



Legislation Details (With Text)

File #: RES PH 14- 241 **Version:** 1

Type: Resolution-Public Hearing **Status:** Passed
In control: City Council
Final action: 9/3/2014

Title: Approving the application of the University of St. Thomas for a sound level variance in order to present amplified music from 6:30 p.m. until 9:00 p.m. on Saturday, September 13, 2014 during an outdoor concert music event at the John P. Monahan Plaza at 2115 Summit Avenue.

Sponsors: Russ Stark

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Code sections:

Attachments: 1. Application, 2. ENS, 3. Map, 4. Notice to District Council, 5. Notice to Property Owners, 6. Property Owner List, 7. Letter to Applicant, 8. St Thomas Fall Concert 2014.Letter of Objection.Richard Varco, 9. St Thomas Fall Concert 2014.Letter of Objection.Tara Varco, 10. St Thomas Fall Concert 2014.Email in Support.Stephen Schele, 11. St Thomas Fall Concert 2014.Email in Support.Tim Plunkett

Date	Ver.	Action By	Action	Result
9/5/2014	1	Mayor's Office	Signed	
9/3/2014	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 6:30 p.m. until 9:00 p.m. on Saturday, September 13, 2014 during an outdoor concert 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 Krysten Edwards, 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 a 6:30 p.m. Sound Check, and Concert 7:30 p.m. to 9:00 p.m. on Saturday, September 13, 2014; 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 a 6:30 p.m. Sound Check, and Concert, 7:30 p.m. to 9:00 p.m. on Saturday, September 13, 2014.
- 2) All electronically powered equipment used in conjunction with the event will not exceed 85 dBA as measured 50 feet from the sound source.
- 3) The applicant will provide personnel and equipment to provide continuous sound level monitoring to ensure

compliance with the sound level limit stated in condition number two (2).

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 September 13, 2014 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 Krysten Edwards, 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, with a 6:30 p.m. Sound Check, and Concert from 7:30 p.m. until 9:00 p.m. on Saturday, September 13, 2014 during an outdoor concert 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