Legislation Details (With Text)

File #:	RES PH 16-236 **Version:** 1
Type:	Resolution-Public Hearing

Status:	Passed
In control:	City Council
Final action:	8/3/2016

Title: Approving the application of Summer Winter Studios LLC for a sound level variance in order to present a live concert with amplified music on Saturday, August 6, 2016 during the Summer Winter Summer Blowout at Vandalia Tower Plaza, 550 Vandalia Street.

Sponsors: Russ Stark

Indexes: Ward - 4

Code sections:

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

Date	Ver.	Action By	Action	Result
8/5/2016	1	Mayor's Office	Signed	
8/3/2016	1	City Council	Adopted	Pass

Approving the application of Summer Winter Studios LLC for a sound level variance in order to present a live concert with amplified music on Saturday, August 6, 2016 during the Summer Winter Summer Blowout at Vandalia Tower Plaza, 550 Vandalia Street.

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, Summer Winter Studios LLC, represented by Levi Stugelmeyer, Owner, who has been designated as the responsible person on the application, has applied for a variance, at a requested sound level limit of 105 dBA at no specified distance, to present a live concert with amplified music at Vandalia Tower Plaza, 550 Vandalia Street; and

WHEREAS, applicant is seeking a variance for the hours of 3:00 p.m. to 10:00 p.m., with a pre-event sound check at 12:00 p.m. on Saturday, August 6, 2016, during the Summer Winter Summer Blowout at the Vandalia Tower Plaza, 550 Vandalia Street; and

WHEREAS, if applicant is not granted a variance applicant will not be able to present a live concert with amplified music at the Vandalia Tower Plaza, 550 Vandalia Street; and

WHEREAS, the Department of Safety and Inspections has reviewed the application and has made recommendations regarding conditions for the variance, which include a reduced dBA; now, therefore, be it

RESOLVED, that the Council of the City of Saint Paul hereby grants a variance to Summer Winter Studios LLC, subject to the following conditions:

1) The variance shall be for the hours of 3:00 p.m. to 10:00 p.m., with a pre-event sound check at 12:00 p.m. on Saturday, August 6, 2016.

2) All electronically powered equipment used in conjunction with the event shall not exceed 90 dBA as measured 50 feet from sound source.

3) The applicant shall provide personnel and equipment to ensure compliance with the sound level variance conditions.

4) All electronically powered equipment, PA systems, loudspeakers or similar devices shall be turned off no later than 10:00 p.m. on the date of the event.

FURTHER RESOLVED, that any violations of the conditions set forth may result in termination of the amplified musicin addition to any criminal citation which might issue.

Summer Winter Studios LLC, represented by Levi Stugelmeyer, Owner, has requested an exemption from the sound level limitations in Chapter 293.07 in order to present a live concert with amplified music, with limitations, from 3:00 p.m. to 10:00 p.m., with a pre-event sound check at 12:00 p.m., on Saturday, August 6, 2016, during the Summer Winter Summer Blowout at the Vandalia Tower Plaza, 550 Vandalia Street. 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