Legislation Details (With Text)

File #:	RES PH 19-274 **Version:** 1		
Type:	Resolution-Public Hearing	**Status:**	Passed
		In control:	City Council
		Final action:	8/28/2019
Title:	Approving the application of Five Watt Coffee for a sound level variance for live music on Sunday, September 8, 2019 at 928 7th Street West for the Radio Five Watt Music Fest.		
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, 7. Hale email		

Date	Ver.	Action By	Action	Result
8/29/2019	1	Mayor's Office	Signed	
8/28/2019	1	City Council	Adopted	Pass

Approving the application of Five Watt Coffee for a sound level variance for live music on Sunday, September 8, 2019 at 928 7th Street West for the Radio Five Watt Music Fest.

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 Coffee, LLC, Five Watt Coffee, represented by Caleb Garn, Owner, has applied for a variance, at a requested sound level limit of 90-100 decibels (dBA) at no specified distance, to present live amplified music at 928 7th St. W.; and

WHEREAS, applicant is seeking a variance for the hours of 10:00 a.m. until 5:00 p.m., with a pre-event sound check at 9:00 a.m. on Sunday, September 8, 2019 at 928 7th St. W. for the Radio Five Watt Music Fest; and

WHEREAS, if applicant is not granted a variance applicant will not be able to present live amplified music at 928 7th St. W.; 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 Five Watt Coffee, subject to the following conditions:

1) The Variance shall be for the hours of 10:00 a.m. to 5:00 p.m., with a pre-event sound check at 9:00 a.m. on Sunday, September 8, 2019.

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2) All electronically powered equipment used in conjunction with the event shall not exceed 80 decibels at 50 feet during the pre-event sound check from 9:00 a.m. until 10:00 a.m. and shall not exceed 90 dBA as measured 50 feet from sound source from 10:00 a.m. until 5:00 p.m.

3) The applicant shall provide personnel and equipment to ensure compliance with the sound level variance conditions. The applicant may need to provide a barrier, to act as a sound absorber to contain excess sound from leaving the area.

4) All electronically powered equipment, PA systems, loudspeakers or similar devices shall be turned off no later than 5:00 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.

Five Watt Coffee has requested an exemption from the sound level limitations in Chapter 293.07 in order to present live amplified music, with limitations, from 10:00 a.m. to 5:00 p.m., with a pre-event sound check at 9:00 a.m. on Sunday, September 8, 2019 for the Radio Five Watt Music Fest at 928 7th St. W. 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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