Wylie Planning and Zoning Commission Regular Meeting

June 06, 2023 – 6:00 PM
Council Chambers - 300 Country Club Road, Building #100, Wylie, Texas 75098

CALL TO ORDER

INVOCATION & PLEDGE OF ALLEGIANCE

COMMENTS ON NON-AGENDA ITEMS
Any member of the public may address Commission regarding an item that is not listed on the Agenda. Members of the public must fill out a form prior to the meeting in order to speak. Commission requests that comments be limited to three minutes for an individual, six minutes for a group. In addition, Commission is not allowed to converse, deliberate or take action on any matter presented during citizen participation.

CONSENT AGENDA
All matters listed under the Consent Agenda are considered to be routine by the Commission and will be enacted by one motion. There will not be separate discussion of these items. If discussion is desired, that item will be removed from the Consent Agenda and will be considered separately.

A. Consider, and act upon, minutes from the May 16, 2023 Regular Meeting.

REGULAR AGENDA

1. Hold a Public Hearing, consider, and act upon, a recommendation to City Council regarding the writing of an ordinance for a change in zoning from Agricultural (AG/30) to Light Industrial - Special Use Permit (LI-SUP) on 8.96 acres to allow for a battery storage use. Property located at 1011 E Brown St (ZC 2023-08).

WORK SESSION

RECONVENE INTO REGULAR SESSION

EXECUTIVE SESSION

RECONVENE INTO OPEN SESSION
Take any action as a result from Executive Session.

ADJOURNMENT

CERTIFICATION
I certify that this Notice of Meeting was posted on June 2, 2023 at 5:00 p.m. on the outside bulletin board at Wylie City Hall, 300 Country Club Road, Building 100, Wylie, Texas, a place convenient and readily accessible to the public at all times.

_____ _____

Stephanie Storm, City Secretary *Date Notice Removed*

The Wylie Municipal Complex is wheelchair accessible. Sign interpretation or other special assistance for disabled attendees must be requested 48 hours in advance by contacting the City Secretary's Office at 972.516.6020. Hearing impaired devices are available from the City Secretary prior to each meeting.

If during the course of the meeting covered by this notice, the Commission should determine that a closed or executive meeting or session of the Commission or a consultation with the attorney for the City should be held or is required, then such closed or executive meeting or session or consultation with attorney as authorized by the Texas Open Meetings Act, Texas Government Code § 551.001 et. seq., will be held by the Commission at the date, hour and place given in this notice as the Commission may conveniently meet in such closed or executive meeting or session or consult with the attorney for the City concerning any and all subjects and for any and all purposes permitted by the Act, including, but not limited to, the following sanctions and purposes:

Texas Government Code Section:
§ 551.071 – Private consultation with an attorney for the City.

CITY OF WYLIE

Planning & Zoning Commission

AGENDA REPORT

Department: Planning **Item:** A

Prepared By: Lillian Baker

Subject

Consider, and act upon, minutes from the May 16, 2023 Regular Meeting.

Recommendation

Motion to approve Item A as presented.

Discussion

The minutes are attached for your consideration.

Wylie Planning and Zoning Regular Commission Meeting

May 16, 2023 – 6:00 PM
Council Chambers - 300 Country Club Road, Building #100, Wylie, Texas 75098

CALL TO ORDER

Chair Bryan Rogers called the meeting to order at 6:00 p.m. Commissioners present: Chair Bryan Rogers, Vice Chair Joshua Butler, Commissioner Jennifer Grieser, Commissioner Rod Gouge, Commissioner James Byrne, Director of Community Services Jasen Haskins, Senior Planner Kevin Molina, Engineering Development Manager Than Nguyen, and Secretary Lillian Baker. Absent were Commission Keith Scruggs and Commissioner Jacques Loraine

INVOCATION & PLEDGE OF ALLEGIANCE

Vice Chair Butler gave the invocation and Commissioner Grieser led the pledge of allegiance.

COMMENTS ON NON-AGENDA ITEMS

Any member of the public may address the Commission regarding an item that is not listed on the Agenda. Members of the public must fill out a form prior to the meeting in order to speak. Commission requests that comments be limited to three minutes for an individual, six minutes for a group. In addition, the Commission is not allowed to converse, deliberate or take action on any matter presented during citizen participation.

None approached the Commissioners.

CONSENT AGENDA

All matters listed under the Consent Agenda are considered to be routine by the Commission and will be enacted by one motion. There will not be separate discussion of these items. If discussion is desired, that item will be removed from the Consent Agenda and will be considered separately.

A. Consideration of May 2, 2023 Meeting Minutes

BOARD ACTION ON CONSENT AGENDA

A motion was made by Commissioner Grieser and Seconded by Commissioner Gouge to approve the Consent Agenda as presented. A vote was taken and carried 5 – 0.

REGULAR AGENDA

1. Consider, and act upon, a Site Plan for Lot 6, Block A of 544 Gateway Addition, for a contractor's maintenance yard and general office use on 1.19 acres. Property generally located to the east of the intersection of Business Way and Commerce Drive.

STAFF COMMENTS ON REGULAR AGENDA

Sr Planner Molina presented an overview and stated that the applicant is requesting a site plan for the relocation of the Day Lumber Yard. The property was previously a zoning case to allow for the light industrial use for the

construction maintenance yard. The property will also contain two general office buildings, which will be leased in the future. The design complies with the Plan Development and Zoning Ordinance. The Commission questioned the use of gravel as opposed to concrete for wheeled traffic. Applicant Juan Vasquez presented and noted requirements by Fire Marshall. The Commission questioned the gravel areas and noted that by City Ordinance wheeled vehicles require concrete whether retail or not. The Commission stated that everything from the overhead door through the fire lane and semi-truck loading area needs to be concrete. In addition, the Commission discussed fire lane allowance of 24 feet being based on the property use in addition to the zoning.

BOARD ACTION REGULAR AGENDA

A motion was made by Commissioner Gouge and Seconded by Vice Chair Butler to approve as amended with the loading area being concrete. A vote was taken and carried 5 – 0.

ADJOURNMENT

BOARD ACTION ADJOURNMENT

A motion was made by Commissioner Gouge and Seconded by Vice Chair Butler to adjourn. A vote was taken and carried 5 – 0. The meeting was adjourned at 6:21 p.m.

Bryan Rogers, Chair

ATTEST

Lillian Baker, Secretary

Wylie Planning & Zoning Commission

AGENDA REPORT

Department: Planning **Item Number:** 1

Prepared By: Kevin Molina

Subject

Hold a Public Hearing, consider, and act upon, a recommendation to City Council regarding the writing of an ordinance for a change in zoning from Agricultural (AG/30) to Light Industrial - Special Use Permit (LI-SUP) on 8.96 acres to allow for a battery storage use. Property located at 1011 E Brown St **(ZC 2023-08**).

Recommendation

Motion to recommend **(approval, approval with conditions or disapproval)** as presented.

Discussion

OWNER: John Belzle **APPLICANT: Black Mountain Energy**

The applicant is requesting to rezone 8.96 acres located at 1011 E Brown Street. The current zoning is Agricultural (AG/30) and the requested rezoning is Light Industrial - Special Use Permit (LI-SUP) to allow for a battery energy storage use that connects directly to the neighboring Oncor substation.

The Special Use Permit conditions allow for the battery energy storage use classified under the Electric Substation or Gas Regulator Station uses as defined in the Wylie Zoning Ordinance.

According to the applicant, "battery energy storage systems (BESS) help to reduce congestion on the electric grid by instantaneously responding to fluctuations in power. No other technology can respond at full output as rapidly as a BESS. This "always on" operational capability can help to prevent conditions which may lead to outages on the bulk power system. Over time, BESS operations also act to smooth out the price spikes paid by utilities in the wholesale power markets – costs which are ultimately borne by ratepayers. Beyond grid benefits, we will also become a significant tax contributor, adding an estimated $30MM+ to the community throughout the life of the plant. This benefit is even further increased given there are very few $180MM+ investment opportunities that would be able to utilize our specific parcel given its size and shape."

The development provides two points of access from Eubanks Lane. Service areas as depicted on the Zoning exhibit shall be provided to ensure maintenance vehicles do not block the proposed fire lane. All areas where service vehicles operate shall be required to have a concrete surface.

A 10' wide landscape buffer shall be required along Eubanks Lane and East Brown Street. The development shall be screened with an 8' board on board wooden fence.

Detention for the development shall be provided via an offsite detention basting on the adjacent Oncor parcel as shown in the Zoning Exhibit. Completion of the detention basin shall be in place prior to completion of construction.

A site plan and plat review shall be required prior to any construction.

The properties adjacent to the subject property to the north, east and west are zoned industrial and agricultural. The properties to the south are zoned residential. The subject property lies within the Regional Commercial sector of the

Comprehensive Land Use Plan. Light industrial uses may be deemed to be appropriate depending on the compatibility with surrounding uses. The proposed zoning is compatible with the Plan.

Notices were sent to 18 property owners within 200 feet as required by state law. At the time of posting no responses were received in favor or in opposition of the request.

Locator Map

Item 1.

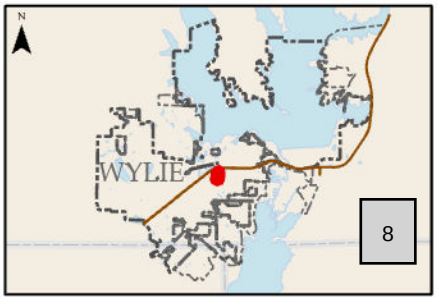
ZONING CASE: ZC 2023-08
Bufflehead Battery Storage

SUBJECT property

0 0.1 0.2 0.3 Miles

CITY OF WYLIE

Date: 5/15/2023



NOTE 1: VISIBILITY EASEMENTS TO BE PROVIDED WHERE NECESSARY.

LANDSCAPING WITHIN SIGHT TRIANGLES TO BE SHRUBS OR OTHER PLANTS THAT DOES NOT INTERFERE WITH SIGHT TRIANGLE (BELOW 3')

60 0 30 60

SCALE: 1" = 60'

NOTE:

IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO INFORM THE MISSIVES OF THE EXACT LOCATION OF, AND ASSUME ALL LIABILITY FOR DAMAGE TO ALL UTILITIES, SERVICES AND STRUCTURES NEITHER ABOVE GROUND OR BELOW GRADE BEFORE COMMENCING THE WORK. SUCH INFORMATION IS NOT NECESSARILY SHOWN ON THE DRAWING, AND WHERE SHOWN, THE ACCURACY CANNOT BE GUARANTEED.

WITH THE SOLE EXCEPTION OF THE BENCHMARK(S) SPECIFICALLY DESCRIBED FOR THIS PROJECT, NO ELEVATION INDICATED OR ASSUMED HEREON IS TO BE USED AS A REFERENCE ELEVATION FOR ANY PURPOSE.

ALL DETAILED DRAWINGS ARE DIAGRAMMATIC ONLY, DRAWING SHALL NOT BE SCALED FOR CONSTRUCTION PURPOSES.

CONSULTANT

Westwood

Phone (281)883-0103 2 0329 State Hwy. 249, #350
Toll Free (888) 937-5150 Houston, TX 77070
westwoodps.com

Westwood Professional Services, Inc.

CLIENT

BLACK MOUNTAIN ENERGY STORAGE

BLACK MOUNTAIN
www.bmenergystorage.com
Fort Worth, TX 76102

VISIBILITY TRIANGLE PER THOROUGHFARE STANDARDS TABLE 9 (SEE NOTE 1)

FIRE LANE

GENERAL SITE PLAN

DATE: 05/05/2023

BUFFLEHEAD BESS
CITY OF WYLIE
COLLIN COUNTY, TX

ISSUE/REVISION

REV	DESCRIPTION	DB	AB	DATE

SHEET NUMBER REV:

Item 1.

EXHIBIT B

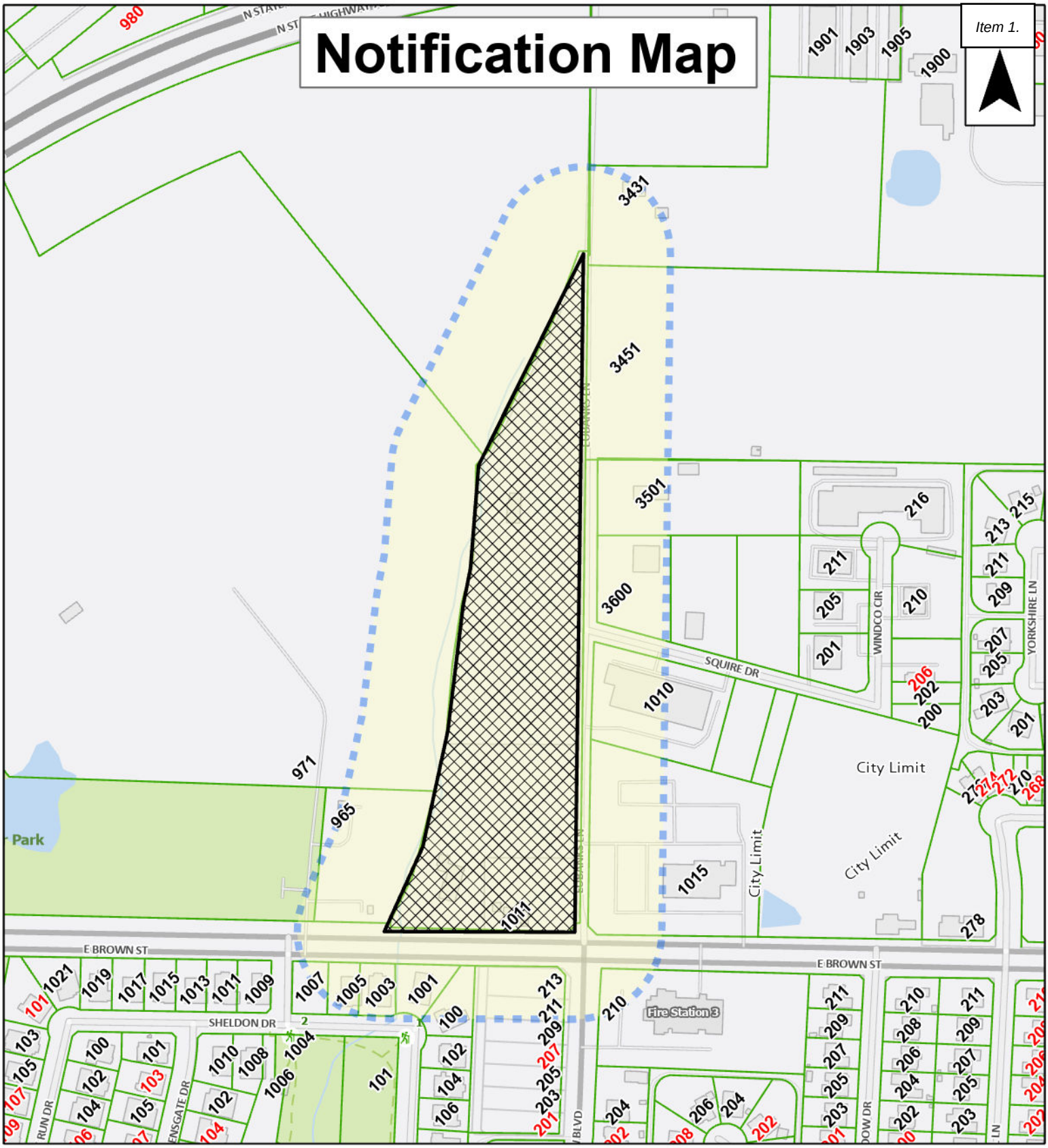
SPECIAL USE PERMIT ZONING PROVISIONS

I. Purpose: This Special Use Permit is to allow for a Battery Energy Storage use that connects directly to the neighboring Oncor substation to provide reliability and resilience to the electric grid.

II. General Regulations:
   A. All regulations of the Wylie Zoning Ordinance (as of March 2023) shall apply, except as otherwise specified by this Ordinance.

III. Specific Regulations:
   A. The Electric Substation or Gas Regulator Station use as defined in the Wylie Zoning Ordinance (as of March 2023) shall be modified to allow for Battery Energy Storage.
   B. Detention will be provided for the site via an offsite detention basin on the adjacent Oncor Parcel as shown in the Zoning Exhibit and shall be in place prior to completion of construction.
   C. Required landscaping along Eubanks Lane and East Brown Street shall be a minimum ten feet non-irrigated greenspace buffer outside of perimeter 8’ board on board wooden fence.
   D. There shall not be any required parking as allowed by Section 5.G.1 of the Zoning Ordinance. Service areas as depicted on the Zoning Exhibit shall be provided to ensure maintenance vehicles do not block the fire lane.

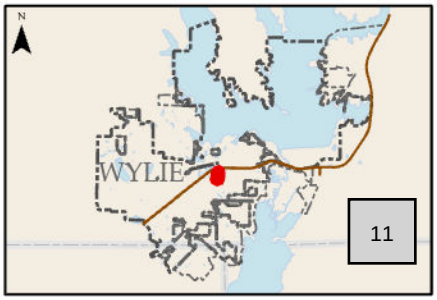
Notification Map



ZONING CASE: ZC 2023-08
Bufflehead Battery Storage

SUBJECT property 200 foot Notification Buffer

0 100 200 300 400 500 600 700 800 Feet

CITY OF WYLIE

Date: 5/15/2023