



Legislation Details (With Text)

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Type: Resolution-Public Hearing **Status:** Passed

In control: City Council

Final action: 4/26/2023

Title: Approving the application of Dual Citizen Brewing for a sound level variance in order to present amplified sound on Saturdays, June 3, July 8 and August 12, 2023 at 725 Raymond Avenue.

Sponsors: Mitra Jalali

Indexes: Ward - 4

Code sections:

Attachments: 1. Summer Concert Series Final Application, 2. Dual Citizen Brewing Summer Concert Series with Organizer Address Correction info SLV Applic ENS#3 04_11_2023, 3. Map, 4. Dual Citizen Brewing Summer Concert Series.Notice to Owner, 5. Owner list, 6. Dual Citizen Brewing Summer Concert Series.Letter to Applicant

| Date | Ver. | Action By | Action | Result |
|-----------|------|----------------|---------|--------|
| 4/28/2023 | 1 | Mayor's Office | Signed | |
| 4/26/2023 | 1 | City Council | Adopted | Pass |

Approving the application of Dual Citizen Brewing for a sound level variance in order to present amplified sound on Saturdays, June 3, July 8 and August 12, 2023 at 725 Raymond Avenue.

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, Dual Citizen Brewing, represented by Mike Rulf, Manager, who has been designated as the responsible person on the application, has applied for a variance, for 95 dBA at 50 feet from the sound source, to present amplified sound for the Dual Citizen Brewing Summer Concert Series events at 725 Raymond Avenue; and

WHEREAS, applicant has requested a variance for the hours of 6:00 p.m. to 10:00 p.m. with a pre-event sound check at 3:00 p.m. on Saturdays, June 3, July 8 and August 12, 2023 for Dual Citizen Brewing Summer Concert Series; and

WHEREAS, if applicant is not granted a variance applicant will not be able to present amplified sound at Dual Citizen Brewing Outdoor Service Area- 725 Raymond Avenue; 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 Dual Citizen Brewing, subject to the following conditions:

1) The Variance shall be for the hours of 6:00 p.m. to 10:00 p.m. with a pre-event sound check at 3:00 p.m. on Saturdays, June 3, July 8 and August 12, 2023 for the Dual Citizen Brewing Summer Concert Series events at 725 Raymond Avenue; and

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 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 10:00 p.m. on Saturdays, June 3, July 8 and August 12, 2023, the event dates.

FURTHER RESOLVED, that any violations of the conditions set forth above on the Saturdays, June 3, July 8 and August 12, 2023 dates may result in denial of future requests for the grant of a noise variance, in addition to any criminal citation which might issue.

Dual Citizen Brewing, represented by Mike Rulf, Manager, has requested an exemption from the sound level limitations in Chapter 293.07 in order to present amplified sound, with limitations, from 6:00 p.m. to 10:00 p.m. with a pre-event sound check at 3:00 p.m. on Saturdays, June 3, July 8 and August 12, 2023. 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