



## *Memorandum*

### *December 14, 2017*

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TO: Planning and Zoning Commission  
Julie Couch, Town Manager

FROM: Israel Roberts, AICP  
Planning Manager

SUBJECT: **MAJOR WARRANT FOR TEMPORARY CONCRETE BATCH PLANT  
(CASE #MW2017-02)**

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**BACKGROUND:** This is a request for approval of a Major Warrant to allow a temporary concrete batch plant for the construction for the Apple Crossing subdivision. The 38.5-acre site is located at the southeast corner of Highway 5 and Country Club Road and is zoned for the (CPDD) Commercial Planned Development District with the Urban Transition sub-district. Applicant: Casey Ross, Kimley-Horn and Associates.

**STATUS OF ISSUE:** The applicant is requesting the use of a temporary concrete batch plant for the construction of the infrastructure for the Apple Crossing subdivision. The applicant has submitted a site plan showing the proposed location and distances from neighboring homes, and a material delivery route map showing the route trucks will take to deliver materials to the batch plant site. Once on site, the batch plant is set up for operation and dust control measures will be implemented to meet Texas Commission on Environmental Quality air quality requirements. TCEQ will be the permitting authority for this plant, if the town approves its use for this development.

As shown on the exhibit, the proposed location of the temporary plant is approximately 665' to the nearest occupied single-family home, which is located on the west side of Highway 5. The site is approximately 398' from the lot within Chamberlain Place, however, this lot is undeveloped and is still owned by the original development company. Additionally, the site is well screened from both Chamberlain Place and Sloan Creek Estates (805' to the south) by a dense tree line located within the DART ROW.

**TRAFFIC:** With an on-site batch plant, the amount of construction traffic related to the development of the infrastructure, is about half of that of an off-site batch plant. The typical concrete truck can carry approximately 10 cubic-yards of concrete. In comparison, aggregate trucks, can carry 20-40 cubic yards of material (pending material type), thus being able to reduce the number of trips. Additionally, since aggregate is stored on-site, deliveries can be scheduled in advance limiting the conflicts with peak traffic times.

**ORDINANCE REQUIREMENTS:** The Comprehensive Zoning Ordinance permits a temporary concrete batch plant upon approval of a (CUP) Conditional Use Permit within the (RE-1) One-Acre Ranch Estate District, the (PC) Planned Center District and the (GB) General Business District. At their December 5, 2017 meeting, the Town Council approved a text amendment to the CPDD code that permits a temporary batch plant with approval of a major warrant within the Urban Transition and Urban Village Sub-districts.

**HISTORY:**

Conditional Use Permits for temporary batch plants were approved for the construction of Chamberlain Place and Parkside at Fairview. Additionally, a batch plant was granted for the construction of the mall under the old version of the CPDD code, as a temporary use (TUP).

**CORRESPONDENCE:** Staff notified 70 adjacent property owners, and to date, have received two (2) letters of opposition.

**BUDGET:** N/A

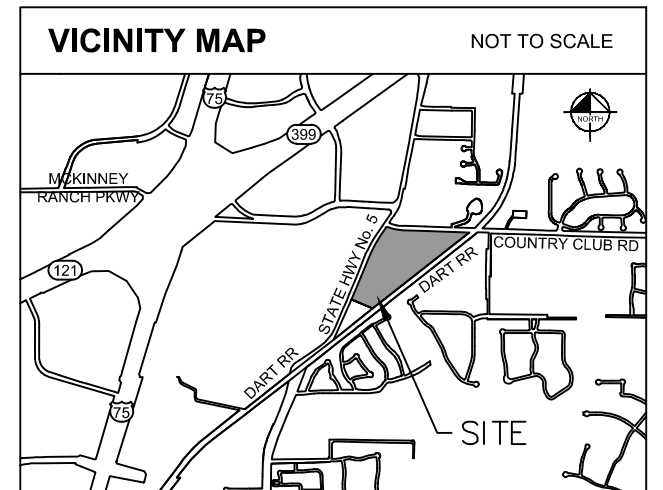
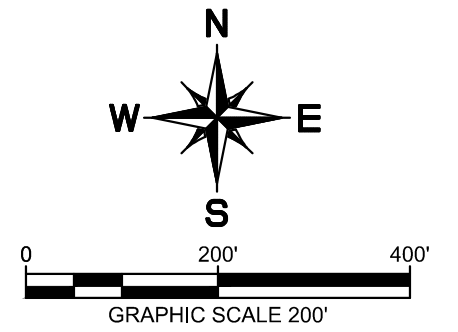
**RECOMMENDATION:** Staff recommends APPROVAL of the proposed Major Warrant subject to approval of the zoning text amendment to the CPDD code (ZT2017-01) and with the following conditions:

1. The batch plant shall be generally located as shown on the attached exhibit.
2. A batch plant permit shall be granted for a 60 day period, excluding any official Town holidays. An extension of 30 days may be granted by the Town Manager to address delays caused by weather or other unanticipated events.
3. Hours of operation shall be limited to 7:00AM-7:00PM, Monday through Friday.

**ATTACHMENTS:**

- Exhibit
- Correspondence





CONDITIONAL USE PERMIT EXHIBIT

# APPLE'S CROSSING

Town of Fairview, Collin County, Texas  
October 2017

**Kimley»Horn**

5750 Genesis Court  
Suite 200  
Frisco, Texas 75034  
972-335-3580  
State of Texas Registration No. F-928





October 27, 2017

TO WHOM IT MAY CONCERN:

Notice is hereby given that the Planning and Zoning Commission for the Town of Fairview, Texas, will convene for a public hearing on Thursday, November 19, 2017 at 7:00 PM at Town Hall, 372 Town Place, Fairview, Texas. At such time and place the Commission will hold a public hearing and take appropriate action regarding the following:

- a. Conduct a public hearing, consider and take action on a request for a major warrant for a temporary batch plant. The site is located at the southeast corner of County Club Road and Highway 5 and is zoned for the (CPDD) Commercial Planned Development District with the Urban Transition sub-district. Applicant: GRBK Frisco LLC. (MW2017-02)

All interested citizens and property owners are invited to attend and participate in this meeting. For questions and/or comments please contact Israel B. Roberts, Planning Manager, at 972-562-0522, extension 5094; or via email: [iroberts@fairviewtexas.org](mailto:iroberts@fairviewtexas.org). Citizens may also visit Town Hall, Monday-Friday from 8:00-4:30 PM to obtain more information on this matter prior to the public hearing.

If you wish to communicate your support or opposition for this proposal to the Planning and Zoning Commission, town staff and the Town Council, please respond to the queries below and return it to Mr. Roberts via mail, email, fax or hand delivery.

Name: Beau Bishop

Address: 5115 Pondview Ln

☐ Support

Signature: [Handwritten Signature]

☒ Oppose

Date: 11-2-17

Comments:



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Name: Emily Kinerd Address: 5132 Pond Crest Trl

☐ Support

☒ Oppose

Signature: Emily Kinerd

Date: 11/7/17

Comments: