

Downtown Commission,

This ordinance is coming back to you in a dramatically different form than it took the first time you considered it. The staff proposal making the rounds last summer was an expansion of the geographic area eligible for permits for non-peak hour (7:00 p.m. to 6:00 a.m.) concrete installation. The ordinance that the City Council passed on first reading and referred to you instead gives a 2:00 a.m. curfew. We appreciated the Council's postponement and referral of this issue to the Downtown Commission, as it has given us time to meet with stakeholders, better understand all sides of the issue, and develop a position. The DAA supports keeping current hours of operation, expanding the geographic areas eligible, and creating measures to mitigate the light and noise that may disrupt nearby residents.

If overnight pours are not allowed, concrete trucks will be forced to drive to the sites during the morning rush, and each floor of every site could require up to 40 or 50 trucks over two to three hours. These trucks would disrupt businesses, other drivers, pedestrians, and bicyclists much more if relegated to the daytime. In fact, there was a meeting last week to discuss resident and business disruption due to daytime construction activity. The traffic impact would be devastating, and public safety could be impacted as well. In addition, shortening the amount of work that can be done each day lengthens the duration of construction. This, of course, increases the cost of construction, which eventually means higher office or apartment rents. We have spoken with several residents who prefer overnight pours so that the project can be completed more quickly.

Below are DAA's recommended changes to the first reading ordinance.

DAA Position Adopted by Board of Directors November 12, 2014

Regarding City Code Section 9-2-21 (Permit for Concrete Installation During Non-Peak Hours), the Downtown Austin Alliance requests that the Austin City Council amend the ordinance passed on first reading as follows:

Section A – Allow projects with CBD, DMU, or P (Public) zoning within the area of downtown eligible for the Downtown Density Bonus Program the ability to apply for permits to deliver, finish, place, or pour concrete during the non-peak hour period of 7:00 p.m. to 6:00 a.m.

Section E – Mitigation measures are the most appropriate method to balance the needs of a growing downtown with the residential population. We support the mitigation requirements with the following exceptions:

- Item 5 – Though we believe the initial concrete pump placement should be chosen to minimize disruption to nearby residents, it is not feasible to relocate a concrete pump once construction has begun. Strike the language regarding relocating the pump.
- Item 7 – While it makes sense to give the director discretion based on each unique site, we believe the second clause is vague and unpredictable. Strike “and to ensure reasonable expectations of a sound environment that does not preclude sleep.”

Sincerely,

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