



## Legislation Details (With Text)

**File #:** RES PH 21- 148      **Version:** 1

**Type:** Resolution-Public Hearing      **Status:** Passed

**In control:** City Council

**Final action:** 6/23/2021

**Title:** Approving the applications of the Minnesota United FC for a sound level variance in order to present amplified sound on July 3, 2021 and July 24, 2021 within the Street and the Beer Garden Area at Allianz Field - 400 Snelling Avenue North.

**Sponsors:** Dai Thao

**Indexes:** Ward - 1

**Code sections:**

**Attachments:** 1. MNUFC v San Jose Earthquakes Application, 2. MNUFC v Portland Timbers Application, 3. ENS, 4. ENS, 5. Map, 6. Owners List, 7. Notice to Owners, 8. Letter to Applicant

Date	Ver.	Action By	Action	Result
6/24/2021	1	Mayor's Office	Signed	
6/23/2021	1	City Council	Adopted	Pass

Approving the applications of the Minnesota United FC for a sound level variance in order to present amplified sound on July 3, 2021 and July 24, 2021 within the Street and the Beer Garden Area at Allianz Field - 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, Minnesota United FC, represented by Zacharia Litzelswope, Director, Events and Guest Experience, who has been designated as the responsible person on the application, has applied for two variances, for a sound level limit of 95 dBA at no specified distance, to present amplified sound within the street and Beer Garden area for the Saturday, July 3, 2021 Minnesota United FC v San Jose Earthquakes FC game and the Saturday, July 24, 2021 Minnesota United FC v Portland Timbers at Allianz Field - 400 Snelling Avenue North; and

WHEREAS, applicant has requested the variances for the hours from 4:30 p.m. to 7:00 p.m. with a pre-event sound check at 3:30 p.m. on Saturday, July 3, 2021 for their MNUFC v San Jose Earthquakes FC game and Saturday, July 24, 2021 MNUFC v Portland Timbers FC game; and

WHEREAS, if applicant is not granted a variance applicant will not be able to present amplified sound within the street and Beer Garden area outside of Allianz Field-400 Snelling Avenue North; and

WHEREAS, the Department of Safety and Inspections has reviewed the applications and has made recommendations regarding conditions for the variances. Now, therefore, be it

RESOLVED, that the Council of the City of Saint Paul hereby grants a variance to the Minnesota United FC, subject to the following conditions:

- 1) The Variance shall be for the hours from 4:30 p.m. to 7:00 p.m. with a pre-event sound check at 3:30 p.m. on Saturday, July 3, 2021 and Saturday, July 24, 2021.
- 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.
- 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 7:00 p.m. July 3, 2021 and July 24, 2021, the event dates.

FURTHER RESOLVED, that any violations of the conditions set forth above on the July 3, 2021 and July 24, 2021 dates may result in denial of future requests for the granting of a noise variance, in addition to any criminal citation which might issue.

Minnesota United FC, represented by Zacharia Litzelswope, has requested an exemption from the sound level limitations in Chapter 293.07 in order to present amplified sound for the MNUFC v San Jose and MNUFC v Portland FC games, with limitations, from 4:30 p.m. to 7:00 p.m. with a pre-event sound check at 3:30 p.m. on July 3, 2021 and on July 24, 2021. 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