



Legislation Details (With Text)

File #: RES PH 19- 255 **Version:** 1

Type: Resolution-Public Hearing **Status:** Passed
In control: City Council
Final action: 8/14/2019

Title: Approving the application of Minnesota United FC & Allianz Field for two sound level variances for amplified sound on Saturday, August 17, 2019 and Saturday, September 7, 2019 at 400 Snelling Avenue North.

Sponsors: Dai Thao, Mitra Jalali

Indexes: Ward - 1, Ward - 4

Code sections:

Attachments: 1. Application - Pachuca, 2. Application - Orlando City SC, 3. ENS - Pachuca, 4. ENS - Orlando City SC, 5. Map - Pachuca, 6. Map - Orlando City SC, 7. Owners List - Pachuca and Orlando City SC, 8. Notice to Owners, 9. Letter to Applicant

Date	Ver.	Action By	Action	Result
8/16/2019	1	Mayor's Office	Signed	
8/14/2019	1	City Council	Adopted	Pass

Approving the application of Minnesota United FC & Allianz Field for two sound level variances for amplified sound on Saturday, August 17, 2019 and Saturday, September 7, 2019 at 400 Snelling Avenue North.

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, MN United FC & Allianz Field, represented by Zacharia Litzelswope, Director of Events and Guest Experiences, has applied for a variance, at a requested sound level limit of 105 decibels (dBA) at no specified distance, for the August 17, 2019 Game and 90 decibels (dBA) at no specified distance for the September 7, 2019 Game to present amplified music within the street and DJ Booth area within the Beer Garden area at 400 Snelling Avenue N; and

WHEREAS, applicant is seeking a variance for the hours of 4:30 p.m. until 11:00 p.m., with a pre-event sound check at 3:30 p.m. on Saturday, August 17, 2019 and on Saturday, September 7, 2019 at 400 Snelling Avenue N for the MN United FC vs Orlando City SC and MN United FC vs. Pachuca - MLS Games; and

WHEREAS, if applicant is not granted a variance applicant will not be able to present live and DJ Booth amplified music on the street and within the Beer Garden area at 400 Snelling Avenue N; 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 MN United FC & Allianz Field, subject to the following conditions:

- 1) The Variances shall be for the hours of 4:30 p.m. to 11:00 p.m., with a pre-event sound check at 3:30 p.m. on Saturday, August 17, 2019 and Saturday, September 7, 2019.
- 2) All electronically powered equipment used in conjunction with the event shall not exceed 90 dBA at 50 feet from the sound source.
- 3) The applicant shall provide personnel and equipment to for 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 11:00 p.m. on the date of the event.

FURTHER RESOLVED, that any violations of the conditions set forth above on the first date may result in revocation of the grant of a variance for the subsequent date, in addition to any criminal citation which might issue.

MN United FC & Allianz Field has requested an exemption from the sound level limitations in Chapter 293.07 in order to present live and DJ Booth amplified music on the street and within the Beer Garden area, from 4:30 p.m. to 11:00 p.m., with a pre-event sound check at 3:30 p.m. on Saturday, August 17, 2019 for the MN United FC vs Orlando SC and on Saturday, September 7, 2019 for the MN United FC vs. Pachuca MLS and Allianz Field at 400 Snelling Ave N. 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