Legislation Details (With Text)

File #:	RES PH 19-291 **Version:** 1		
Type:	Resolution-Public Hearing	**Status:**	Passed
		In control:	City Council
		Final action:	9/4/2019
Title:	Approving the application of Minnesota United FC & Allianz Field for two sound level variances for amplified music on September 15 and 29, 2019 at 400 Snelling Avenue North.		
Sponsors:	Dai Thao, Mitra Jalali		
Indexes:	Ward - 1, Ward - 4		
Code sections:			
Attachments:	1. Application - MNUFC v LA FC, 2. Application - MNUFC vs Real Salt Lake, 3. ENS - MNUFC v LA FC, 4. ENS - MNUFC v Real Salt Lake, 5. Map - MNUFC v LA FC, 6. Map - MNUFC v Real Salt Lake, 7. Owners List, 8. Notice to Owners, 9. Letter to Applicant		

Date	Ver.	Action By	Action	Result
9/11/2019	1	Mayor's Office	Signed	
9/4/2019	1	City Council	Adopted	Pass

..Title
Approving the application of Minnesota United FC & Allianz Field for two sound level variances for amplified music on September 15 and 29, 2019 at 400 Snelling Avenue North.

..Body
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, 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 2:00 p.m. until 8:30 p.m., with a pre-event sound check at 1:00 p.m. on Sunday, September 15, 2019 and the hours of 4:00 p.m. until 10:30 p.m., with a pre-event sound check at 3:00 p.m.on Sunday, September 29, 2019 at 400 Snelling Avenue N for the MN United FC vs Real Salt Lake and MN United FC vs LA FC- 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 2:00 p.m. to 8:30 p.m., with a pre-event sound check at 1:00 p.m. on Sunday, September 15, 2019 and the Variance shall be for the hours of 4:00 p.m. until 10:00 p.m. on Sunday, September 29, 2019, with a pre-event sound check at 3:00 p.m., both for the live and DJ Booth amplified music on the street and within the Beer Garden Area.

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 8:30 p.m. on September 15, 2019 and no later than 10:00 p.m. on September 29, 2019, the dates of the events.

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.

..Required Background Information
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 within the street and Beer Garden area, from 2:00 p.m. to 8:30 p.m., with a pre-event sound check at 1:00 p.m. on Sunday, September 15, 2019 and from 4:00 p.m. until 10:30 p.m. with a 3:00 p.m. pre-event sound check on Sunday, September 29, 2019 for the MN United FC and Allianz Field MLS Games 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