Legislation Details (With Text)

File #:	RES PH 16-114 **Version:** 1		
Type:	Resolution-Public Hearing	**Status:**	Passed
		In control:	City Council
		Final action:	4/20/2016
Title:	Approving the application of the University of St. Thomas for a sound level variance in order to present amplified music on Saturday, May 14, 2016 during an event, Tommie Fest, at the John P. Monahan Plaza at 2115 Summit Avenue.		
Sponsors:	Russ Stark		
Indexes:	Ward - 4		
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
4/22/2016	1	Mayor's Office	Signed	
4/20/2016	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 on Saturday, May 14, 2016 during an event, Tommie Fest, 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 outdoor music, at a requested sound level limit of 85 decibels (dBA) at 50 feet from the sound source at the John P. Monahan Plaza at 2115 Summit Avenue; and

WHEREAS, applicant is seeking a variance for the hours of a 5:30 p.m. sound check, and music from 6:00 p.m. to 8:00 p.m. on Saturday, May 14, 2016; and

WHEREAS, if applicant is not granted a variance applicant will not be able to present outdoor 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 5:30 p.m. sound check, and music, from 6:00 p.m. to 8:00 p.m. on Saturday, May 14, 2016.

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 8:00 p.m. on the event date.

FURTHER RESOLVED, that any violations of the conditions set forth above on the May 14, 2016 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 outdoor music, with limitations, with a 5:30 p.m. sound check, and music from 6:00 p.m. until 8:00 p.m. on Saturday, May 14, 2016 during an outdoor 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