



## Legislation Details (With Text)

**File #:** RES PH 15- 59 **Version:** 1

**Type:** Resolution-Public Hearing **Status:** Passed  
**In control:** City Council  
**Final action:** 3/4/2015

**Title:** Approving the application of Visit Saint Paul Saint Patrick's Day Street Festival for a sound level variance in order to present live music in the street on a mobile stage in front of Eagle Street Grille, 174 Seventh Street West; use of a DJ stage in front of Cossetta's, 211 Seventh Street West; and use of a DJ Booth in front of Tom Reid's, 258 Seventh Street West; during the Saint Patrick's Day Street Festival from 2:00 p.m. until 10:30 p.m. on March 14, 2015.

**Sponsors:** Dave Thune

**Indexes:** Ward - 2

**Code sections:**

**Attachments:** 1. Application, 2. Copy of ENS, 3. Map - DJ Buffer, 4. Map - Parking Lot Buffer, 5. Notice to District Council, 6. Notice to Property Owners, 7. List of Property Owners, 8. Letter to Applicant

Date	Ver.	Action By	Action	Result
3/10/2015	1	Mayor's Office	Signed	
3/4/2015	1	City Council	Adopted	Pass

Approving the application of Visit Saint Paul Saint Patrick's Day Street Festival for a sound level variance in order to present live music in the street on a mobile stage in front of Eagle Street Grille, 174 Seventh Street West; use of a DJ stage in front of Cossetta's, 211 Seventh Street West; and use of a DJ Booth in front of Tom Reid's, 258 Seventh Street West; during the Saint Patrick's Day Street Festival from 2:00 p.m. until 10:30 p.m. on March 14, 2015.

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, Visit Saint Paul, represented by Adam Johnson, Vice President of Marketing, who has been designated as the responsible person on the application, has applied for a variance to present live music in the street on a mobile stage in front of Eagle Street Grille, 174 7<sup>th</sup> Street West, use of a DJ stage in front of Cossetta's, 211 7<sup>th</sup> Street West, and use of a DJ Booth in front of Tom Reid's, 258 7<sup>th</sup> Street West on 7<sup>th</sup> Street West between Chestnut and Walnut Streets; and

WHEREAS, applicant is seeking a variance for the hours of 2:00 p.m. until 10:30 p.m. on March 14, 2015 to present live music in the street on a mobile stage in front of Eagle Street Grille, 174 7<sup>th</sup> Street West, use of a DJ stage in front of Cossetta's, 211 7<sup>th</sup> Street West, and use of a DJ Booth in front of Tom Reid's, 258 7<sup>th</sup> Street West, during the Saint Patrick's Day Street Festival; and

WHEREAS, if applicant is not granted a variance it will not be able to present live music in the street on a mobile stage in front of Eagle Street Grille, 174 7<sup>th</sup> Street West, use of a DJ stage in front of Cossetta's, 211 7<sup>th</sup> Street West, during the Saint Patrick's Day Street Festival; and

<sup>th</sup> Street West, and use of a DJ Booth in front of Tom Reid's, 258 7<sup>th</sup> Street West during the Saint Patrick's Day Street Festival Event; 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 Adam Johnson, subject to the following conditions:

- 1) The variance shall be for the hours of 2:00 p.m. until 10:30 p.m. on March 14, 2015 at 7<sup>th</sup> Street West between Chestnut and Walnut Streets for live music in the street on a mobile stage in front of Eagle Street Grille, 174 7<sup>th</sup> Street West, use of a DJ stage in front of Cossetta's, 211 7<sup>th</sup> Street West, and for use of a DJ Booth in front of Tom Reid's, 258 7<sup>th</sup> Street West.
- 2) All electronically powered equipment used in conjunction with the event shall not exceed 85 dBA as measured at 50 feet from any stage, PA system, loudspeaker or any other device.
- 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 10:30 p.m. on the event date.

FURTHER RESOLVED, that any violations of the conditions set forth above on any of the dates may result in revocation of the grant of a noise variance for the subsequent date(s), in addition to any criminal citation which might issue.

Visit Saint Paul, represented by Adam Johnson, Vice President of Marketing, has requested an exemption from the sound level limitations in Chapter 293.07 in order to present live music in the street on a mobile stage in front of Eagle Street Grille, 174 7<sup>th</sup> Street West, use of a DJ stage in front of Cossetta's, 211 7<sup>th</sup> Street West, and use of a DJ Booth in front of Tom Reid's, 258 7<sup>th</sup> Street West on 7<sup>th</sup> Street West between Chestnut and Walnut Streets for the Saint Patrick's Day Street Festival Event, with limitations. Variance is requested from 2:00 p.m. until 10:30 p.m. on March 14, 2015. 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