



Legislation Text

File #: RES PH 22-117, **Version:** 1

Approving the application of The Lab LLC for a sound level variance in order to present amplified sound on May 21 and 22, 2022 at 767 N Eustis St. - The Shed at The Lab.

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, The Lab LLC, represented by Lauren Bertrand, Taproom General Manager, who has been designated as the responsible person on the application, has applied for a variance, at no specified dBA and distance, to present amplified sound for the Out On A Limb Dance at 767 N Eustis St. - The Shed at The Lab.; and

WHEREAS, applicant has requested a variance for the hours of 4:00 p.m. to 9:00 p.m. on May 21 and 1:00 p.m. to 5:00 p.m. on May 22, 2022 with pre-event sound checks of an hour prior to the show times for the Out On A Limb Dance; and

WHEREAS, if applicant is not granted a variance applicant will not be able to present amplified sound at 767 N Eustis St. - The Shed at The Lab.; 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 Lab LLC, subject to the following conditions:

- 1) The Variance shall be for the hours of 4:00 p.m. to 9:00 p.m. on Saturday, May 21 and 1:00 p.m. to 5:00 p.m. on Sunday, May 22, 2022 with pre-event sound checks one hour prior to the show times for the Out On A Limb Dance.
- 2) All electronically powered equipment used in conjunction with the event shall not exceed 85 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 9:00 p.m. on May 21 and 5:00 p.m. on May 22, 2022, the event dates.

FURTHER RESOLVED, that any violations of the conditions set forth above on the May 21 and 22, 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.

The Lab LLC, represented by Lauren Bertrand, Taproom General Manager, has requested an exemption from the sound level limitations in Chapter 293.07 in order to present amplified sound, with limitations, from 4:00 p.m. to 9:00 p.m. on May 21 and 1:00 p.m. to 5:00 p.m. on May 22, 2022 with pre-event sound checks one hour prior to the show times. 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