



## Legislation Details (With Text)

**File #:** RES PH 14- 182 **Version:** 1

**Type:** Resolution-Public Hearing **Status:** Passed  
**In control:** City Council  
**Final action:** 7/9/2014

**Title:** Approving the application of Calida Cogan, Event Manager, Highland Business Association, Highland Fest, for a sound level variance from 5:00 p.m. until 11:00 p.m. on Friday, July 18, 2014; from 10:00 a.m. to 10:30 p.m. on Saturday, July 19, 2014; and from 10:00 a.m. until 7:00 p.m. on Sunday, July 20, 2014 at 1978 Ford Parkway, in order to present live music and a movie at Highland Fest.

**Sponsors:** Chris Tolbert

**Indexes:** Ward - 3

**Code sections:**

**Attachments:** 1. Application, 2. ENS, 3. Map, 4. Notice to District Council, 5. Notice to Property Owners, 6. List of Property Owners, 7. Letter to Applicant

Date	Ver.	Action By	Action	Result
7/11/2014	1	Mayor's Office	Signed	
7/9/2014	1	City Council	Adopted	Pass

Approving the application of Calida Cogan, Event Manager, Highland Business Association, Highland Fest, for a sound level variance from 5:00 p.m. until 11:00 p.m. on Friday, July 18, 2014; from 10:00 a.m. to 10:30 p.m. on Saturday, July 19, 2014; and from 10:00 a.m. until 7:00 p.m. on Sunday, July 20, 2014 at 1978 Ford Parkway, in order to present live music and a movie at Highland Fest.

WHEREAS, Chapter 293 of the Saint Paul Legislative Code was enacted to regulate the subject of noise in the City of Saint Paul; and

WHEREAS, §293.09 provides for the granting of variances from the sound level limitations contained in §293.07, upon a finding by the City Council that full compliance with Chapter 293 would constitute an unreasonable hardship on the applicant, other persons or on the community; and

WHEREAS, the Highland Business Association, Highland Fest, represented by Calida Cogan, Event Manager, who has been designated as the responsible person on the application, has applied for a variance to present outdoor music at 1978 Ford Parkway; and

WHEREAS, applicant is seeking a variance for the hours of 5:00 p.m. to 9:30 p.m. for music, until 11:00 p.m. for a movie on Friday, July 18, 2014, from 10:00 a.m. to 10:30 p.m. on Saturday, July 19, 2014 and from 10:00 a.m. to 7:00 p.m. on Sunday, July 20, 2014 for the Highland Fest; and

WHEREAS, if applicant is not granted a variance it will not be able to present outdoor music at 1978 Ford Parkway; and

WHEREAS, the Department of Safety and Inspections has reviewed the application and has made recommendations regarding conditions for the variance; now, therefore, be it

RESOLVED, that the Council of the City of Saint Paul hereby grants a variance to the Highland Fest, subject

to the following conditions:

- 1) The variance will be for the Highland Fest and the hours of 5:00 p.m. to 9:30 p.m., with a movie until 11:00 p.m. on Friday, July 18, 2014; from 10:00 a.m. to 10:30 p.m. on Saturday, July 19, 2014, and from 10:00 a.m. until 7:00 p.m. on Sunday, July 20, 2014.
- 2) All electronically powered equipment, PA systems, loudspeakers or similar devices used in conjunction with the event must not exceed 85 dBA as measured 50 feet from sound source.
- 3) The applicant will provide personnel and equipment to ensure compliance with the sound level variance conditions.
- 4) All electronically powered equipment, PA systems, loudspeakers or similar devices must be turned off no later than 11:00 p.m. on Friday, July 18, 2014, until 10:30 p.m. on Saturday, July 19, 2014, and until 7:00 p.m. on Sunday, July 20, 2014.

FURTHER RESOLVED, that any violations of the conditions set forth above, may result in denial of any future variances, in addition to any criminal citation which may be issued.

The Highland Fest, represented by Calida Cogan, Event Manager, has requested an exemption from the sound level limitations in Chapter 293.07 in order to present outdoor music, with limitations, from 5:00 p.m. to 9:30 p.m. for music, with a movie, until 11:00 p.m. on Friday, July 18, 2014, from 10:00 a.m. until 10:30 p.m. on Saturday, July 19, 2014 and from 10:00 a.m. until 7:00 p.m. on Sunday, July 20, 2014 during the Highland Fest at Hillcrest Park, 1978 Ford Parkway. Chapter 293.09 provides for the granting of variances from the sound level limitations contained in Chapter 293.07.

Was proper notice given? YES - See Attachments