



## Legislation Details (With Text)

**File #:** RES PH 23- 315      **Version:** 1

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

**In control:** City Council

**Final action:** 10/18/2023

**Title:** Approving the application of Backstory Coffee Roasters for a sound level variance in order to present amplified sound on Saturday October 21, 2023 at 432 Wabasha Street South.

**Sponsors:** Rebecca Noecker

**Indexes:** Ward - 2

**Code sections:**

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

Date	Ver.	Action By	Action	Result
10/20/2023	1	Mayor's Office	Signed	
10/18/2023	1	City Council	Adopted	Pass

Approving the application of Backstory Coffee Roasters for a sound level variance in order to present amplified sound on Saturday October 21, 2023 at 432 Wabasha Street South.

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, Backstory Coffee Roasters, represented by Cassidy Bruggeman, Events Manager, who has been designated as the responsible person on the application, has applied for a variance, for 75 dBA at no specified distance, to present amplified sound for the Pumpkin Patch Bash, 432 Wabasha Street S; and

WHEREAS, applicant has requested a variance for the hours of 1:00 p.m. to 6:00 p.m. with a pre-event sound check at 12:45 p.m. on Saturday October 21, 2023 for a Pumpkin Patch Bash; and

WHEREAS, if applicant is not granted a variance applicant will not be able to present amplified sound at 432 Wabasha Street S; 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 Backstory Coffee Roasters, subject to the following conditions:

- 1) The Variance shall be for the hours of 1:00 p.m. to 6:00 p.m. with a pre-event sound check at 12:45 p.m. on Saturday October 21, 2023 for a Pumpkin Patch Bash.
- 2) All electronically powered equipment used in conjunction with the event shall not exceed 75 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 6:00 p.m. on Saturday October 21, 2023, the event date.

FURTHER RESOLVED, that any violations of the conditions set forth above on the Saturday October 21, 2023 date may result in denial of future requests for the grant of a noise variance, in addition to any criminal citation which might issue; and be it

FURTHER RESOLVED, that if three or more verified complaints from residents or businesses in the area regarding significant negative impact from the increased sound level variances for the Backstory Coffee Roasters sound level variance may be amended or revoked by the council. Such reduction will not require a further hearing before council but shall be documented in a written communication to council from DSI; and be it

FINALLY RESOLVED, that any violations of the conditions set forth above on any of the dates may result in revocation of this variance for the remaining date(s), in addition to any criminal citation and/or adverse licensing action that might be issued.

At

Backstory Coffee Roasters, represented by Events Manager, Cassidy Bruggeman, has requested an exemption from the sound level limitations in Chapter 293.07 in order to present amplified sound, with limitations, from 1:00 p.m. to 6:00 p.m. with a pre-event sound check at 12:45 p.m. on Saturday October 21, 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