

23 May 2024

**To:** Saint Paul City Council – Public Hearing Packet

**From:** East Como Neighbors (see names, addresses below)

**RE:** Comments on City of Lakes Community Band Sound Level Variance Request

Emily Miller, City of Lakes Community Band Director of Logistics, has requested a sound level variance, for 100 dBA to present amplified sound with use of a sound system for the Como Pavilion Concert Series event on Tuesday, June 18. The Saint Paul City Council will consider this request, along with community comments at a Public Hearing during their June 5<sup>th</sup> meeting.

### **Overall Comment**

The Department of Safety and Inspections has recommended approval of this request with the following conditions:

- 1) The Variance shall be for the hours of 7:00 p.m. to 8:30 p.m., with a pre-event sound check at 6:30 p.m. on Tuesday, June 18, 2024 for the Como Pavilion Concert Series.
- 2) All electronically powered equipment used in conjunction with the event shall not exceed 90 dBA at 50 feet from all sound sources on June 18, 2024.
- 3) The applicant shall provide personnel and equipment to ensure compliance with the sound level variance conditions.
- 4) All electronically powered equipment, PA systems, loudspeakers or similar devices shall be turned off no later than 8:30 p.m. on Tuesday, June 18, 2024.

**We find these recommendations reasonable for this event, as there are strict limits on time and only a small increase in normally permitted sound levels.**

However, we would like to City Council to consider the following concerns related to this and future sound level variance requests at the Como Pavilion:

- The Department of Parks has purchased and installed a new sound system to be used by the majority (95 – 99%) of events having amplified sound. This system has built-in controls limiting sound levels to 85 dBA within the Promenade.
- For three years, neighbors have had a positive working relationship with Parks and Lancer staff to manage intrusive amplified sound. The installation and operation of this new sound system promises to substantially allay our concerns without impacting the quality of events at the Pavilion.
- 85 dBA seems to be a reasonable sound level – one that permits a good sound environment within the Promenade and an acceptable sound level experienced across the lake in our

neighborhood. For perspective, 80 dBA has been represented (by Department of Safety and Inspections) as “similar to a passing semi truck from a few feet away.” It seems reasonable that this sound level ought to be adequate for those enjoying any event. (Please note, 90 dBA is double the volume compared to 80 dBA). The City’s amplified sound ordinance states:

*It is unlawful for any person to make, continue, permit or cause to be made, continued or permitted within the city, any loud, disturbing or excessive noise which causes significant discomfort or annoyance to a reasonable person of ordinary sensitivities in the area.*

Parks has determined, consistent with the City’s Ordinance, that 85 dBA emanating from the Pavilion is appropriate. While we expect there will be further opportunities to fine-tune the new sound system, we concur with this approach.

- Events not using the new sound system will have less control of sound levels because the sound limiting elements of the new system will not be operational. We think events requesting the use of private sound systems ought to be required to provide satisfactory justification or demonstration of a special hardship.
- There are over 100 events at the Como Pavilion each season – most well within excessive sound limits. We understand and appreciate these as a community asset. However, the cumulative impacts can be intrusive and annoying. As a result, we are especially sensitive to those events exceeding reasonable sound levels and ask the City Council to be restrained in granting variances that impact our neighborhood.

After three years of a cooperative and positive relationship, neighbors, Parks and Lancer management have worked out a good balance for managing amplified sound at the Pavilion. Unnecessary sound level variances, if granted, will undermine this progress. Thank you for your considerations.

Respectfully submitted,

East Como Neighbors

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Judy Budreau and Dick Osgood, 1312 Como Blvd E  
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