



## Legislation Details (With Text)

**File #:** RES PH 21- 284 **Version:** 1

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

**In control:** City Council

**Final action:** 10/20/2021

**Title:** Approving the application of the Minnesota United FC for two sound level variance applications in order to present amplified sound on October 23, 2021 and on October 26, 2021 within the Street and the Beer Garden Area outside of Allianz Field - 400 Snelling Avenue North.

**Sponsors:** Dai Thao

**Indexes:** Ward - 1

**Code sections:**

**Attachments:** 1. Application - MNUFC v LAFC, 2. Application - US Women's National Team vs South Korea, 3. ENS, 4. Map, 5. Owners' list, 6. Notice to Owners, 7. Letter to Applicant

Date	Ver.	Action By	Action	Result
10/21/2021	1	Mayor's Office	Signed	
10/20/2021	1	City Council	Adopted	Pass

Approving the application of the Minnesota United FC for two sound level variance applications in order to present amplified sound on October 23, 2021 and on October 26, 2021 within the Street and the Beer Garden Area outside of 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 areas for the Minnesota United FC v LAFC FC game and for the U.S. Women's National Team v South Korea 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, October 23, 2021 for MNUFC v LAFC FC game and for the U.S. Women's National Team v South Korea game on Tuesday, October 26, 2021 with a pre-event sound check at 3:30 p.m.; 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 a variance 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, October 23, 2021 and on Tuesday, October 26, 2021.
- 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. October 23, 2021 and on October 26, 2021, the event dates.

FURTHER RESOLVED, that any violations of the conditions set forth above on the October 23, 2021 and October 26, 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 LAFC FC MLS Regular Season game and the U.S. Women's National Team v South Korea 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 23, 2021 and on October 26, 2021. 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