

**ZONING COMMISSION MINUTES
OCTOBER 12, 2021**

The Zoning Commission of the City of Texas City met in a regularly scheduled meeting and Public Hearing on Tuesday, October 12, 2021 at 5:15 p.m. Commission members present were: Chairman Perry O'Brien, Gary Potter, Thelma Bowie and Aric Owens. Staff members present were: Doug Kneupper, Kimberly Golden and Veronica Carreon. Citizens present were: Fred H. Viranic; Brian Yarbrough, Broad Reach Power; Jerry Le Blanc, Binnacle Development; and Doreen Hughes, Realtor.

Chairman O'Brien addressed those present and explained the procedures for the Public Hearing. He indicated a quorum was present and called the meeting to order.

APPROVAL OF MINUTES: The draft minutes for the September 21, 2021 regular meeting were reviewed by the commissioners. Commissioner Aric Owens noted he had voted in opposition to the PUD Amendment for the Crystal Lagoon District. The draft minutes stated all commissioners had voted aye. The commissioners present agreed to the change and then approved the minutes as changed on a **motion by Gary Potter/Thelma Bowie. All members present voted aye.**

Mr. Kneupper began the meeting by introducing Kimberly Golden, the new City Engineer/Director of Transportation & Planning.

ITEM NO. 1 Review and approval of a request from Binnacle Development to rezone from "A" (Single-Family Residential) to "I" (Planned Unit Development) to construct Brookwater Subdivision – a Master Planned Community with the City of Texas City. Being approximately 50 acres of land. Located to the east of FM 2004 and north of Mainland City Centre. (Action)

Mr. Kneupper provided the background information for this rezoning request. The developer, Jerry LeBlanc, Binnacle Development, is requesting to rezone approximately 50 acres of undeveloped land located east of FM 2004, between Mainland City Centre and GCDD #2' Ditch 6 channel. The project will include a combination of 50', 60', and 70' lots. The total lot count will be approximately 201 lots. There is no single zoning district to accommodate this variety in lots sizes, so staff and the developer have chosen to pursue a Planned Unit Development (PUD). Under this zoning designation a variety of lot sizes can be arranged along with amenities such as landscaped, decorative fencing, entryways, parks, and open spaces. In the Brookwater Development Agreement, it's contemplated that the city will consent to the annexation of this land into GCMUD 79. This is a relatively new Utility District initially created for Mr. LeBlanc's Central Park Project, with opportunities to annex different properties into the district as the board members see fit. This project has a centrally located park of adequate size with amenities that staff recommends should be introduced relatively early. Staff's recommendation is for the Recreation Site to be fully developed with the platting of the 2nd section or the plat that creates the 80th lot; whichever comes first. There will be an entry way monument, along with masonry fencing for lots visible from FM 200. Staff is recommending that the masonry be installed along the boundary of the overall tract within the 300' Gateway Overlay District. Another aspect of this project is that home construction will have brick, stone and masonry façade in accordance

with current city standards. The developer's application alludes to the creation of a Homeowner's Association. Roadway access into the subdivision will be from a boulevard/collector road off of FM 2004 that aligns with 30th Avenue North. One important component is that in a future section there is an opportunity to align and connect to a future road that is part of a planned subdivision to the east of the project. Ultimately this roadway connection will provide good access and circulation through this subdivision and the future subdivision. Water and sewer are readily available. Drainage of the development will be directly into the adjacent GCDD #2 channel. The Planning Board reviewed this request at their September 21 meeting and is recommending approval. City staff has reviewed the project and has no objection to approval. After Mr. Kneupper's presentation, **a motion was made by Thelma Bowie/Gary Potter to open the Public Hearing. All members present voted aye.** There were no questions for the developer and **a motion was then made by Gary Potter/Thelma Bowie to close the Public Hearing. All members present voted aye.** There were no additional comments or discussion and **a motion was made by Gary Potter/Thelma Bowie to approve the rezoning request. All members present voted aye.**

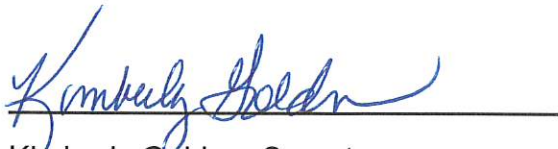
ITEM NO. 2 Broadreach Power requests to rezone from "A" (Single-Family Residential) to "F" (Light Industrial" to allow for a Battery Energy Storage System. Being a portion of all that certain remainder of Lot 2A in the Highway 146 Business Park. Located in the 500 block of 34th Street, Texas City, TX. (Action)

Mr. Kneupper provided the background information for this rezoning request. The applicant, Broad Reach Power intends to install Battery Energy Storage Systems (BESS) to improve local electrical grid reliability. There will be approximately 30 individual units, with each unit being similar in appearance to a 20 foot long shipping container with the battery storage modules. To be able to utilize the property in this manner, a zone change is needed from the current Single-Family Residential to Light Industrial. The requested zoning is in accordance with the City's adopted Land Use Plan. City water and sewer are readily available, but the only need is for water for fire protection. For drainage, the applicant will coordinate with Public Works to properly outfall into the adjacent channel. Primary access for this property will be from 34th Street – more than likely they will use the existing driveway constructed with the recent BRP facility. Once installed, the BESS will need little attention and maintenance. Mr. Kneupper informed board members that although the property is located in the 0.2% annual flood chance area, there is no need for elevation. City staff has no objections to the rezoning request. Mr. Kneupper also mentioned that during site plan and development there were concerns about the applicant just walking away from the project to which a Decommissioning Bond was created and put in place. After Mr. Kneupper's presentation, **a motion was made by Thelma Bowie/Aric Owens to open the Public Hearing. All members present voted aye.** Mr. Aric Owens asked what would prevent one of the containers from leaking. Mr. Brian Yarbrough stated that they use the guidance of electrical standards and National Fire Protection Association (NFPA) for primary and secondary containers. Lithium ion batteries are being used for this project and any type of emission would be a vapor, which is sealed in the container. He added that if there were to be a Thermal Runaway Event, then that would have to be contained by a trained specialized fire unit. They are not expecting to have any emissions leak out the primary or secondary containers. Chairman O'Brien then asked about fire suppression to

which Mr. Yarbrough stated that the sites are remotely monitored 24/7 and they also have smoke and carbon monoxide detection inside each one of the units, as well as an aerosol or dry powder fire suppression built into every battery. These have been NFPA approved and tested to UL standards. There were no other questions for the applicant and **a motion was then made by Gary Potter/Thelma Bowie to close the Public Hearing. All members present voted aye.** There were no additional comments or discussion and **a motion was made by Aric Owens/Thelma Bowie to approve the rezoning request. All members present voted aye.**

ITEM NO. 3 Other business.

There was no further business to discuss at this time and **a motion was made by Gary Potter/Thelma Bowie to adjourn. All members present voted aye.**

A handwritten signature in blue ink, reading "Kimberly Golden", is written over a horizontal line.

Kimberly Golden, Secretary