Legislation Details (With Text)

File #:	RES PH 19-62 **Version:** 1		
Type:	Resolution-Public Hearing	**Status:**	Passed
		In control:	City Council
		Final action:	3/13/2019
Title:	Approving the application of Keg and Case Park LLC for a sound level variance to present live amplified music in an enclosed tent on Saturday, March 16, and Sunday, March 17, 2019 at 928 7th Street West.		
Sponsors:	Rebecca Noecker		
Indexes:	Ward - 2		
Code sections:			
Attachments:	1. Application, 2. ENS, 3. Map, 4. Notice to Owners, 5. Owners List, 6. Letter to Applicant		

Date	Ver.	Action By	Action	Result
3/20/2019	1	Mayor's Office	Signed	
3/13/2019	1	City Council	Adopted	Pass

Approving the application of Keg and Case Park LLC for a sound level variance to present live amplified music in an enclosed tent on Saturday, March 16, and Sunday, March 17, 2019 at 928 7th Street West.

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, Keg and Case Park LLC, represented by Nadine Schaefer, Director Park & Events, who has been designated as the responsible person on the application, has applied for a variance at a requested sound level limit of 90 dBA at 50 feet from the sound source, to present live amplified music in an enclosed tent at 928 7th Street West; and

WHEREAS, applicant has requested a variance for the hours from 11:00 a.m. to 10:00 p.m., Saturday, March 16 and Sunday, March 17, 2019 with a pre-event sound check on Saturday, March 16, 2019 from 10:00 a.m. to 11:00 a.m. for Keg and Case's St. Patrick's Day Tent Party; and

WHEREAS, if applicant is not granted a variance applicant will not be able to present amplified music at 928 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 Keg and Case Park LLC, subject to the following conditions:

1) The Variance shall be for the hours from 11:00 a.m. to 9:59 p.m., on Saturday, March 16 and Sunday,

March 17, 2019 with a pre-event sound check from 10:00 a.m. to 11:00 a.m. on Saturday, March 16, 2019.

2) All electronically powered equipment used in conjunction with the event shall not exceed 90 dBA as measured at 50 feet from all sound sources outside of the fully enclosed tents.

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 9:59 p.m. on Saturday, March 16 and Sunday, March 17, 2019, the event dates.

FURTHER RESOLVED, that any violations of the conditions set forth above on the Saturday, March 16 and Sunday, March 17, 2019 dates may result in denial of future requests for the grant of a noise variance, in addition to any criminal citation which might issue.

Keg and Case Park LLC, represented by Nadine Schaefer, have requested an exemption from the sound level limitations in Chapter 293.07 in order to present live amplified music, with limitations, from 11:00 a.m. to 10:00 p.m., Saturday, March 16 and Sunday, March 17, 2019. 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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