

From: Eastlake Community Council [<mailto:info@eastlakeseattle.org>]
Sent: Friday, October 25, 2013 2:39 PM
To: Chris Swenson ; Jeff Stalter ; Jeff Hodges
Subject: Very positive City response to community's noise concerns about event noise

To Chris Swenson (OED), Jeff Stalter (DPD), and Jeff Hodges (Parks) —

Thanks, your joint response to the community concerns about event noise is far more positive and timely than we dared hope. We look forward to working with you on making this new system work. A very few things in our request are not yet addressed, but we have every hope that they will be. As it is, this is a remarkably responsive action, and we thank you again for it.

Chris Leman (206) 322-5463
President, Eastlake Community Council

From: Swenson, Chris [<mailto:Chris.Swenson@seattle.gov>]
Sent: Wednesday, October 16, 2013 9:16 PM
To: Eastlake Community Council; Street, Loren; Stalter, Jeff; Hodges, Jeff
Cc: 'Kristen Wagler'; Lucy Mohl; Cunniff, Charlie
Subject: RE: City is failing in its responsibilities for approval and oversight of events that produce early morning weekend noise at Gas Works Park

Chris,

Thank you for the email, I appreciate you reaching out regarding these issues. Kristen, I appreciate you taking the time to send the detailed emails the morning of *The Biggest Loser* event.

I understand the ECC and Lake Union resident's frustration about the intrusion and inconvenience of off-hours amplified sound from events in Gas Works Park. Process improvement remains at the forefront of our office's work since taking over Special Event Permits in 2012. Specific feedback like yours is essential for both the Special Events Committee and our office when reviewing event requests and community impacts from the events.

After receiving your email, I met with Jeff Stalter (DPD) and Jeff Hodges (Parks) to discuss the issues you have raised. We all shared concerns about the impact of these events to neighborhoods surrounding Lake Union. We also agreed that event organizer violations of permissions granted to them by the City are unacceptable.

In order to mitigate these issues, the following proposals will be made to the Special Event Committee for approval and implementation by January 1, 2014 for all neighborhoods:

- Require event organizers to prove need for off-hours amplified sound
- Require event organizers to provide specific information about what sound will be amplified, what equipment will be used, and schematics of the direction of the sound

- When Noise Variance permission is granted, require event organizers to include information on off-hours amplified sound in distributed notifications
- When Noise Variance permission is granted, require event organizers to hire DPD monitor staffing, at the organizer's cost, to be on site from 60 minutes prior to permitted Noise Variance hours through the end of permitted Noise Variance hours
- Require event organizers to assign on-site personnel with authority to control sound issues from 60 minutes prior to permitted hours and during all hours of the event, with public contact information

While events in all Seattle neighborhoods will benefit from this additional critical review, Gas Works Park is unique in that it is located between a lake surrounded by tens of thousands of residents to the south, and at the base of a hill with tens of thousands more residents, combining to create magnification of any amplified sound in the park. Because of this, the following will be implemented immediately at Gas Works Park:

- Suspend issuance of Noise Variance permits at Gas Works Park immediately through April 1, 2014
- Suspend 2014 Noise Variance permissions for organizers who violated 2013 permissions

Thank you for the feedback on information available on the Special Events Website. Special Event Committee meetings are open to the public. Agendas are usually not finalized until one to two weeks prior to meetings, at which time they are posted on the website with date/time/location information. The public can at any time request an event be reviewed at an upcoming Committee meeting, and can send comments to our office or attend meetings to offer comments.

The Special Event Office will take steps to more adequately inform ECC of upcoming events in the area, both with year-end event expectations and with notification for impactful individual events. Our office is also working with the Department of Neighborhoods to create more thorough event organizer notification requirements that will include direct outreach to both impacted neighbors and neighborhood/business organizations who represent them. This, along with other information like thorough Noise Variance parameters and instructions, will be available online.

As the city grows, as the downtown core becomes more dense, and as the downtown tunnel, Mercer, and seawall construction projects become more impactful, we are seeing more public events being hosted in neighborhoods. The Committee understands this and strives for improvements that reflect the changing nature of both events and neighborhoods. While it is not always possible to eliminate impacts from these events completely, it is the Committee's responsibility to find a safe balance between these differing objectives and come to an equitable and safe solution.

Sincerely,

Chris Swenson

Film + Special Events Program Manager

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<http://www.seattle.gov/specialevents> | <http://www.seattle.gov/filmandmusic>

From: Eastlake Community Council [<mailto:info@eastlakeseattle.org>]

Sent: Monday, October 14, 2013 9:59 PM

To: Swenson, Chris; Street, Loren; Stalter, Jeff; Hodges, Jeff

Cc: 'Kristen Wagler'; Lucy Mohl

Subject: City is failing in its responsibilities for approval and oversight of events that produce early morning weekend noise at Gas Works Park

To the Special Events Office, Department of Parks and Recreation, DPD, and SPD—

Flagrant and routine violation of the City's Noise Code and the terms of Park Department permits for events at Gas Works Park is now at epidemic proportions. Until reforms are instituted, this unsustainable situation should weigh heavily against approval of early morning and late night events whose noise levels would be contrary to the Noise Code unless a variance is issued--especially for permittees that have been in previous violation of their variance or permit. Also, it is questionable whether amplification is needed at many of these events. One of the loudest and longest very early morning violations was for an event so small that no loudspeaker should have been needed.

DPD is not even allowed to issue a noise variance if doing so "would annoy a substantial number of people." Tens of thousands of people live around Land Union, and float plane takeoffs and landings are avoided in early weekend mornings out of respect for these people. Why are the similar impacts of noise from Gas Works Park considered different? Has DPD ever turned down a variance application for early weekend morning noise there, and has the Parks Dept. ever turned down a permit application because it would require such a variance?

It is well understood by experts that noise is transmitted particularly well along the surface of bodies of water, so everyone must understand that the Eastlake neighborhood is a primary stakeholder regarding the approval at Gas Works Park of any noise-producing event and the enforcement of the noise ordinance and the permit's conditions. Please send to the Eastlake Community Council at info@eastlakeseattle.org and to our volunteers Kristen and Lucy the notice of any future applications if such events are to be considered in the future; and of any meetings of the Special Events Committee at which the applications are to be discussed. Note that although some of organizers of these events are notifying ECC and our residents about their events, these notifications have to do with traffic impacts, not with noise; none of the organizers have informed the public that they are applying for (or have obtained) a noise variance in order to have amplified noise very early on a Saturday or Sunday morning.

Seattle's Noise Code is a national leader in committing the City to protect the public's "sleep and repose," but is not being administered accordingly. Has any Gas Works Park permittee

been fined for violation of the Noise Code or the terms of their variance? With the current system (and as the permittees well know and depend on), members of the public who are observing a noise violation after hours and/or on a weekend (those times when the Noise Code intends precisely that the public be most protected from noise) cannot immediately reach authorities with sufficient knowledge of the noise rules and conditions, for these authorities to intervene to protect the public peace. Also, permittees are not being required to provide cell phone numbers where members of the public and of the Seattle Police Department can immediately reach a responsible party who can stop an ongoing violation.

More balance is needed on the web site of the Special Events Office and Committee, <http://www.seattle.gov/specialevents>. The introductory material is only about the value of special events, with nothing about the value of minimizing impacts on Seattle residents and businesses, such as traffic and noise impacts. No effort is made to encourage applicants to find ways to avoid the need for amplified noise in early morning weekend hours. There is no mention on the web site of an opportunity for public comment either at the Committee meetings, by e-mail, or by voice mail.

The Eastlake Community Council wants to work with the Department of Parks and Recreation, the Department of Planning and Development, the Special Events Office and Committee, and the Seattle Police Department toward policies and enforcement that protect the public interest, not just of private permittees, in any future use of Gas Works Park for events with levels of noise that would be prohibited by the Noise Code without a noise variance.

Chris Leman (206) 322-5463
President, Eastlake Community Council