

To: Mayor and Town Council

From: David Hoover, Director of Development Services

**Through: Mario Canizares, Town Manager
Chuck Ewings, Assistant Town Manager**

Re: Specific Use Permit for Concrete Batching Plant

Town Council Meeting – November 14, 2023

Strategic Visioning Priority: 3. Commercial Corridors are ready for Development

Agenda Item:

Conduct a public hearing and consider and act upon a request for an extension of a Specific Use Permit (SUP) for a Concrete Batching Plant on 5.0± acres, located south of West First Street and west of South Dallas Parkway. The property is zoned Planned Development-19 (PD-19) Lattimore Batch Plan North and Specific Use Permit-6 (S-6) Nelson Bros Concrete Batch Plant. (S20-0002)

Description of Agenda Item:

The zoning and land use of the surrounding properties are as follows:

	Zoning	Current Land Use	Future Land Use Plan
Subject Property	Planned Development-19 & Specific Use Permit-6	Concrete Batching Plant	Tollway District
North	Agricultural	Wholesale Warehouse	Tollway District
East	Commercial Corridor	Wholesale Warehouse	Tollway District
South	Single Family-15	Concrete Batching Plant	Tollway District
West	Agricultural	Wholesale Warehouse	Tollway District

Requested Zoning:

The purpose of this request is to extend the existing Specific Use Permit (SUP) for a Concrete Batching Plant. The original Specific Use Permit was approved in 2021 and does not expire until October 2024; however, the extension will allow them to continue operating until October 1, 2026. The applicant has agreed to cease operations once this extension expires.

The Zoning Ordinance contains the following four (4) criteria to be considered in determining the validity of an SUP request.

1. *Is the use harmonious and compatible with its surrounding existing uses or proposed uses?*
2. *Are the activities requested by the applicant normally associated with the requested use?*
3. *Is the nature of the use reasonable?*
4. *Has any impact on the surrounding area been mitigated?*

Staff believes the applicant has satisfied the criteria and recommends approval of the request.

Budget Impact:

There is no budgetary impact affiliated with this item.

Legal Obligations and Review:

Terrence Welch of Brown & Hofmeister, L.L.P., has approved the attached documents as to form and legality. Notification was provided as required by the Zoning Ordinance and state law. Staff has not received any response to the proposed zoning request to date.

Attached Documents:

1. Zoning Map

Town Staff Recommendation:

Town Staff recommends approval of the request for an extension of a Specific Use Permit for a Concrete Batching Plant on 5.0± acres, located south of West First Street and west of South Dallas Parkway. The extension to this Specific Use Permit will allow the concrete batching plant to continue operations until on or before October 1, 2026. However, the applicant has agreed to cease operations and relocate once the extension expires. Furthermore, all equipment from the property will be removed, including the on-site modular office, when the plant ceases operations. The applicant's agreement to these conditions upon approval of the extension will allow the property to be in conformance with the vision for Dallas North Tollway once the extension expires. The Planning & Zoning Commission recommended approval of this item (4-0) at their meeting on October 17, 2023.

Proposed Motion:

I move to approve/deny the request for an extension of a Specific Use Permit for a Concrete Batching Plant on 5.0± acres, located south of West First Street and west of South Dallas Parkway.