



Legislation Details (With Text)

File #: RES PH 22- 89 **Version:** 1

Type: Resolution-Public Hearing **Status:** Passed
In control: City Council
Final action: 4/20/2022

Title: Approving the application of University of Saint Thomas for a sound level variance in order to present amplified sound on May 21-22, 2022 at 2115 Summit Avenue - O'Shaughnessy Stadium.

Sponsors: Mitra Jalali

Indexes: Ward - 4

Code sections:

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

Date	Ver.	Action By	Action	Result
4/21/2022	1	Mayor's Office	Signed	
4/20/2022	1	City Council	Adopted	Pass

Approving the application of University of Saint Thomas for a sound level variance in order to present amplified sound on May 21-22, 2022 at 2115 Summit Avenue - O'Shaughnessy Stadium.

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, University of Saint Thomas, represented by Zachary Dubois, Public Safety St. Paul Campus Manager, who has been designated as the responsible person on the application, has applied for a variance, for 95 dBA at 50 ft, to present amplified sound for the 2022 Doherty Family College, Undergraduate, and Graduate Commencements at 2115 Summit Avenue - O'Shaughnessy Stadium; and

WHEREAS, applicant has requested a variance for the hours of 8:00 a.m. to 6:00 p.m. on Saturday and Sunday, May 21-22, 2022 for 2022 Doherty Family College, Undergraduate, and Graduate Commencements; and

WHEREAS, if applicant is not granted a variance applicant will not be able to present amplified sound at 2115 Summit Avenue - O'Shaughnessy Stadium; 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 University of Saint Thomas, subject to the following conditions:

1) The Variance shall be for the hours of 8:00 a.m. to 6:00 p.m. on Saturday and Sunday, May 21-22, 2022 for the 2022 Doherty Family College, Undergraduate, and Graduate Commencements.

- 2) All electronically powered equipment used in conjunction with the event shall not exceed 92 dBA 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 6:00 p.m. on May 21-22, 2022 the event dates.

FURTHER RESOLVED, that any violations of the conditions set forth above on the May 21-22, 2022 date may result in denial of future requests for the grant of a noise variance, in addition to any criminal citation which might issue.

University of Saint Thomas, represented by Zachary Dubois, Public Safety St. Paul Campus Manager, has requested an exemption from the sound level limitations in Chapter 293.07 in order to present amplified sound, with limitations, from 8:00 a.m. to 6:00 p.m. on Saturday and Sunday, May 21-22, 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