



Legislation Details (With Text)

File #: RES PH 23- 106 **Version:** 1

Type: Resolution-Public Hearing **Status:** Passed
In control: City Council
Final action: 5/10/2023

Title: Approving the application of University Club of St Paul for a sound level variance in order to present live amplified sound on Wednesdays, June 14 - August 30, 2023 at Overlook Park - 419 Summit Avenue.

Sponsors: Russel Balenger

Indexes: Ward - 1

Code sections:

Attachments: 1. The Resilience Concert Series 2023 Application, 2. ENS.1, 3. map, 4. University Club of St Paul - The Resilience Concert Series 2023.Notice to Owners, 5. Owner list, 6. University Club of St Paul - The Resilience Concert Series 2023.Letter to Applicant

Date	Ver.	Action By	Action	Result
5/11/2023	1	Mayor's Office	Signed	
5/10/2023	1	City Council	Adopted	Pass

Approving the application of University Club of St Paul for a sound level variance in order to present live amplified sound on Wednesdays, June 14 - August 30, 2023 at Overlook Park - 419 Summit Avenue. 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, University Club of St Paul, represented by Amanda Northrup, Director of Events, who has been designated as the responsible person on the application, has applied for a variance, for 100 dBA at no specified distance from the sound source at Overlook Park - 419 Summit Avenue, to present amplified sound; and

WHEREAS, applicant has requested a variance for the hours from 6:00 p.m. to 7:00 p.m., with a pre-event sound check from 5:30 p.m. to 6:00 p.m. on Wednesdays, June 14 - August 30, 2023 for University Club of St. Paul -The Resilience Concert Series 2023 events; and

WHEREAS, if applicant is not granted a variance applicant will not be able to present amplified sound at Overlook Park - 419 Summit Avenue; 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 University Club of St Paul, subject to the following conditions:

- 1) The Variance shall be for the hours of 6:00 p.m. to 7:00 p.m., with a pre-event sound check from 5:30 p.m. to 6:00 p.m. on Wednesdays, June 14 - August 30, 2023.
- 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 from 6:00 p.m. to 7:00 p.m., with a pre-event sound check from 5:30 p.m. to 6:00 p.m. on Wednesdays, June 14 - August 30, 2023.
- 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 7:00 p.m. on June 14 - August 30, 2023, the event dates.

FURTHER RESOLVED, that any violations of the conditions set forth above on the Wednesdays, June 14 - August 30, 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.

University Club of St Paul, represented by Amanda Northrup, has requested an exemption from the sound level limitations in Chapter 293.07 in order to present amplified sound, with limitations, from 6:00 p.m. to 7:00 p.m., with a pre-event sound check from 5:30 p.m. to 6:00 p.m. on Wednesdays, June 14 - August 30, 2023 at Overlook Park - 419 Summit Avenue. 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