



Legislation Details (With Text)

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

In control: City Council

Final action: 1/2/2013

Title: Approving the application of the University of St. Thomas for a sound level variance in order to present amplified music from 6:00 p.m. until 9:00 p.m. on May 11, 2013 during a music event at the John P. Monahan Plaza at 2115 Summit Avenue.

Sponsors: Russ Stark

Indexes:

Code sections:

Attachments: 1. Univ St Thomas SLV Application.pdf, 2. Univ St Thomas ENS.pdf, 3. Univ St Thomas Applicant Notification Letter.pdf, 4. Univ St Thomas District Council 13 Notification.pdf, 5. Univ St Thomas Map.pdf, 6. Univ St Thomas Property Owner List.pdf, 7. Univ St Thomas Property Owner Example.pdf

Date	Ver.	Action By	Action	Result
1/4/2013	1	Mayor's Office	Signed	
1/2/2013	1	City Council	Adopted	Pass

Approving the application of the University of St. Thomas for a sound level variance in order to present amplified music from 6:00 p.m. until 9:00 p.m. on May 11, 2013 during a music event at the John P. Monahan Plaza at 2115 Summit 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, The University of St. Thomas, represented by Jess Ledbetter/Matt Gustafson, Assistant Director of Campus Life, who has been designated as the responsible person on the application, has applied for a variance to present amplified music at the John P. Monahan Plaza at 2115 Summit Avenue; and

WHEREAS, applicant is seeking a variance for the hours of 6:00 p.m. to 9:00 p.m. on May 11, 2013 during a music event; and

WHEREAS, if applicant is not granted a variance it will not be able to present amplified music at the John P. Monahan Plaza at 2115 Summit 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 the University of St. Thomas, subject to the following conditions:

- 1) The variance shall be for the hours of 6:00 p.m. to 9:00 p.m. on May 11, 2013.
- 2) All electronically powered equipment used in conjunction with the event shall not exceed 85 dBA as measured 50 feet from the sound source.
- 3) The applicant shall provide personnel and equipment which 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 the event date.

FURTHER RESOLVED, that any violations of the conditions set forth above on the May 11, 2013 date may result in denial of future requests for the grant of a noise variance, in addition to any criminal citation which might issue.

The University of St. Thomas, represented by Jess Ledbetter/Matt Gustafson, Assistant Director of Campus Life, has requested an exemption from the sound level limitations in Chapter 293.07 in order to present amplified music, with limitations, from 6:00 p.m. until 9:00 p.m. on May 11, 2013 during a music event at the John P. Monahan Plaza at 2115 Summit Avenue. 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