



Legislation Details (With Text)

File #: RES PH 21- 276 **Version:** 1
Type: Resolution-Public Hearing **Status:** Passed
In control: City Council
Final action: 10/6/2021

Title: Approving the applications of the Minnesota United FC for sound level variance applications in order to present amplified sound on October 20, 2021 and on October 31, 2021 within the Street and the Beer Garden Area at Allianz Field - 400 Snelling Avenue North.

Sponsors: Dai Thao

Indexes: Ward - 1

Code sections:

Attachments: 1. Application - MNUFC v Philadelphia Union, 2. Application - MNUFC v Sporting KC, 3. ENS, 4. Map, 5. Owners' list, 6. Notice to Owners, 7. Letter to Applicant

Date	Ver.	Action By	Action	Result
10/8/2021	1	Mayor's Office	Signed	
10/6/2021	1	City Council	Adopted	Pass

Approving the applications of the Minnesota United FC for sound level variance applications in order to present amplified sound on October 20, 2021 and on October 31, 2021 within the Street and the Beer Garden Area at Allianz Field - 400 Snelling Avenue North.

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, represented by Zacharia Litzelswope, Director, Events and Guest Experience, who has been designated as the responsible person on the application, has applied for two variances, for a sound level limit of 95 dBA at no specified distance, to present amplified sound within the street and Beer Garden area for the Minnesota United FC v Philadelphia Union game and for the Minnesota United FC v Sporting KC game at Allianz Field - 400 Snelling Avenue North; and

WHEREAS, applicant has requested a variance for the hours from 4:30 p.m. to 7:00 p.m. with a pre-event sound check at 3:30 p.m. on Wednesday, October 20, 2021 for the MNUFC v Philadelphia Union game and for the hours of 10:00 to 12:30 p.m. with a pre-event sound check at 9:00 a.m. on Sunday, October 31, 2021 for the MNUFC v Sporting KC game; and

WHEREAS, if applicant is not granted a variance applicant will not be able to present amplified sound within the street and Beer Garden area outside of Allianz Field-400 Snelling Avenue North; and

WHEREAS, the Department of Safety and Inspections has reviewed the applications and have made recommendations regarding conditions for the variances. Now, therefore, be it

RESOLVED, that the Council of the City of Saint Paul hereby grants two variances to the Minnesota United FC, subject to the following conditions:

- 1) The Variances shall be for the hours from 4:30 p.m. to 7:00 p.m. with a pre-event sound check at 3:30 p.m. on Wednesday, October 20, 2021 for the MNUFC v Philadelphia Union game; and for the hours of 10:00 a.m. until 12:30 p.m., with a pre-event sound check at 9:00 a.m. on Sunday, October 31, 2021 for the MNUFC v Sporting KC game.
- 2) All electronically powered equipment used in conjunction with the event shall not exceed 90 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 mix during the hours of the variance.
- 4) All electronically powered equipment, PA systems, loudspeakers or similar devices shall be turned off no later than 7:00 p.m. on October 20, 2021, and no later than 12:30 p.m. on October 31, 2021, the event dates.

FURTHER RESOLVED, that any violations of the conditions set forth above on the October 20, 2021 and October 31, 2021 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, 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 MNUFC v Philadelphia Union game, with limitations, from 4:30 p.m. to 7:00 p.m. with a pre-event sound check at 3:30 p.m. on October 20, 2021 as well as with limitations, from 10:00 a.m. until 12:30 p.m. on October 31, 2021, with a pre-event sound check at 9:00 a.m. for the MNUFC v Sporting KC game 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