



Legislation Details (With Text)

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

In control: City Council

Final action: 8/28/2024

Title: Approving the application of Wabasha Brewing Co for a sound level variance in order to present amplified sound on Thursday August 29, 2024 at 429 Wabasha Street South.

Sponsors: Rebecca Noecker

Indexes: Ward - 2

Code sections:

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

Date	Ver.	Action By	Action	Result
9/4/2024	1	Mayor's Office	Signed	
8/28/2024	1	City Council	Adopted	Pass

Approving the application of Wabasha Brewing Co for a sound level variance in order to present amplified sound on Thursday August 29, 2024 at 429 Wabasha Street South.

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, Wabasha Brewing Co, represented by Jason Vastine, Owner, who has been designated as the responsible person on the application, has applied for a variance, for 80 dBA at no specified distance, to present amplified sound for the Fall Music Series, at 429 Wabasha Street S; and

WHEREAS, applicant has requested a variance for the hours of 2:00 p.m. to 8:00 p.m. with a pre-event sound check at 1:30 p.m. on Thursday August 29, 2024 for the Fall Music Series; and

WHEREAS, if applicant is not granted a variance applicant will not be able to present amplified sound at 429 Wabasha Street S; 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 Wabasha Brewing Co, subject to the following conditions:

- 1) The Variance shall be for the hours of 2:00 p.m. to 8:00 p.m. with a pre-event sound check at 1:30 p.m. on Thursday August 29, 2024 for a Fall Music Series.
- 2) All electronically powered equipment used in conjunction with the event shall not exceed 80 dBA at 50 feet from all sound sources on Thursday August 29, 2024.

3) The applicant shall continuously monitor the decibel level from the variance approved distance of each noise source throughout the duration of the variance and create a report that records the decibel levels at intervals no greater than 10 minutes apart. The report shall be available for viewing by city staff, upon request.

4) All electronically powered equipment, PA systems, loudspeakers or similar devices shall be turned off no later than 8:00 p.m. on Thursday August 29, 2024.

FURTHER RESOLVED, that any violations of the conditions set forth above on the Thursday August 29, 2024 date may result in denial of future requests for the grant of a noise variance, in addition to any criminal citation which might issue.

Wabasha Brewing Co, represented by Owner, Jason Vastine, has requested an exemption from the sound level limitations in Chapter 293.07 in order to present amplified sound, with limitations, from 2:00 p.m. to 8:00 p.m. with a pre-event sound check at 1:30 p.m. on Thursday August 29, 2024. 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