

After Hours Concrete Installation Stakeholder Meeting #3

Wednesday, February 11, 2015 at 6:30pm

One Texas Center Room 325

Attendance: 22 Attendees (13 from downtown neighborhoods, 4 from concrete/development industry, 4 staff, 1 city council aide)

1. Staff Updates:
 - a. Planning & Development Review: The next stop for this case will be Downtown Commission on Wednesday December 18, 2015 at 5:30 in the Boards & Commissions Room at City Hall.
 - b. Music Office: Staff observed an after-hours pour at the Block 1 site. Staff observed issues with sound level from pump related to ambient noise and sound mitigation measures not performing as intended.
2. Straw Poll: Mediator Larry Schooler distributed red, yellow and green cards to gauge participants opinions on major suggestions from previous meeting (red: totally against, yellow: unsure/moderate, green: in favor)
 - a. Limit concrete pours to 8:00pm and earlier in day: 4 red, reminder green/yellow
 - b. Remove hour restrictions if sound limit imposed: Evenly mixed
 - c. Require noise mitigation plan & measures with permit application (within COA Parameters): all green/yellow
 - d. Require light mitigation plan & measures with permit applications: All green/yellow
 - e. Limit decibel levels allowable by concrete pouring: mixed
 - f. Distinguish between unique pours (ie library): mixed
3. Discussion: Conversation focused on what could be livable for both parties.
 - a. Industry representatives unsure about what specific parameters would be, but requested no time limits (preferring regulation of the activity's impact – ie sound level – than the activity itself) and potentially 85dB until 2am and then a reduced level after that.
 - b. Neighborhood representatives expressed concern about simply being able to sleep and other noise associated with construction activity (specifically required “beep-beep-beep” back up alarms and banging noises.)

- c. Both parties questioned if the code amendment could address the wider issues of after-hours construction noise rather than just addressing the after-hours concrete installation activity.
- 4. Final takeaway: Mediator Larry Schooler asked, based on the discussion and straw poll, how the participants felt about “In the entertainment districts, allowing construction activity to occur after hours with a permit at sound levels already permitted by code (85dB) until 2:00am, then allowing activity to continue after that time at a significantly reduced sound level:” Mostly green/yellow with a couple reds. Participants also felt “After-Hours construction noise permitted until (a future determined time,) then allowing construction activity to continue reduced by (a future determined amount.)”

After Hours Concrete Installation Stakeholder Meeting #4

Tuesday, March 10, 2015 at 6:30pm

City Hall – Room 1029

Attendance: 3 staff, 1 city council aide

1. Staff Updates:

- a. Greg Guernsey (PDRD:) he concrete installation item was heard at the last Downtown Commission Meeting. The commission created a working group to explore the topic further and asked staff to hold one more stakeholder meeting to fine tune the recommendation and to contact 3 additional cities (Portland, Denver, and Seattle) to learn more about their codes related to construction noise.
- b. David Murray (Music Office:) No additional research has occurred due to SXSW related demands on staff. David did give an explanation of the difference in A- and C-weighted decibel scales.

2. Discussion:

Various organizations and groups were invited to share their ideas for proposed modifications to the temporary ordinance.

- a. DANA: No change to original recommendation (noise requirements comply with compatibility standards in subchapter E, all pouring activity stop at 10:00pm, provide notice to residents.)
- b. DAA: Feels the stakeholder group has provided a good start. DAA may decide to re-examine position in light of feedback.
- c. Rainey NA: Agrees with compatibility standards and notice elements of DANA proposal. Feels further research is needed on sound limit requirements and strengthened enforcement mechanism (possibly third party observers.)
- d. Spring Condominium Owners Assn: Supports DANA proposal.
- e. TACA: Supports a problem based solution that doesn't single out concrete installation but resolves noise issue with stepped down sound limits later in the night.
- f. Four Seasons Owners: Agrees resolution should limit noise impact, not necessarily activity.

3. Temporary Ordinance is set to expire at the end of the month. There was no clear consensus from the group on what specific action should be taken at that time, but everyone feels progress should continue on a final solution.

Closing

Final takeaway: There was consensus that a new ordinance that allows construction activity downtown with sound limits (maximum dba) and other mitigation factors appears to be supported by the majority of the participating stakeholders. However, there was not agreement on a maximum decibel limit nor when late night concrete pours would or would not cease. Everyone did agree that the City's sound ordinance should be inclusive of all sources of sound downtown and not just sound created by late night concrete pours.

Greg Guernsey reminded the group that the direction from City Council only addresses after-hours concrete installation downtown. Staff will only pursue an ordinance that meets Council's charge at this time; however, the City Council may expand the scope of the amendment if they desire.