CITY OF
SOUTHLAKE

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TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

Office of the Mayor

2008 OCT 30 PM 2:56

CHIEF CLERKS OFFICE

October 29, 2008

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OPA

OCT 31 2008

BY GB

Office of the Chief Clerk
MC-105
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, TX 78711-3087

The City of Southlake has been made aware of the application of Potter Ready Mix, LLC to the Texas Commission on Environmental Quality (TCEQ) for an Air Quality Standard Permit which would authorize the construction of a temporary concrete batch plant on the Gateway Church property located north of State Highway 114. We appreciate the opportunity to provide written comments about the application and your consideration of our residents' concerns, which have been included as an attachment to this letter.

We would respectfully request that you consider and address the impact of granting this permit on the surrounding neighborhoods. If you deem it appropriate to allow the permit, we would ask that you consider reasonable limitations. Specifically, we would ask that you:

- To minimize noise nuisance, limit the hours of operation, 7:00 a.m. to 7:00 p.m., Monday through Saturday
- Locate the plant as far from residential areas as is feasible on this large tract
- Require the applicant to comply with the city's ordinance requirements relating to lighting
- Limit the height of any structure to the minimum height necessary for effective operation
- Require appropriate site security
- Limit ground visibility of stored equipment and materials
- Minimize dust and debris at the site, and
- Take other measures you deem appropriate to eliminate adverse impacts on surrounding residents.

We appreciate your attention to this matter.

Sincerely,

Mayor Andy Wambsganss

Enclosed: Southlake resident correspondence regarding Potter Ready Mix, LLC application to the Texas Commission on Environmental Quality (TCEQ) for an Air Quality Standard Permit

mw

Lori Payne

From: STEVE VAUGHAN [redacted]
Sent: Wednesday, October 22, 2008 6:39 PM
To: Mayor
Subject: concrete batch plant on Highland

Mayor Wambsganss,
Now we have another crisis to deal with along with the Hines Project. It seems that a concrete batch plant wants to be constructed on Highland in order to support the building of the megga church that has demolished the trees and pond off of the service road at Hwy 114 and N. Carroll. This is not a good idea. Please visit the concrete plant on Brumlow to get an example of what to expect. I work for Carroll ISD Transportation and Highland is a very narrow road. Buses which must travel HIghland to pick students up in the morning and deliver students home in the afternoon must ride the far right side of the road when another car is approaching from the opposite direction. I can't imagine what would happen sharing this narrow road with cement trucks.

We have lost the battle with the building of the megga church and the destruction of acres of beautiful trees and the removal of the duck pond which I used to take my kids fishing when they were little. It looks as though we are going to loose the battle with the Hines Project by allowing this man to construct multi-family housing and houses on "zero" lot lines. Now we're having to possibly deal with dust, dirt and cement trucks. I think the people in this area of town have had enough. Please don't allow this to happen.

Thank you,

Steve Vaughan
1405 Whispering Dell Ct.

Lori Payne

From: Danny Blaser [[redacted]]
Sent: Wednesday, October 22, 2008 5:05 PM
To: Mayor
Subject: Concrete Plant on Highland

Please don't let a concrete batch plant destroy my property value at 1901 E. Highland. There is no place for a concrete business among million dollar homes and one of the last remaining areas of Southlake that still has a country setting. The dust, noise, traffic and appearance is not something you or I would want to live next to.
THANKS!!!

Wheel TECHNOLOGIES.COM
America's #1 source for wheels

Danny Blaser
President
Wheel Technologies
13250 Valley Branch
Dallas, TX 75234
Local: (972) 242-8324
Fax: (972) 242-3229
[redacted]

Lori Payne

From: Jere Francis [redacted]
Sent: Saturday, October 25, 2008 12:50 PM
To: Place 6; Mayor; Place 3
Subject: FW: Application for air permit #52168L019

From: Jere Francis, CFP [mailto[redacted]]
Sent: Friday, October 24, 2008 2:58 PM
To: [redacted]
Subject: Application for air permit #52168L019

October 24, 2008

From: Jere L. Francis
1211 Ashmoore Court
Southlake, TX 76092

To: Office of the Chief Clerk
TCEQ MC-105
P.O. Box 13087
Austin, TX 78711-3087

Fax: 512-239-3311
Attn: LaDonna Castanuela, Chief Clerk

RE: Potter Ready Mix, LLC"s application for air permit #52168L019

To whom it may concern,

It has been brought to my attention that Potter Ready Mix, LLC, intends to construct a concrete batch mixing plant just south of Highland Street in Southlake on the Gateway Church property.

I am strongly opposed to such a facility for numerous reasons. The facility will be constructed on the edge of a large piece of property located on a narrow residential service road. This keeps it well away from the church's construction site. It places it very close to several new housing developments that will be very adversely affected from an economic and quality of life standpoint. There is also an elementary school close by that will have environmental problems when ever there is a southerly wind, which is 80 percent of the time. There is a similar plant located on Brumlow in Southlake (It is grand fathered) that necessitates rolling up all windows in your vehicle prior to driving through the area.. This is not a commercial location and the noise, smog and traffic produced by this facility is not something that the residents along Highland need to be subjected to or have to endure.

I am requesting that the applicant be required to conduct a Public Meeting and than have a Contested Case Hearing.

Respectfully,

Jere L. Francis

cc: Representative Vicki Truitt

Lori Payne

From: Kenneth Horne [redacted]

Sent: Thursday, October 23, 2008 10:29 PM

To: Mayor

Subject: The Concrete Batch Plant Proposal on Highland

Of course the residents abutting this proposed facility strenuously object to it.
Allergies and other respiratorial circumstances were a major reason for locating in Southlake.
Sincerely,
Kenneth & Eloise Horne

Lori Payne

From: Herndon, Boyd [redacted]
Sent: Thursday, October 23, 2008 3:31 PM
To: Mayor; Place 6; Place 5; Place 4; Place 3; Place 2; Place 1
Cc: [redacted]
Subject: Proposed Concrete Batching Plant on East Highland

Dear Mr. Mayor and Council:

Our understanding is that **Potter Ready Mix, LLC, has submitted an application to the Texas Commission on Environmental Quality for a permit to operate a concrete batching plant on East Highland St. on property owned by the Gateway Church.** Almost hidden by the surrounding foliage, a barely visible sign regarding the pending application has been posted on the south side of East Highland between Ashmoore Ct. and St. Emilion. If you are not familiar with this location, we urge you to drive by and envision a concrete batching plant at that site.

As residents within 440 yards of the sign (we live at the corner of East Highland and Ashmoore Court), we (among others) have written to the TCEQ requesting a contested case hearing to allow Southlake citizens and officials to express their opinions about **locating a concrete batching plant immediately across the street from a residential neighborhood established in 1981 (Highland Estates) and very close to Johnson Elementary School, which opened in 1980.**

We are not familiar with the statutes and/or regulations that apply when a concrete batching plant is proposed for the purpose of constructing facilities for an entity which already has city zoning and a concept plan approved for its property. Does the Southlake Planning & Zoning Commission and the Southlake City Council have any role in the approval process for this batching plant, or is it game over if the TCEQ approves the permit? Perhaps you could ask someone on your staff to reply to us on that specific question.

We are asking for your help in opposing this location for a concrete batching plant. In discussions with Gateway Church officials about the seemingly inevitable but unnecessary extension of Kirkwood Blvd. into the church property, Gateway had assured residents of Highland Estates that Gateway would be good neighbors to the residential neighborhoods on the north side of the property. To borrow a word from the Watergate era, we can only assume that this assurance by Gateway is now "inoperative."

Boyd & Susan Herndon
1201 Ashmoore Ct. (Highland Estates)
Southlake, TX 76092
Home phone: (817) 251-4968

Lori Payne

From: Aloha [redacted]
Sent: Thursday, October 23, 2008 12:49 PM
To: Mayor
Subject: Aloha Payne

To Your Honor, Mayor of Southlake, Andy,

It has been awhile since I have contacted you. I am asking you personally to vote against the construction of the concrete batch plant on Highland just east of Ashmore Court. Glenn and I live within the 1/4th mile boundary. We have lived at 1213 Whispering Lane almost twenty-five years. Some might say we have grown old here. Several years ago Glenn was diagnosed with Pulmonary Fibrosis. A very serious lung disease, Jerry Lewis died from it. Glenn gets along just fine right now. Spends most of his days out of doors either tinkering with his old cars or doing very light yard work. However, I have great concerns over the concrete plant being so close. It is bad enough to have the air pollution from all the construction on the church property and the Carillon property without adding a known serious air polluter in the midst of it all. Not only will it force Glenn to not be able to enjoy his retirement by having to be house-bound, it is detrimental to the children out to play at Johnson Elementary. Please remember both the children and the residents of this area before you vote on the concrete batch plant. I know you would not want your children to breathe the dusty air the plant would create. I hope all is well with you and your family. I still keep track of the happenings in Southlake even though I do not take an active part. I do miss not seeing everyone. Aloha Payne

Lori Payne

From: Connie Thomas [redacted]
Sent: Wednesday, October 22, 2008 9:04 PM
To: Mayor
Subject: Potter Ready Mix, LLC site on East Highlan St.

Dear Mr. Mayor,

It was brought to our attention today, October 22, 2008, that it is the intention of Potter Ready Mix to construct a concrete batch mixing plant within a few hundred yards of our front yard. Our home is located at 1350 East Highland Street.

We are very concerned about the added traffic, and high levels of dust associated with this type of business coming into our quiet residential neighborhood. Please let us know what we can do as homeowners to deter this type of business from effecting our home, possibly our health, and the lifestyle we currently enjoy being out in our yard.

Looking forward to hearing from you.
Thank you in advance for your help.

Don and Connie Thomas
817-424-3007
[redacted]

Lori Payne

From: Alex Zaal [redacted]
Sent: Wednesday, October 22, 2008 4:49 PM
To: Mayor
Cc: kanda

DATE:
October 22, 2008

FROM:
Alex and Karen Zaal
1203 Ashmoore Ct.
Southlake, Texas 76092

RE:
Potter Ready Mix, LLC's application for air permit #52168L019

Dear Mr Wambsganss,

It is our understanding that Potter Ready Mix, LLC, intends to construct a concrete batch mixing plant around the corner from my home.

We oppose this, for the following reasons. There is an elementary school, Johnson Elementary, and a Pre-school within walking distance of the site. The dust that would be kicked up in the normal course of operations would be detrimental to our children's health, our own health and our property value. We've seen how bad it can get at the facility at Brumlow and Rt 26. We have to roll up our windows before we drive by. Living near such a facility would be intolerable. This is a residential area – not a commercial area. The construction site which is on State HWY 114 allows easy access for cement vehicles to bring in supplies using TXDOT roadways. There is no justification for putting our children at jeopardy by opening an industrial site on a residential street next to schools. Also, there would be increased noise, smog and traffic caused by a steady stream of concrete mixer trucks coming and going from the facility with children playing nearby.

I would like to request your aid in stopping this plant from being built in an area that is not even zoned for industrial,

Sincerely,

Alex and Karen Zaal