Legislation Details (With Text)

File #:	RES PH 18-297 **Version:** 1		
Type:	Resolution-Public Hearing	**Status:**	Passed
		In control:	City Council
		Final action:	10/3/2018
Title:	Approving the application of Visit Saint Paul for a sound level variance for live music and DJs between 174 and 258 7th Street West during the Wild Home Opener Hocktoberfest Event on October 6, 2018.		
Sponsors:	Rebecca Noecker		
Indexes:	Ward - 2		
Code sections:			
Attachments:	1. Application, 2. ENS, 3. Map, 4. Notice to Owners, 5. List of Owners, 6. Letter to Applicant		

Date	Ver.	Action By	Action	Result
10/8/2018	1	Mayor's Office	Signed	
10/3/2018	1	City Council	Adopted	Pass

Approving the application of Visit Saint Paul for a sound level variance for live music and DJs between 174 and 258 7th Street West during the Wild Home Opener Hocktoberfest Event on October 6, 2018.

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, Adam Johnson, Vice President of Marketing, Visit Saint Paul, has applied for a variance to provide DJ/live music on 7th Street West outside Tom Reid's, 258 7th Street West and at Eagle Street/The Liffey, 174 7th Street West; for a DJ/Live Music on Chestnut Street, one half block North of 7th Street West, and South of Smith Avenue North, and for a DJ/Live Music from the Downtowner Parking Lot, 253 7th Street West; and

WHEREAS, applicant is seeking a variance, with a sound level request of 100 decibels at 50 feet from the source of all locations from 2:00 p.m. until 11:00 p.m. on October 6, 2018, with DJ/ live music. Applicant is seeking a variance outside Tom Reid's, 258 7th Street West and at Eagle Street/The Liffey, 174 7th Street West; for a DJ/Live Music on Chestnut Street, one half block North of 7th Street West, and South of Smith Avenue North, and for a DJ/Live Music from the Downtowner Parking Lot, 253 7th Street West; and

WHEREAS, if applicant is not granted a variance applicant will not be able to provide the use of live music and DJs for the Wild Home Opener Hoctoberfest Event on 7th Street 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 Adam Johnson, subject to the following conditions:

1) The Variance shall be for the hours of 2:00 p.m. until 11:00 p.m. on October 6, 2018 in the street on 7th Street West between 174 7th and 258 7th Street West and on Chestnut Street one half block North of 7th Street West and South of Smith Avenue North; and in the Parking Lot of the Downtowner, 253 7th Street West with live and DJ music, during the Wild Home Opener Hoctoberfest Event on West 7th Street.

2) All electronically powered equipment used in conjunction with the event shall not exceed 90 dBA as measured at 50 feet from the sound sources outside on the street from 2:00 p.m. until11:00 p.m. on October 6, 2018.

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 11:00 p.m. in the street on October 6, 2018.

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.

Adam Johnson, Visit Saint Paul, has requested an exemption from the sound level limitations in Chapter 293.07 in order to provide live music, and DJs on the street in an area on 7th Street West between 174 7th Street West and 258 7th Street West as well as Chestnut Street one half block North of 7th Street West and South of Smith Avenue during Wild Home Opener Hocktoberfest Event on West 7th on October 6, 2018, with limitations. Variance is requested from 2:00 p.m. until 11:00 p.m. in the street on West 7th 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

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