



Legislation Details (With Text)

File #: RES PH 22- 39 **Version:** 1

Type: Resolution-Public Hearing **Status:** Passed
In control: City Council
Final action: 3/9/2022

Title: Approving the applications of the Minnesota United FC for sound level variance applications in order to present amplified sound on March 19, 2022 and on April 2, 2022 within the street and beer garden area at Allianz Field - 400 Snelling Ave. N.

Sponsors: Dai Thao

Indexes: Ward - 1

Code sections:

Attachments: 1. MNUFC v San Jose Application, 2. MNUFC v Seattle Sounders Application, 3. ENS, 4. Map, 5. Owners' list, 6. Notice to Owners, 7. Letter to Applicant

| Date | Ver. | Action By | Action | Result |
|-----------|------|----------------|---------|--------|
| 3/11/2022 | 1 | Mayor's Office | Signed | |
| 3/9/2022 | 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 March 19, 2022 and on April 2, 2022 within the street and beer garden area at Allianz Field - 400 Snelling Ave. N.

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 San Jose game and for the Minnesota United FC v Seattle Sounders game at Allianz Field - 400 Snelling Ave. N.; 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 Saturday, March 19, 2022 for the MNUFC v San Jose game and on Saturday, April 2, 2022 for the MNUFC v Seattle Sounders 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 Ave; 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 Saturday, March 19, 2022 for the MNUFC v San Jose game; and on Saturday, April 2, 2022 for the MNUFC v Seattle Sounders 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 March 19, 2022, and on April 2, 2022, the event dates.

FURTHER RESOLVED, that any violations of the conditions set forth above on the March 19, 2022 and April 2, 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, 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 San Jose 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 March 19, 2022 as well as with limitations, on Saturday, April 2, 2022, for the MNUFC v Seattle Sounders 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