



## Legislation Details (With Text)

**File #:** RES PH 23- 33 **Version:** 1

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

**In control:** City Council

**Final action:** 2/22/2023

**Title:** Approving the applications of the Minnesota United FC for sound level variance applications in order to present amplified sound on March 11, 2023 and on March 25, 2023 within the Street and the Beer Garden Area at Allianz Field - 400 Snelling Ave. N.

**Sponsors:** Russel Balenger

**Indexes:** Ward - 1

**Code sections:**

**Attachments:** 1. Application, 2. ENS#2, 3. Map, 4. Owner list, 5. Notice to Owners - Combo, 6. Letter to Applicant

Date	Ver.	Action By	Action	Result
2/24/2023	1	Mayor's Office	Signed	
2/22/2023	1	City Council	Adopted	Pass

Approving the applications of the Minnesota United FC for sound level variance applications in order to present amplified sound on March 11, 2023 and on March 25, 2023 within the Street and the Beer Garden Area at Allianz Field - 400 Snelling Ave. N.

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 Minnesota United FC v New York Red Bulls game and for the Minnesota United FC v Vancouver Whitecaps game at Allianz Field - 400 Snelling Ave. N.; and

WHEREAS, applicant has requested a variance for the hours from 4:00 p.m. to 7:30 p.m. with a pre-event sound check at 3:00 p.m. on Saturday, March 11, 2023 for the MNUFC v New York Red Bulls game and for the March 25, 2023 MNUFC v Vancouver Whitecaps 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 applications and have made recommendations regarding conditions for the variances. Now, therefore, be it

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

- 1) The Variances shall be for the hours of 4:00 p.m. to 7:30 p.m. with a pre-event sound check at 3:00 p.m. on Saturday, March 11, 2023 for the MNUFC v New York Red Bulls game and for Saturday, March 25, 2023 for the MNUFC v Vancouver Whitecaps 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 source during the hours of the variance.
- 4) All electronically powered equipment, PA systems, loudspeakers or similar devices shall be turned off no later than 7:30 p.m. on March 11, 2023, and March 25, 2023, the event dates.

FURTHER RESOLVED, that any violations of the conditions set forth above on the March 11, 2023 and March 25, 2023 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 New York Red Bulls game on Saturday, March 11, 2023, as well as for the Saturday, March 25, 2023 MN UFC v Vancouver Whitecaps game, with limitations, from 4:00 p.m. to 7:30 p.m. with a pre-event sound checks at 3:00 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