



## Legislation Text

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**File #:** RES PH 21-171, **Version:** 1

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Approving the application of the Minnesota United FC for two sound level variance applications in order to present amplified sound on August 7 and 14, 2021 within the street and the beer garden area at Allianz Field - 400 Snelling Avenue North.

WHEREAS, Chapter 293 of the 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 area for the Minnesota United FC v Houston Dynamo FC game and for the Minnesota United FC v LA Galaxy game at Allianz Field - 400 Snelling Avenue. 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, August 7, 2021 for their MNUFC v Houston Dynamo FC game and for the hours of 2:00 p.m. to 4:30 p.m., with a pre-event sound check at 1:00 p.m. on Saturday, August 14, 2021 for the MNUFC v LA Galaxy game; 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 Avenue; 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, August 7, 2021 and for the hours of 2:00 p.m. until 4:30 p.m. with a pre-event sound check at 1:00 p.m. on Saturday, August 14, 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. August 7, 2021 and no later than 4:30 p.m. on August 14, 2021, the event dates.

FURTHER RESOLVED, that any violations of the conditions set forth above on the August 7, 2021 or the August 14, 2021 date 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 Houston Dynamo FC game as well as for the MNUFC v LA Galaxy 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 August 7, 2021 and from 2:00 p.m. until 4:30 p.m. with a pre-event sound check at 1:00 p.m. on August 14, 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