



Legislation Details (With Text)

File #: RES PH 21- 212 **Version:** 1

Type: Resolution-Public Hearing **Status:** Passed
In control: City Council
Final action: 8/25/2021

Title: Approving the applications of the Minnesota United FC for a sound level variance in order to present amplified sound on September 18, 2021, September 25, 2021 and October 9, 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. Application - MNUFC v LA Galaxy, 2. Application - MNUFC v Houston Dynamo, 3. Application MNUFC v Colorado Rapids, 4. ENS - MNUFC v LA Galaxy, 5. ENS - MNUFC v Houston Dynamo, 6. ENS - MNUFC v Colorado Rapids, 7. Map, 8. Owners' list, 9. Notice to Owners, 10. Letter to Applicant

| Date | Ver. | Action By | Action | Result |
|-----------|------|----------------|---------|--------|
| 8/27/2021 | 1 | Mayor's Office | Signed | |
| 8/25/2021 | 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 September 18, 2021, September 25, 2021 and October 9, 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 three 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 Minnesota United FC v LA Galaxy game on September 18, 2021, the MNUFC v Houston Dynamo game on September 25, 2021 and the MNUFC v Colorado Rapids game on October 9, 2021 at Allianz Field - 400 Snelling Ave. N.; and

WHEREAS, applicant has requested a variance 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 three Saturdays, September 18, 2021 for their MNUFC v LA Galaxy FC game, September 25, 2021 for the MNUFC v Houston Dynamo game and October 9, 2021 for the MNUFC v Colorado Rapids 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 Ave; 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 three variances to the Minnesota United FC, subject to the following conditions:

- 1) The Variances 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, September 18, 2021 for their MNUFC v LA Galaxy FC game, September 25, 2021 for the MNUFC v Houston Dynamo game and Saturday, October 9, 2021, for the MNUFC v Colorado Rapids game.
- 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. September 18, 2021, September 25 and October 9, 2021, the event dates.

FURTHER RESOLVED, that any violations of the conditions set forth above on the September 18, 2021, September 25, 2021 and October 9, 2021 dates may result in denial of future requests for the grant 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 LA Galaxy FC game on September 18, 2021, MNUFC v Houston Dynamo on September 25, 2021 and MNUFC v Colorado Rapids on October 9, 2021, with limitations, from 4:30 p.m. to 7:00 p.m. with a pre-event sound check at 3:30 p.m.. 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