



Legislation Details (With Text)

File #: RES PH 22- 112 **Version:** 1
Type: Resolution-Public Hearing **Status:** Passed
In control: City Council
Final action: 5/11/2022

Title: Approving the application of Metro Transit for a sound level variance in order to present amplified sound on May 14 and 15, 2022 at Cedar St Bridge over I-35E.

Sponsors: Rebecca Noecker

Indexes: Ward - 2

Code sections:

Attachments: 1. Application, 2. ENS, 3. map, 4. Owners list, 5. Notice to Owner, 6. Letter to Applicant

Date	Ver.	Action By	Action	Result
5/17/2022	1	Mayor's Office	Signed	
5/11/2022	1	City Council	Adopted	Pass

Approving the application of Metro Transit for a sound level variance in order to present amplified sound on May 14 and 15, 2022 at Cedar St Bridge over I-35E.

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, Metro Transit, represented by Michael Wnek, Principal Project Coordinator, who has been designated as the responsible person on the application, has applied for a variance, for 130 dBA at no specified distance, to present amplified sound for the Green Line Light Rail Transit Shutdown at Cedar St Bridge over I-35E.; and

WHEREAS, in order to meet required completion dates and to minimize disruption to businesses, the public and adjoining property owners, the applicant is seeking a variance on May 14 and May 15, 2022 from 7:00 a.m. to 7:00 p.m.; and

WHEREAS, if applicant is not granted a variance, applicant will not be able to operate general construction/demolition equipment and domestic power tools to do the needed repair work on the Cedar Street Bridge over I-35E; and

WHEREAS, the Department of Safety and Inspections (DSI) 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 Metro Transit, subject to the following conditions:

- 1) The variance shall be for May 14 and May 15, 2022 from 7:00 a.m. to 7:00 p.m. for the Green Line Light Rail

Transit Shutdown.

- 2) Metro Transit shall take all practical steps available to minimize the noise levels during this period which do not otherwise unduly hinder the project or unreasonably increase the costs of the project.
- 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. on May 14 and 15, 2022, the event dates.

FURTHER RESOLVED, that any violations of the conditions set forth above on the May 14 and 15, 2022 dates may result in denial of future requests for the grant of a noise variance, in addition to any criminal citation which might issue.

Metro Transit, represented by Principal Project Coordinator, Michael Wnek, has requested an exemption from the sound level limitations in Chapter 293.07 in order to present amplified sound, with limitations, from 7:00 a.m. to 7:00 p.m. on May 14 and 15, 2022. 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