecurity. Herrera said it’s harder to come across well-paying jobs in the southeast. Money goes toward rent first, and putting food on the table can be difficult with a minimum wage job.

The effects of food insecurity and little access to nutritious food have greater implications for the residents’ health, as Steven and Ursula have experienced.

“Steven’s family has a history of diabetes, and my family has a history of heart disease, which are both food-related diseases,” Ursula said. “I didn’t understand that with the food you consume, there are effects to unhealthy eating.”

A healthy diet can lead to a longer life, lower risk of obesity, heart disease, diabetes and some cancer, as well as help with chronic diseases, according to the [Centers for Disease Control and Prevention](#).



Steven and Ursula said despite exercising and training for marathons, it wasn't until they changed their eating habits — cutting out alcohol and turning to a plant-based diet — that they saw a difference in their health.

### How community urban farms address food scarcity

Though putting more grocery stores with healthy, affordable options in a more accessible place seems like the obvious solution, Nuñez suggests in his thesis this would have little effect on the buying choices of residents. The biggest factors are cultural background, tradition, education, custom and habit, his thesis argues.

“The whole nutritional education is extremely important,” Steven said. “It’s a long and tough journey to live a healthy lifestyle. For our community, some people just don’t know how to cook or eat healthily. They see fast foods and convenience as their only option. They need that strong support from their community to be successful.”

Community farms aren’t just about selling produce to residents, Herrera said. Rather, the farms also empower residents and boost the local economy to lift these communities out of poverty.

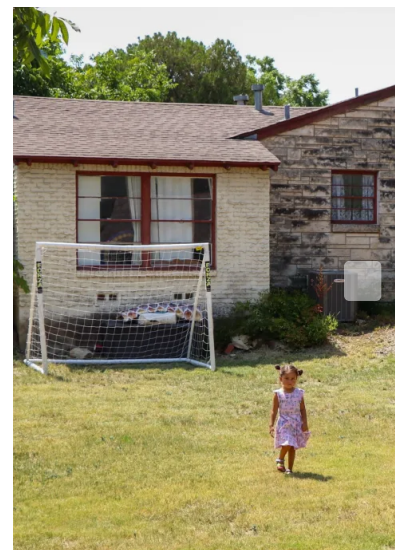
Once the farmers are equipped with successful business models, the farms could create opportunities for secondary and tertiary markets like neighborhood composting services and niche restaurants or cottage industries, he said.

“We’re looking at this through the lens of entrepreneurship and trying to create resources that support,” Herrera said. “These farms have the ability to create a lot of jobs.”

### The future of Mind Your Garden



Steven points to a map they've created for the future layout of the farm. This includes plans for an orchard, a chicken coop and additional terraced garden beds. (Brooke Colombo | Fort Worth Report)



Ursula and their daughter Alejandra walk across their backyard property on the block. This space behind it will serve as a wc to the public. (Brooke Colombo | Fort Worth Report)

Though it's not open to the public yet, Steven and Ursula have already planned how they want to get the community involved on the farm.

They have a handful of volunteers helping build infrastructure to ready the farm for planting and a public opening. Preparing for the fall has been more than just physical labor, he said. Farming has allowed him and the volunteers to dig deep with each other.

“It’s a therapy session when we’re out here,” Steven said. “We’re out in nature. We’re working, sweating, talking about food insecurity and health. By the time they leave, we’ve had a pretty deep conversation. That’s definitely the community outreach aspect of it.”

To provide that experience to other residents, they intend to have gardening spaces where the community can get their hands dirty, as well as outdoor classroom space.

They will have a “healthy hour,” which will be like a happy hour focused on inviting the community over to eat and discuss their health.

“When we went plant-based and stopped drinking alcohol, we realized almost every social thing revolves around eating or drinking,” Steven said. “There’s a need for people looking to have a healthy lifestyle but still want to socialize.”

The Nuñezes said it’s an honor to be able to provide for their community and share what their farm will have to offer.

“This is a lifestyle business, not a part-time business or hobby. This is our life,” Steven said. “It means so much to us to get to express ourselves, our creativity, and be of service.”

*Brooke Colombo is a reporting fellow for the Fort Worth Report. Her position is supported by grants from the Amon G. Carter and Sid W. Richardson foundations. Contact her at [brooke.colombo@fortworthreport.org](mailto:brooke.colombo@fortworthreport.org) or via [Twitter](#). At the Fort Worth Report, news decisions are made independently of our board members and financial supporters. Read more about our editorial independence policy [here](#).*

Like



**boyce.mary.mb@gmail.com**

August 6, 2021 9:51 am at 9:51 am

Excellent report!

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