

Excerpt Meeting Minutes for MAP-23-0007 (Stella B.E.S.S.)
City of League City
Planning and Zoning Commission
Regular Meeting, Monday, February 19, 2024
Council Chambers, 200 W. Walker Street, League City, TX 77573

1. Call to Order and Roll Call of Members

Paul Maaz, Chair, called the meeting to order at 6:00 p.m.

Present: Paul Maaz, Frank Dominguez, Jacqueline Irwin, Matthew Hyde, Matthew Propst, Chris Dodson, Pam Arnold

Absent: Ruth Morrison

City Staff: Kris Carpenter, Planning Director; Mark Linenschmidt, Planning Manager; Masood Malik, Senior Planner; Vince Husted, Senior Planner; Ann Williams, Planner; Christopher Sims, Executive Director Development Services; Michelle Villarreal, Interim City Attorney

4. Public Hearing and Action Items

A. Hold a public hearing and make a recommendation on Zoning Change Application, MAP-23-0007 (Stella B.E.S.S.), to rezone approximately 1.7 acres from “CG” (General Commercial) to “PS” (Public / Semi-Public) and consider a Special Use Permit on the same property to allow a Battery Energy Storage System (B.E.S.S.), a private utility use, to operate on property legally described as being a portion of Block 45 of the League City Tropical Gardens Subdivision, generally located along the east side of Caroline Street and south of Farm to Market Road 646.

Mr. Maaz opened the public hearing at 6:03 p.m.

Mark Linenschmidt, Planning Manager, gave a presentation on behalf of the City of League City.

Brian Yarbrough, Applicant, Stella Energy Solutions, Head of Development, gave a presentation.

The following were Public Hearing Speakers:

Marc Young, Resident, 3062 Bellflower Pass Lane, opposed
Ike Winfield, Resident, 1410 Benbrook Oaks Lane, opposed
Jim Nuzzi, Resident, 3058 Trading House Circle, opposed
Sharon Nuzzi, Resident, 3058 Trading House Circle, opposed
Don Church, Resident, 3103 Choke Canyon Lane, opposed
Kacy Longoria, Resident, 2983 Terrell Cove Lane, opposed
Laura Teatsworth, Resident, 517 Small Cedar Drive, opposed
Gray Meyer, Resident, 1306 Mossy Oak Drive, opposed
Matt Longoria, Resident, 2983 Terrell Cove Lane, opposed

Tom Crews, City Councilman, and Resident, 2207 Dove Haven Lane, asked questions about Fire Suppression as it relates to heat.

Lee Darrow, Assistant Fire Marshal, responded that from a suppression side they are contained.

Larry Suniga, Deputy Fire Marshal also spoke in reference to requirements.

Mr. Maaz closed the public hearing at 6:49 p.m.

Mr. Linenschmidt stated that development codes would have to be met.

Dr. Propst stated that he had concerns about the fire suppression.

Mr. Hyde asked what the reward was versus the risk for the City.

Mr. Yarbrough stated the B.E.S.S comes down to the reliability of the infrastructure/grid.

Mr. Maaz asked why they want to locate in League City and how many BESS sites would they be installing in surrounding cities.

Mr. Yarbrough responded that there are hundreds being installed all over the state of Texas in all areas and are going to install as many as the grids will accommodate from the available capacity of the distribution substations. For reference, there is currently one in League City, Dickinson, Alvin; as well as two in Angleton and Texas City.

Mr. Domiguez asked what assurances the City has that the power won't be distributed outside of the City.

Mr. Yarbrough responded he didn't know if there is an assurance. It is dependent on how the electric grid works and the distribution center it serves.

Mr. Dodson asked if there will be a retention pond and in the event of a fire who is responsible for remediation.

Mr. Yarbrough responded that they would comply with whatever the City requires them to do, and the latest site plan includes a retention pond and that they would be responsible for all remediation in the event of a fire.

Mr. Dodson also asked what Hurricane rating will be used for building.

Mr. Carpenter responded that they will be required to comply with all the same exact building codes as any other building in the City of League City.

Mr. Dodson asked about power purchase and toll agreements.

Mr. Yarbrough responded that they are agreements with ERCOT through an interconnection agreement utilizing TNMP's infrastructure essentially to provide services to ERCOT.

Mr. Dodson asked about workers compensation insurance.

Mr. Yarbrough responded that corporate liability coverage is in place.

Mr. Dodson asked about results of battery ventilation.

Mr. Yarbrough responded that there is a National Fire Protection Association 855 that does govern Battery Energy Storage Systems that has been adopted by the industry that these systems are designed to. There are multiple layers of fire suppression that are built into the system from thermal detection, carbon monoxide to flame detection and dry powder suppression system built in, which would allow for early indication to shut down the battery system before you would get into a thermal event. He can provide further documentation, but he was unable to answer the specific gas composition of venting at tonight's meeting.

Ms. Irwin asked the Fire Marshal's office about changes they referenced.

Mr. Darrow responded that in August of 2022 the City adopted the 2021 International Fire Code that has a new chapter on the regulations of how to design and construct the B.E.S.S. sites.

Ms. Irwin asked what about training for the Firefighters.

Mr. Darrow responded that there will be training provided by the companies.

Ms. Irwin asked how much training has been developed.

Mr. Suniga responded that from the NFPA and IFC the aspect of the training is from experience and by manufacturers recommendations on how to fight these types of fires.

Ms. Irwin asked how many containers will be at this site.

Mr. Yarbrough stated there will be six units at this site.

There was further discussion of air monitoring, Fire Department response, percentage of units under construction and the Grand Parkway construction in relation to this proposed B.E.S.S. and remediation.

Ms. Arnold asked what the worst impact of a disaster for BESS contained units can be imagined for this facility.

Mr. Yarbrough stated that it would be that if it were a thermal runaway, if everything failed, worst impact would be smoldering and fumes of burning carcinogens.

Mr. Maaz made a motion to recommend approval of the Zoning Change Application, MAP-23-0007 (Stella B.E.S.S.), to rezone approximately 1.7 acres from "CG" (General Commercial) to "PS" (Public /Semi-Public) and consider a Special Use Permit on the same property to allow a Battery Energy Storage System (B.E.S.S.), a private utility use per staff's recommendations.

Ms. Arnold seconded the motion.

The motion failed by a vote of 0-7-0.