



Legislation Details (With Text)

File #: RES PH 22- 306 **Version:** 1

Type: Resolution-Public Hearing **Status:** Passed
In control: City Council
Final action: 10/12/2022

Title: Approving the application of the Minnesota United FC/Allianz Field for four sound level variances in order to present amplified sound for the 2022 MLS Cup Playoffs on October 15-17, October 20 or 23, October 30 and November 5, 2022 at 400 Snelling Ave. N. - Amplified sound within the Street and the Beer Garden Area outside of Allianz Field.

Sponsors: Russel Balenger

Indexes: Ward - 1

Code sections:

Attachments: 1. Application, 2. ENS#1, 3. Map, 4. Owners List, 5. Notice to Owners, 6. Letter to Applicant

Date	Ver.	Action By	Action	Result
10/13/2022	1	Mayor's Office	Signed	
10/12/2022	1	City Council	Adopted	Pass

Approving the application of the Minnesota United FC/Allianz Field for four sound level variances in order to present amplified sound for the 2022 MLS Cup Playoffs on October 15-17, October 20 or 23, October 30 and November 5, 2022 at 400 Snelling Ave. N. - Amplified sound within the Street and the Beer Garden Area outside of Allianz Field.

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, Minnesota United FC/Allianz Field, represented by Zacharia Litzelswope, Director, Events and Guest Experience, who has been designated as the responsible person on the application, has applied for four variances, for a sound level limit of 95 dBA at no specified distance, to present amplified sound for the 2022 MLS Cup Playoffs events at 400 Snelling Ave. N. - Amplified sound within the Street and the Beer Garden Area outside of Allianz Field.; and

WHEREAS, applicant has requested a variance for the hours 11:00 a.m. to 9:00 p.m. with a pre-event sound check at 9:00 a.m. on October 15-17, October 20 or 23, October 30 and November 5, 2022 for the 2022 MLS Cup Playoffs events; and

WHEREAS, if applicant is not granted a variance applicant will not be able to present amplified sound 400 Snelling Ave. N. - Amplified sound within the Street and the Beer Garden Area outside of Allianz Field; 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 Minnesota United FC/Allianz Field, subject to the following conditions:

- 1) The Variances shall be for the hours from 11:00 a.m. to 9:00 p.m. with a pre-event sound check at 9:00 a.m. on October 15-17, October 20 or 23, October 30 and November 5, 2022.
- 2) All electronically powered equipment used in conjunction with the event shall not exceed 92 dBA as measured at 50 feet from all sound sources.
- 3) The applicant shall provide personnel and equipment who shall provide continuous sound level monitoring at each sound source during the hours of the variance.
- 4) All electronically powered equipment, PA systems, loudspeakers or similar devices shall be turned off no later than 9:00 p.m. on October 15-17, October 20 or 23, October 30 and November 5, 2022, the event dates.

FURTHER RESOLVED, that any violations of the conditions set forth above on October 15-17, October 20 or 23, October 30 and November 5, 2022 dates may result in denial of future requests for the grant of a noise variance, in addition to any criminal citation which might issue.

Minnesota United FC/Allianz Field, represented by Zacharia Litzelswope, has requested an exemption from the sound level limitations in Chapter 293.07 in order to present amplified sound for the 2022 MLS Cup Playoffs events, with limitations, from 11:00 a.m. to 9:00 p.m. with a pre-event sound check at 9:00 a.m. on October 15-17, October 20 or 23, October 30 and November 5, 2022. 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