

BEFORE THE ENVIRONMENTAL
PROTECTION BOARD OF THE CITY OF
JACKSONVILLE

IN RE: Application for Noise Variance of

Seaton Preserve

ORDER APPROVING APPLICATION FOR NOISE VARIANCE

This matter came to be heard upon the Application for Noise Variance filed by Scott Dejnak (“Agent”), on behalf of Pecan Park Multifamily LLC (“Applicant”), the owner of certain real property located at 1173 Pecan Park Road, RE No. 019566-0200, seeking a variance from 1) Jacksonville Environmental Protection Board (JEPB) Rule 4.209A. to allow the operation of construction and maintenance equipment during nighttime hours, 2) JEPB Rule 4.209C. to allow the operation of construction equipment during daytime hours in exceedance of sound levels established by rule, and 3) JEPB Rule 4.208 to allow operations with impulsive sounds that may exceed sound levels established by rule¹.

Having duly considered both the testimonial and documentary evidence presented at the public hearing on August 15, 2022, including the Report of the Environmental Quality Division and the attachments thereto (“Staff Report”), a copy of which is attached as **Exhibit A**, the Environmental Protection Board of the City of Jacksonville hereby:

FINDS AND DETERMINES:

1. That the Applicant has complied with all application requirements set forth in Section 360.111 of the Jacksonville Ordinance Code.
2. That the need for the variance applied for arises out of a necessity to relieve or prevent a hardship and is based on sound technical, economic, or environmental data.
3. That the record contains sufficient substantial competent evidence to demonstrate that the Application meets, to the extent applicable and as modified by any conditions contained herein, the standards and criteria set forth in Section 360.111 of the Jacksonville Ordinance Code and that just cause exists to grant the variance.
4. That the findings and recommendations in the Staff Report for the Application, to the extent consistent with this **Order**, are hereby adopted and incorporated herein.
5. That the land to which this variance is granted is owned by **Pecan Park Multifamily LLC**.

¹ Environmental Quality Division staff determined during its technical review of the Petition that a variance from JEPB Rule 4.208 is necessary to conduct daytime operations.

NOW THEREFORE, it is **ORDERED** by the Environmental Protection Board:

The Application for Noise Variance is hereby **APPROVED** and a variance is hereby **GRANTED** to Pecan Park Multifamily LLC, allowing for a variance to 1) JEPB Rule 4.209A. to operate construction and maintenance equipment during nighttime hours, 2) JEPB Rule 4.209C. to operate construction equipment during daytime hours in exceedance of sound levels established by rule, and 3) JEPB Rule 4.208 to allow operations with impulsive sounds that exceed sound levels established by rule, subject to the following restrictions and conditions:

1. The variance application and presentation, and the commitments therein, shall be adopted and incorporated as part of the conditions of this variance.
2. This variance establishes a maximum noise level of 80 dBA for nighttime construction operations and 85 dBA for daytime construction operations, as measured from any residential receptor, and 75 dBA for impulsive sound (daytime) as measured from any residential receptor.
3. All equipment shall be fitted with proper exhaust systems and silencers as required by Rule 4.209D.
4. Nighttime construction activities will consist of only those related to concrete pours and will not commence before 4 a.m.
5. Construction equipment operated before 7 a.m., including concrete pump trucks, concrete mixer trucks, forklifts, and loaders, etc., must have the traditional single frequency backup alarm either disabled (and use of a flagman, as allowed by OSHA), or replaced with a broadband (white noise) backup alarm.
6. A sound barrier will be used on all concrete pours starting before 7 a.m., placed between the concrete pump and nearest residences. The barrier will, at a minimum, be constructed of three 40-foot Conex boxes, placed as close together end-to-end as practical. Preferably, a barrier constructed by hanging sound absorbing panels, 16-feet high, at least 120 feet long, is recommended. In order to have the maximum effectiveness, the barrier shall be placed as close as practical to the sources (pump truck, hopper area).
7. To the extent practicable, and if job security is not jeopardized, concrete pump trucks operated before 7 a.m. must not use the vehicle horn or any other horn for signaling the start and stop of pumping.
8. Concrete mixer trucks must not air off on or near the construction site before 7 a.m.
9. Concrete mixer trucks used for concrete pours before 7 a.m. must be staged as far from residential properties as practical.

10. The contractor will attempt to route concrete trucks used for concrete pours before 7 a.m. so as to minimize disturbance of residences to the extent practical and shall instruct drivers (by voice or sign) to minimize acceleration while near the site.
11. The Environmental Quality Division is granted the ability to require additional noise mitigation measures if conditions warrant.
12. Communications to residents of sensitive receptors to include:
 - a. Provide notification, by written or electronic means, to each residential property within 200 meters of the closest anticipated location that a concrete pump truck will be situated. The notification will be provided at least 48 hours in advance of each anticipated nighttime concrete pour.
 - b. Signage announcing upcoming nighttime construction activity displayed on site in locations visible to area residents and businesses, advising the dates and times of potential nighttime pours.
 - c. Contact information for a 24-hour noise complaint hotline
13. Petitioner shall provide a monthly status report regarding the construction project to the Air and Odor Committee via email to epb@coj.net. The status report shall include:
 - a. Report should be for the previous month and received on or before the 10th day (e.g., June 10th for the month of May, July 10th for the month of June, etc.).
 - b. Number of complaints and a plan for remediation or corrective action in response to complaints.
 - c. Project progress, including any substantial changes.
14. This variance shall expire on December 31, 2023.

Executed on this 16th day of August 2022.



David Wood
Chairman,
Environmental Protection Board

FORM APPROVED:



Sharon Wyskiel
Assistant General Counsel

Copies to:

Applicant/Owner:
Pecan Park Multifamily LLC
1201 Maryland Ave., S.W.
Suite 850
Washington, DC 20024

Agent:
Scott Dejnak
7595 Baymeadows Way
Jacksonville, FL 32256

EXHIBIT A

REPORT OF THE ENVIRONMENTAL QUALITY DIVISION

FOR APPLICATION FOR

VARIANCE TO JEPB NOISE RULES 4.208, 4.209A, & 4.209C AT 1173 PECAN PARK RD

AUGUST 15, 2022

The Environmental Quality Division forwards to the Air Quality Committee and the Environmental Protection Board its comments and recommendation regarding Application for Variance to JEPB Noise Rules 4.208, 4.209A and 4.209C.

Location: 1173 Pecan Park Rd

Real Estate Number: 019566-0200, 019578-0020

Applicant/Owner: Pecan Park Multifamily LLC

Agent: Scott Dejnak

Staff Recommendation: APPROVE WITH CONDITIONS

GENERAL INFORMATION

Rules from Which Variance is Sought

Application for a variance to JEPB noise rules 4.208 (added by EQD staff), 4.209A, and 4.209C seeks to 1) allow operations with impulsive sounds that may exceed the sound levels stipulated in Rule 4.208 (55 dBA for Class A and B land use); 2) allow operations of construction equipment during nighttime hours, and 3) allow the operation of construction equipment during daytime hours that may exceed the sound level limits stipulated in Rule 4.209C (75 dBA for Class C, 65 dBA for Class A and B land use).

A variance is being requested for the period ending December 31, 2023. During this period the applicant expects to perform approximately nine nighttime concrete pours to begin as early as 4 a.m.

Status of Applicant's Compliance with Above Rules

Site work had begun as of the date of this application. EQD has not received noise complaints resulting from construction activities at this site as of the date of this report.

Other Relevant Information

The activity for which a variance is being sought is the construction of multiple apartment buildings. The project area occupies about 12 acres. The closest concrete pump location for nighttime concrete pours is about 14 meters from the residential buildings to the west.

CRITERIA FOR REVIEW

Pursuant to Ordinance Code 360.111, the Environmental Protection Board shall evaluate and consider the following criteria of an application for variance.

1. *Are there facts which show that a variance should be granted because of one of the following reasons?*

- a. *There is no practicable means known or available for the adequate control of the pollution involved.***
- b. *Compliance with the particular requirement or requirements from which a variance is sought will necessitate the taking of measures which, because of their extent or cost, must be spread over a considerable period of time.***
- c. *It is necessary to relieve or prevent hardship of a kind other than those provided above.***

Construction projects with large concrete pours typically desire to start the pour at night or very early in the morning. The reasons generally provided by the contractors include:

- Some pours have been known to require over 100 loads of concrete. It has been stated that with daytime traffic and limited supply of trucks during the day, large pours are difficult to coordinate during the day in Jacksonville.
- Daytime heat and afternoon showers can negatively affect the curing of concrete on large pours.
- Early morning concrete pours are safer for the workers as opposed to working during the heat of the day during the summer.

There is currently no practicable alternative to early morning concrete pours that address contractors' concerns.

For the reasons stated above, it appears that there is no practicable means for adequate control of the potential noise from the activity described in the variance application. However, there are a number of noise mitigation measures that can be implemented to minimize impact to sensitive receptors (see Recommendations).

2. *The period of time for which the variance is sought, including the reasons and facts in support thereof.*

The applicant is requesting a variance for through December 2023, which is reasonable for a project of this size and less than the time allowed under ordinance code 360.111(b)(2).

3. *The damage or harm resulting or which may result to the person requesting the variance from compliance with the rule.*

See the application.

4. *The requirements which the person requesting the variance can meet and the date when the person can comply with these requirements.*

See the application.

5. *The steps the person seeking the variance is taking to meet the requirements from which the variance is sought and when compliance will be achieved.*

The contractor will be required to meet the conditions of the variance which include required noise mitigation measures. See the Recommendation section of this report for EQD recommended variance conditions.

6. *Any beneficial or adverse impact to residents and the environment in the affected area resulting from the Board's requiring compliance or granting a variance.*

Due to the proximity of the construction site to residential properties, it is unlikely that the project can be constructed in compliance with Rule 4 noise limits. Therefore, a noise variance would be required to continue the project. There is no impact to the environment by granting the variance but there will be some temporary impact to residents.

7. *Economic or social impacts of granting or denying the variance.*

See the application.

8. *Will granting the variance likely cause the health of the citizens to be in imminent danger?*

No.

SUPPLEMENTAL INFORMATION

The following documents are attached to this report:

- Contractor's noise site plan.

RECOMMENDATION

Based on the foregoing, it is the recommendation of the Environmental Quality Division that Application for Variance to JEPB Rules 4.208, 4.209A, and 4.209C be APPROVED with the following CONDITIONS.

1. The variance application and presentation, and the commitments therein, shall be adopted and incorporated as part of the conditions of this variance.
2. The variance establishes a maximum noise level of 80 dBA for nighttime construction operations and 85 dBA for daytime construction operations, as measured from any residential receptor, and 75 dBA for impulsive sound (daytime), as measured from any residential receptor.
3. All equipment will be fitted with proper exhaust systems and silencers as required by Rule 4.209D.
4. Nighttime construction activities will consist of only those related to concrete pours and will not commence before 4 a.m.
5. Construction equipment operated before 7 a.m., including concrete pump trucks, concrete mixer trucks, forklifts, and loaders, etc., must have the traditional single frequency backup alarm either disabled (and use of a flagman, as allowed by OSHA), or replaced with a broadband (white noise) backup alarm.
6. A sound barrier will be used on all concrete pours starting before 7 a.m., placed between the concrete pump and nearest residences. The barrier will, at a minimum, be constructed of three 40-foot Conex boxes, placed as close together end to end as practical. Preferably, a barrier constructed by hanging sound absorbing panels, 16-foot high, at least 120 feet long, is recommended. In order to have the maximum effectiveness, the barrier shall be placed as close as practical to the sources (pump truck, hopper area).
7. To the extent practical, and if job safety is not jeopardized, concrete pump trucks operated before 7 a.m. must not use the vehicle horn or any other horn for signaling the start and stop of pumping.
8. Concrete mixer trucks must not air off on or near the construction site before 7 a.m.
9. Concrete mixer trucks used for concrete pours before 7 a.m. must be staged as far from residential properties as practical.
10. The contractor will attempt to route concrete trucks used for concrete pours before 7 a.m. so as to minimize disturbance of residences to the extent practical and shall instruct the drivers (by voice or sign) to minimize acceleration while near the site.
11. The Environmental Quality Division is granted the ability to require additional noise mitigation if conditions warrant.
12. Communications to residents of sensitive receptors to include:

- a. Provide notification, by written or electronic means, to each residential property within 200 meters of the closest anticipated location to residences that a concrete pump truck will be situated. The notification will be provided at least 48 hours in advance of each anticipated nighttime concrete pour.
 - b. Signage announcing upcoming nighttime construction activity will be displayed on site in locations visible to area residents and businesses, advising the dates and times of potential nighttime pours.
 - c. Contact information for 24-hour hotline.
13. Petitioner shall provide a monthly status report of the construction project to the Air & Odor Committee via email to epb@coj.net. The report shall include:
 - a. Report should be for the previous month and received on or before the 10th day (e.g., June 10th for the month of May, July 10th for the month of June, etc.).
 - b. Number of complaints and any plan for remediation or corrective action in response to complaints.
 - c. Project progress, including substantial changes.
14. This variance shall expire on December 31, 2023.



Environmental Protection Board Members
 Amy Y. Fu, P.E. • Chairman
 David Wood - Vice Chairman
 Beth Leapthal, PE, RDI **Dagan**, MD, Adam Hoyles
 Thomas Deck, **Caleena** Shirley

Air Odor Noise Committee
 David Wood - Chair
 Caleena Shirley
 Adam Hoyles
 Beth Leapthal

Education & Public Outreach
 Amy Fu - Chair
 Thomas Deck
 David Wood

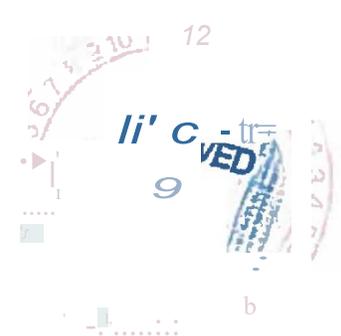
Water Committee
 Thomas Deck - Chair
Adam Hoyles
 Roi **Dagan**, MO

Beth Leapthal
Caleena Shirley

APPLICATION FOR VARIANCE FROM JEPB RULES

Please type or print this application in blue or black ink and submit the original person or by agent with 2 additional copies to:

Jacksonville Environmental Protection Board
Attn: James Richardson
Edward Ball Building
214 N. Hogan Street, 5th Floor
Jacksonville, Florida 32202



FOR INFORMATION REGARDING THIS FORM, CALL: (904) 255.7100

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THIS SECTION FOR OFFICE USE ONLY

1. Date Submitted:	2. Date Returned:	3. Date Approved:	4. Permit Required:	5. Applicable Section of JEPB Rule:
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TO BE COMPLETED BY APPLICANT

Application Fee: Nonrefundable \$1,788.00 application fee. Checks should be made payable to the Tax Collector.

6. Name of Property Owner for which Title: VDri1111ci: is bdng 7. Address of pDred(s) for which Variance: is being sought:

Ps:can Pprk Mul@Imilv U.C

117) fscm Pgrri Road, Jpd.:ISO fville. fl, J.:118
 Located at the intersection of P<cn Purl: Road
nd Tison Road

#019566-0200

Real Estate ID#: et Lot5 RcsdO'B20141

8. Proximity of site to nearest residential neighborhoods:

9. Proximity or site to nearest schools

Nome: of subdivision, apt, etc.

Piflance (milc:.)

Nome of Sch. ol

Djstncc fmiht:)

Lcsingron Pprl.

1 Miles

R?inehridge

-li>ri Hill

Ndi:htmdm: emosm
1 Miles

IO. Has enforcement action commenced?

Yes No

(i.e. Notice-to Correct, Warning Lener, Cense nnd
Desist Citation or any other enforcement action)

11. Action or operation for which variance is being sought (check all that apply and indicate rule number):

Air/Odor Pollution Rules

Rule 2. _____

Water Pollution Rules

Rule 3. _____

Noise Pollution Rules

Rule 4. 4.202, 4.203 & 4.209

RULES OF THE ENVIRONMENTAL PROTECTION BOARD CAN BE FOUND AT:
<http://www.enj.nc.gov>

*****NOTICE TO OPERATOR/AGENT*****

Please provide detailed responses to each of the following pertaining to the standards and criteria contained in Sec. 360.111. You may attach separate sheets if necessary.

(Please note that all rules apply to the applicant in addition to the rules cited in the application for additional information. Any additional rules occurring during the term of the submittal of this application/011 01111 the determination of completeness may be cited as a violation of EPB Rules.)

(1) The law or rule, and sections thereof, from which a variance is sought.

We respectfully request a variance to JEPB Rule 4 Noise Pollution Control. @0 II sections- 4.202 Sound Emitted to Class "A" Land, 4.203 Sound Emitted to Class "B" Land and 4.209 Construction or Maintenance Operations. Please see end of document for full descriptions.

(2) The facts which show that a variance should be granted because of one of the following reasons:

- (i) There is no practicable means known or available for the adequate control of the pollution involved. A variance granted under the authority of this subparagraph shall be limited to a period of sixty months.
- (ii) Compliance with the particular requirement or requirements from which a variance is sought will necessitate the taking of measures which, because of their extent or cost, must be spread over a considerable period of time. (A variance granted for this reason shall prescribe a timetable for the taking of the measures required. A variance granted under the authority of this subparagraph shall be limited to a period of sixty months).
- (iii) It is necessary to relieve or prevent hardship of a kind other than those provided in subparagraphs (i) and (ii). A variance granted under the authority of this subparagraph shall be limited to a period of twenty-four months.

Subparagraph (i) With individual trades performing their scope of work, needed equipment and appropriate tools, the noise levels while not constant will be periodic and above JEPB Rule 4. Heavy construction equipment including but not limited to excavators (80db), front end loaders (80db), Generators (82 db), Concrete saws (90 db) and pneumatic tools (85 db) will be required for the 3 story 240-unit apartment complex, called Seaton Preserve. All noise level ratings were obtained from the U.S. Department of Transportation Federal Highway Administration Construction Noise Handbook, All

equipment will be equipped with industry standard mufflers to reduce noise. However, no other practical means is known or available to limit the amount of noise generated by this equipment. The only anticipated nighttime construction will be 9 concrete pours, starting early in the morning. All 24-hour construction will take place during the hours of 7:00am - 5:00pm.

The period of time for which the variance is sought, including the reasons and facts in support thereof.

Total duration of construction for this project will be through December 2023. Heavy construction and equipment noise will dissipate to a bare minimum towards early 2023. This coincides with the anticipated construction schedule and is consistent with industry standards for a project of this size and complexity.

- (3) The damage or harm resulting, or which may result to the person requesting the variance from a compliance with the law or rule.

There is no practical/cost effective alternative to the variance. Denial of this request will almost certainly result in the cancellation of the project and forfeiture of funds already expended, in design, permitting and planning phases.

- (4) The requirements which the person requesting the variance can meet and the date when the person can comply with these requirements.

We are immediately preparing to meet and maintain equipment noise emission levels. Additionally, every effort will be made to complete the exterior shell of the buildings as quickly as possible to drastically reduce the noise levels emitting from the framing operations.

- 5 The steps the person requesting the variance is taking to meet the requirements from which the variance is sought and when compliance will be achieved.

Once the shell/structure is complete, most of the noise will be contained to the interiors of the building and significantly reduced, not to exceed the 65db daytime limit. The noise levels will drop to a bare minimum around early 2023 and full compliance will be achieved no later than December 2023.

- 6 Any beneficial or adverse impact to residents and the environment in the affected area resulting from the Board's requiring compliance or granting a variance.

The benefit of granting a variance with regards to subject project gives us the ability to complete the necessary scopes of work in an immediate and timely manner to where the noise impacts are less and minimal as possible. The adverse impacts will be the noise impacts, which are occasional, within the allowed 65db.

The economic or social impacts of granting or denying the variance.

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RJl a, Josscmc•I revennt for the Owner.

IMPORTANT NOTICE: THE GRANTING OF A VARIANCE HEREUNDER IS NOT A WAIVER OF ANY APPLICABLE STATE OR FEDERAL RULES AND DOES NOT PROVIDE PROTECTION FROM ENFORCEMENT OF ANY SUCH RULES.

r.tease noie that the variance, Ir approved, is provided to the owner. The owner must sian this nofication
or provide an aullaorized agHt form which provides ror the agpUcaUon to be submitted by somrone else.

I HEREBY CERTIFY THAT I HAVE READ AND UNDERSTAND the information contained in this application
tha! I am the owner or authorized agcnl for lhc owner with authorlly 10 make this apphcahon, and that all of the
information contained in thi applicaou, including any attachments, is true and correct to the besl of my
knowledge.

NAME AND ADDRESS OF OWNER/APPLICANT:
PECAN PARK MULTIFAMILY LLC
BY suwen Grigg President

NAME AND ADDRESS OF AUTHORIZED AGENT:

NAME CO RU\bb,ICMCC,Ch,ii,CUibCliffon!

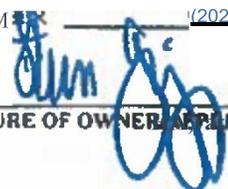
NAME SCOTT PE/NAK

ADDRESS Ma..IOlld AW'llfH0:-6W Gtt.e
CITY WasOOQIQO STATE OC. ZIP .20024

ADDRESS 7595 BAYMEAOOWS WAY

DAYTIME TELEPHONE (202)552-5100
FAX NUMBER (202)552-5320

LOCATION JACKSONVILLE STATE FL ZIP 32216
DAYTIME TELEPHONE (904)431-8101


SIGNATURE OF OWNER/APPLICANT

FAX NUMBER _____


SIGNATURE OF AUTHORIZED AGENT

4.202 Sound Emitted to Class "A" Land

- A Except as specified elsewhere in this Rule, no person shall cause, allow or permit the emission of sound during daytime hours from any noise source located on any Class A, Class B, Class C or Class D land to any receiving Class A land when measured within such receiving Class A land which exceeds either of the following

8000 40 40 45 45 1. The maximum allowable sound pressure level in dB for any octave band frequency emitted to any Class A land from:

2. The maximum allowable sound pressure level in dBA to any receiving Class A land from:

	Class A Land	Class B Land	Class C Land	Class D Land
dBA	55	55	60	65

B. Except as specified elsewhere in this Rule, no person shall cause, allow or permit the emission of sound during nighttime hours from any noise source located on any Class A, Class B, Class C or Class D land to any receiving Class A Land when measured within such receiving Class A land which exceeds either of the following.

1. The maximum allowable sound pressure level in dB for any octave band frequency emitted to any Class A land from:

Frequency (Hz)	Class A Land	Class B Land	Class C Land	Class D Land
31.5	72	72	72	75
63	71	71	71	74
125	65	65	65	67
250	57	57	57	63
500	51	51	51	56
1000	45	45	45	51
2000	39	39	39	47
4000	34	34	34	45
8000	32	32	32	40

2. The maximum allowable sound pressure level in dBA to any receiving Class A land from:

Frequency (Hz)	Class A Land	Class B Land	Class C Land	Class D Land
31.5	75	75	80	80
63	74	74	78	78
125	67	67	73	73
250	63	63	67	67
500	56	56	61	61
1000	51	51	56	56
2000	47	47	52	52
4000	45	45	48	48

	Class A Land	Class B Land	Class C Land	Class D Land
dBA	55	55	55	60

(History Effective 7-1-85, amended 6-24-87, amended B-03-09)

4.203 Sound Emitted to Class u9u Land

A. Except as specified elsewhere in this Rule, no person shall cause, allow or permit the emission of sound during daytime hours from any noise source located on any Class A, Class B, Class C or Class D land to any receiving Class Bland when measured within such Class B receiving land which exceeds either of the following:

1. The maximum allowable sound pressure level dB for any octave band frequency emitted to any Class B land from:

Frequency (Hz)	Class A Land	Class B Land	Class C Land	Class D Land
31.5	72	72	75	80
63	71	71	74	78
125	65	65	67	73
250	57	57	63	67
500	51	51	56	61
1000	45	45	51	56
2000	39	39	47	52
4000	34	34	45	48
8000	32	32	40	45

2. The maximum allowable sound pressure level in dBA to any receiving Class B land from:

	Class A Land	Class B Land	Class C Land	Class D Land
dBA	55	55	60	65

8. Except as specified elsewhere in this Rule, no person shall cause, allow or permit the emission of sound during nighttime hours from any noise source located on any Class A, Class B, Class C or Class D land to any receiving Class Bland when measured within such Class B receiving land which exceeds either of the following

2. The maximum allowable sound pressure level in dBA to any receiving Class Bland from:

	Class A Land	Class B Land	Class C Land	Class D Land
dBA	55	55	55	60

[History Effective 7-1-86, amended 6-24-87, amended 7-10-95, amended 8-03-09]

4.209 Construction or Maintenance Operations

- A No person shall operate or permit the operation of construction or maintenance equipment during nighttime hours excluding:
1. Generators, mudhogs, and well point pumps used in construction or maintenance during nighttime hours that do not exceed 60 dBA.
 2. Placement of concrete associated with development activities, for which the City of Jacksonville has issued a development permit, where the property being developed is at least five acres and no construction equipment will be operated within 250 meters of any Class A or B land that contains a building that is or can be occupied during nighttime hours
 3. Placement of concrete associated with development activities, for which the City of Jacksonville has issued a development permit, where no construction equipment will be operated before 3:00 a.m. and within 150 meters of any Class A or B land that contains a building that is or can be occupied during nighttime hours, subject to the following restrictions:
 - a. Concrete pump trucks, concrete mixer trucks, forklifts, loaders, etc., operated before 7:00 a.m. must have the traditional single frequency backup alarm either disabled (and use of a flagman, as allowed by the Occupational Safety and Health Administration), or replaced with a broadband (white noise) backup alarm.
 - b. Concrete pump trucks operated before 7:00 a.m. must not use the vehicle or other horn for signaling the start and stop of pumping.
 - c. Concrete mixer trucks operating before 7:00 a.m. must not air off on or near the construction site.
 - d. Concrete mixer trucks used for concrete pours before 7:00 a.m must be staged as far from residential properties as practical.

I. The maximum allowable sound pressure level in dB for any octave band frequency to an receiving Class B land from:

Frequency (Hz)	Class A Land	Class B Land	Class C Land	Class D Land
31.5	72	72	72	75
63	71	71	71	74
125	65	65	65	67
250	57	57	57	63
500	51	51	51	56
1000	45	45	45	51
2000	39	39	39	47
4000	34	34	34	45
8000	32	32	32	40

- e. To minimize disturbance to residences to the extent practical, the contractor will attempt to route concrete trucks used for concrete pours before 7:00 a.m. away from residences and shall instruct the drivers (by voice or sign) to minimize acceleration while on and near the site.
- f. Notice shall be provided to any Class A or B land, containing a building that is or can be occupied and is within 250 meters of the construction equipment to be used, not less than forty-eight (48) hours prior to commencement of this activity.
- g. A copy of the notice and distribution list shall be provided to the Division, via email to airresponse@coj.net, at least forty-eight (48) hours prior to commencement of this activity.
- h. Post signage announcing upcoming nighttime construction activity displayed on site in locations visible to area residents and businesses.
- i. Establish a 24-hour noise complaint hotline and notify the Division, via email to airresponse@coj.net, within 24 hours of receipt on any complaints.

8. The staging of golf course landscaping equipment used in maintenance is allowed from 6 am to 7am during nighttime hours and shall not exceed 60 dBA. The operation of golf course landscaping equipment during nighttime hours is expressly prohibited.

C. No person shall operate or permit the operation of equipment used in construction or maintenance during daytime hours that emits a noise which sound level measured at the complainant's property line in dBA exceeds the following:

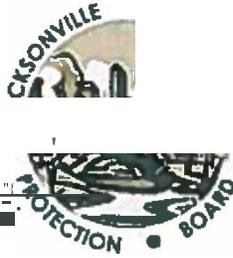
	Class A Land	Class B Land	Class C Land	Class D Land
dBA	65	65	75	75

D. Exhaust systems

- 1. No person shall operate or permit operation of equipment used in construction or maintenance without the exhaust systems or silencers being properly installed on the equipment.
- 2. All exhaust systems or silencers shall be equal to or better than said equipment normally supplied by the equipment manufacturer as standard equipment in the ability to reduce noise.
- 3. All exhaust systems or silencers shall be in good repair.



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Environmental Protection Board Membefs
 David Wood • Chairman
 Thomas Deck - Vice Chairman
 Rol Dagan, MD, Charles Garrison, Adam Hayles
 Belh Leaptratt, Guillermo Simon, Caleena Shirtey

Air Odor Nol. committee
 Thomas Deck - Chair
 Charles Garrison
 Adam Hoyles
 Caleana Shirtey
 Guillermo Simon

Education & Public Outreach
 DaYld Wood - Cha r
 Charles Garrison
 Caleena Shirley
 Thomas Deck

Water Committee
 Charles Garrison - Chair
 Rol Dagan, MD
 Adam Hayles
 Betti Leaptratt
 Guillermo Simon

Agent Authorization

Date: 7/10/2022

City of Jacksonville
Neighborhoods Department
Ed Ball Building
214 N. Hogan St. - 5th Floor
Jacksonville, Florida 32202

Re: Agent Authorization for the following site location:

1173 Pecan Park Road
 Jacksonville, FL 31118

You are hereby advised that the undersigned is the owner of the property legally described as: **General Contractor**

Said owner hereby authorizes and empowers **Scott Dejnak** to act as agent to file application(s) for JEPB variances, permits, etc. for the above referenced property to include, but not be limited to any such applications, fees, papers, documents, requests and other matters necessary for consideration.

PECAN PARK MULTIFAMILY LLC

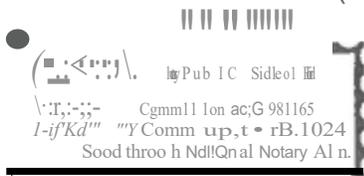
By: Steven Grigg, President


 (Owner's Signature)

STATE OF FLORIDA
COUNTY OF DUVAL

The foregoing affidavit was sworn and subscribed before me this 10 day of July (month), 2022 (year) by Steven Grigg, who is personally known to me or has as identification. (Notary Signature)

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