



## Legislation Details (With Text)

**File #:** RES PH 13- 61 **Version:** 2

**Type:** Resolution-Public Hearing **Status:** Passed  
**In control:** City Council  
**Final action:** 4/17/2013

**Title:** Approving the application of Lunda Construction for a sound level variance for construction work related to the demolition of the Lafayette Bridge for 24 hours a day, Monday through Saturday only, from April 20, 2013 to May 3, 2013. (Public hearing continued from March 20)

**Sponsors:** Dave Thune

**Indexes:**

**Code sections:**

**Attachments:** 1. Lafayette Bridge SLV Application.pdf, 2. Lafayette Bridge ENS.pdf, 3. Lafayette Bridge Applicant Notification.pdf, 4. Lafayette Bridge District Council 3, 4, 17 Notification.pdf, 5. Lafayette Bridge Map.pdf, 6. Lafayette Bridge Property Owner List.pdf, 7. Lafayette Bridge2 Example.pdf, 8. Cont Lafayette Bridge Applicant Notification, 9. Cont Lafayette Bridge Map, 10. Cont Lafayette Bridge Property Owner Letters, 11. Cont Lafayette Bridge Property Owner List, 12. Cont Lafayette Bridge2 Example, 13. Cont Lafayette District 3417 Council Notification, 14. Lunda Construction Noise Variance Opposition Petition

Date	Ver.	Action By	Action	Result
4/23/2013	2	Mayor's Office	Signed	
4/17/2013	2	City Council	Adopted As Amended	Pass
3/20/2013	1	City Council	Continue Public Hearing	Pass

Approving the application of Lunda Construction for a sound level variance for construction work related to the demolition of the Lafayette Bridge for 24 hours a day, Monday through Saturday only, from April 20, 2013 to May 3, 2013. (Public hearing continued from March 20)

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, Lunda Construction, represented by Brent Wilber, Project Manager, who has been designated as the responsible person on the application, has applied for an extension of the variance for construction work related to the demolition of the Lafayette Bridge for 24 hours a day, Monday through Saturday only, from April 20, 2013 to May 3, 2013; and

WHEREAS, in order to meet required completion dates and to minimize disruption to businesses, the public and adjoining property owners, the applicant is seeking a variance from April 20, 2013 to May 3, 2013, Monday through Saturday only; and

WHEREAS, if applicant is not granted a variance, it will not be able to operate general construction/demolition equipment and domestic power tools to do the needed repair work on the Lafayette Bridge; and

WHEREAS, the Department of Safety and Inspections (DSI) 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 Lunda Construction, subject to the following conditions:

- 1) The variance shall be for 24 hours from April 20, 2013 to May 3, 2013, Monday through Saturday only.
- 2) Lunda Construction shall take all practical steps available to minimize the noise levels during this period which do not otherwise unduly hinder the project or unreasonably increase the costs of the project.
- 3) Lunda Construction will provide 48-hour notices to the City and neighbors prior to any sound event under this variance.

FURTHER RESOLVED, that any violations of the conditions set above may result in the cancellation of the variance for any remaining dates and in the denial of future requests for the grant of a sound level variance, in addition to any criminal citation which might issue.

Lunda Construction, represented by Brent Wilber, Project Manager, has requested an exemption from the sound level limitations in Chapter 293.07 for construction work related to the demolition of the Lafayette Bridge for 24 hours a day, Monday through Saturday only, from April 20, 2013 to May 3, 2013. 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