

AGENDA ITEM REPORT

I.2



To: Town Council

Subject:

Consider and act upon the second reading of Ordinance 2025-09 regarding a Planned Development (PD) ordinance amendment to allow for a one-time, temporary concrete batch plant to facilitate construction of 34 new single family homesites and associated infrastructure, within The Homestead Phase 7 PD zoning district (Ordinance No. 2024-06), generally located at the southeast corner of Town East Blvd and New Hope Rd, known as The Homestead residential development. **Case 1851-Z/The Homestead Phase 7 PD Amendment – Temporary Concrete Batch Plant .**

Meeting: Town Council - August 25, 2025

Department: Development Services

Staff Contact: Surupa Sen

SUGGESTED ACTION:

Staff recommends approval.

BACKGROUND INFORMATION:

The applicant, Jim Douglas, Douglas Properties, Inc., earlier this year, received approval from Town Council for a PD Concept Plan amendment to allow a single-family residential subdivision containing 34 residential lots and approximate 8.67-acres of open space (Ordinance No. 2024-06). The property is currently vacant, generally located at the southeast and southwest corner of Town East Blvd. and New Hope Road within The Homestead Planned Development (PD/PRO-464) zoning district. To facilitate construction of the homesites and associated roadway infrastructure and utilities; the applicant is now requesting approval of a temporary concrete batch plant within The Homestead Phase 7.

The Homestead Planned Development is a residential PD and allows construction of detached single-family homes, parks and open space, and associated residential accessory uses. Concrete batch plant as a use is neither listed in the PD zoning nor was requested during any of the earlier phases of the Homestead development. The applicant is requesting this on-site

batch plant to eliminate concrete delivery trucks arriving to the construction site daily during construction and using Town East Blvd as the primary access route. This can potentially cause maintenance issues on Town East Blvd. that is heavily traveled as an arterial roadway. Allowing the batch plant on site would also reduce transportation costs for the applicant.

The Homestead residential development is a high-quality residential community that is mostly built out with this last phase of 34 lots remaining. To allow a concrete batch plant within such close proximity of residential homes, is counter intuitive of any practical zoning and land use principles. A batch plant may create negative impacts of noise, construction debris, and exacerbate drainage impact to the existing HOA detention ponds and storm water drainage systems. Placing restrictions and time limits on the batch plant operations may alleviate some of these concerns.

After reviewing the application and upon further discussion with the applicant, staff have identified certain restrictions that should apply to this temporary concrete batch plant if the temporary use is approved by Town Council. As indicated on the attached location map, the temporary batch plant will operate on the proposed Lot 4, Block B of The Homestead Phase 7B subdivision. The following restrictions shall apply to the batch plant operations:

1. The temporary batch plant shall operate only once during the entire life span of The Homestead Phase 7 construction.
2. A building permit shall be required before the batch plant can start mobilizing and operations.
3. The batch plant may operate for a maximum of 25 calendar days, including set-up and dismantling of the batch plant. Due to weather-related delays, upon request by the applicant, the batch plant operations may be extended for another 5 calendar days. Under no circumstances will the batch plant remain operational 30 calendar days after the issuance of building permit.
4. As per the Town of Sunnyvale Code of Ordinances **Chapter 4.01.003 Hours for construction work; noise; traffic control**; the batch plant operations shall be limited to the following operating hours:
 1. Construction hours. Construction and construction related activities within the town shall not begin earlier than 7:00 a.m. on weekdays nor continue after 7:00 p.m. when work is on or adjacent to a residential use. Construction on Saturday shall not begin before 8:00 a.m. nor continue after 7:00 p.m. when work is on or adjacent to a residential use, and work on Sunday or a federal holiday is prohibited without special permission from the town manager or designee. The construction related activity includes but is not limited to the maintenance, servicing and fueling of construction equipment.
5. Before issuance of building permit, the applicant must amend the existing SW3P plan for small construction activity (between 1 – 5 acres).
6. The temporary batch plant shall comply with TCEQ's Batch Plant regulations and submit revised plans to the Town Engineer for review and approval before issuance of building permit.

7. An earthen berm around temporary batch plant site shall be built before start of operations.
8. The temporary batch plant shall be required to have storage silos for cement and auxiliary storage tanks all controlled by filter systems.
9. All concrete aggregate at the temporary batch plant shall be washed for dust and silica control prior to arriving to the site.
10. Once stockpiles are made on site at the temporary batch plant, sprinkler systems shall be placed on top of the stockpiles that keep the area free from dust.
11. All haul trucks and traffic areas shall be watered on a constant basis for dust control
12. Any concrete wash out pits used inside the perimeter of the temporary batch plant site for any waste concrete shall be taken off site at the end of the permit timeline.
13. Stormwater contractor hired by the applicant shall perform weekly inspections of the site and any day there is a measurable rain event.
14. If the batch plant operations are completed before the stipulated 25 days on the building permit, then the batch plant should be dismantled and the lot returned to its pre-construction state immediately.

These restrictions would allow staff to monitor and stop operations of the batch plant if any violations occur. The timeline restrictions should facilitate speedy and efficient construction where the site is not encumbered with this “temporary” batch plant use for longer than necessary.

Planning & Zoning Commission Recommendation

The Planning and Zoning Commission considered this PD - amendment request to allow the temporary batch plant at their July 16, 2025, meeting, and unanimously recommended approval.

PUBLIC NOTICE:

11 letters of notification were mailed to neighboring property owners within 200 feet of the subject property on July 2, 2025. Two signs have been posted on the subject property since then. Notice of the public hearing has been published on Dallas Morning News (DMN) legal notice section on July 25, 2025. As of writing of this report, the town has received two written responses with regards to the PD amendment request that is attached with the staff report.

ATTACHMENTS:

[Map](#)

[Temporary concrete batch plant location map](#)

[Ordinance 2025-09 - Amending Homestead Planned Development Phase 7](#)

[Response letter to public hearing notification \(1\)](#)

[Response letter to public hearing notification \(2\)](#)