



Legislation Details (With Text)

File #: RES PH 15- 141 **Version:** 1

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

In control: City Council

Final action: 6/10/2015

Title: Approving the application of the High School for Recording Arts for a sound level variance for a music performance event and announcements outdoors between 12:00 Noon and 9:00 p.m., with a pre-event sound check between 10:00 a.m. and 11:30 a.m., on Thursday, June 18, 2015 at a parking lot near 1166 University Avenue West. (Public hearing continued from June 3)

Sponsors: Dai Thao

Indexes: Ward - 1

Code sections:

Attachments: 1. Application, 2. ENS, 3. Map, 4. Notice to District Council, 5. Notice to Property Owners, 6. List of Property Owners, 7. Letter to Applicant

Date	Ver.	Action By	Action	Result
6/11/2015	1	Mayor's Office	Signed	
6/10/2015	1	City Council	Adopted	Pass
6/3/2015	1	City Council	Continue Public Hearing	Pass

Approving the application of the High School for Recording Arts for a sound level variance for a music performance event and announcements outdoors between 12:00 Noon and 9:00 p.m., with a pre-event sound check between 10:00 a.m. and 11:30 a.m., on Thursday, June 18, 2015 at a parking lot near 1166 University Avenue West. (Public hearing continued from June 3)

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 High School for Recording Arts represented by Ms. Charlnitta Ellis, Director, who has been designated as the responsible person on the application, has applied for a variance to allow amplified music performances, and announcements for an Event to be held at a parking lot located near 1166 University Avenue West; and

WHEREAS, applicant is seeking a variance for the hours from 12:00 Noon through 9:00 p.m., with a pre-event sound check between 10:00 a.m. to 11:30 a.m. on Thursday, June 18, 2015; and

WHEREAS, if applicant is not granted a variance it will not be able to present live band and D.J. music, track shows, announcements and speeches for the Music Performance Event to be held at a parking lot located near 1166 University Avenue West; 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 High School for Recording Arts subject to the following conditions:

- 1) The variance will be for the hours from 12:00 Noon to 9:00 p.m. on Thursday, June 18, 2015, with a pre-event sound check from 10:00 a.m. to 11:30 a.m. for the Music Performance Event to be held at a parking lot located near 1166 University Avenue West.
- 2) All electronically powered equipment used in conjunction with the event must not exceed 85 dBA, as measured at 50 feet from the sound source.
- 3) The applicant will provide personnel and equipment to ensure compliance with these conditions.
- 4) All electronically powered equipment, PA systems, loudspeakers or similar devices must be turned off no later than 9:00 p.m. on the event date.
- 5) The High School for Recording Arts must maintain a copy of the approved sound level variance at the event location and have it available for review by the City of Saint Paul Police or inspection personnel.

FURTHER RESOLVED, that any violations of the conditions set forth above may result in denial of any future variance requests, in addition to any criminal citation which may be issued.

The High School for Recording Arts, represented by Ms. Charlnitta Ellis, Director, has requested a variance from the sound level limitations in Chapter 293.07, to allow amplified music, speeches and announcements during a Musical Performance Event between 12:00 p.m. through 9:00 p.m., with a pre-event sound check from 10:00 a.m. to 11:30 a.m. on June 18, 2015 at the High School for Recording Arts, to be held at a parking lot located near 1166 University Avenue West. 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