



## Legislation Text

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**File #:** RES PH 19-263, **Version:** 1

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Approving the application of Minnesota United FC & Allianz Field for two sound level variances for amplified music on August 27 or August 28, 2019 for the MN United FC US Open Cup Final Game, and on September 3, 2019 for the International Soccer Friendly Event at 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, MN United FC & Allianz Field, represented by Zacharia Litzelswope, Director of Events and Guest Experiences, has applied for two variances, at a requested sound level limit of 90 decibels (dBA) at no specified distance, to present amplified music within the Street and Beer Garden area at 400 Snelling Avenue N; and

WHEREAS, applicant is seeking a variance for the hours of 4:30 p.m. until 11:00 p.m., with a pre-event sound check at 3:30 p.m. on Tuesday, August 27, or Wednesday, August 28, 2019 for the MN United FC US Open Cup Final Game and on Tuesday, September 3, 2019 for the International Soccer Friendly Event at 400 Snelling Avenue N; and

WHEREAS, if applicant is not granted a variance applicant will not be able to present amplified music within the Street and Beer Garden area at 400 Snelling Avenue N; 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 MN United FC & Allianz Field, subject to the following conditions:

- 1) The Variances shall be for the hours of 4:30 p.m. to 10:00 p.m., with a pre-event sound check at 3:30 p.m. on Tuesday, August 27, or Wednesday, August 28, 2019 and on Tuesday, September 3, 2019.
- 2) All electronically powered equipment used in conjunction with the event shall not exceed 90 dBA at 50 feet from the sound source.
- 3) The applicant shall provide personnel and equipment to for continuous sound level monitoring to ensure compliance with the sound level limit stated in condition number two (2).
- 4) All electronically powered equipment, PA systems, loudspeakers or similar devices shall be turned off no later than 10:00 p.m. on the dates of the events.

FURTHER RESOLVED, that any violations of the conditions set forth above on the first date may result in revocation of the grant of a variance for the subsequent date, in addition to any criminal citation which might issue.

MN United FC & Allianz Field has requested an exemption from the sound level limitations in Chapter 293.07 in order to present amplified music within the Street and Beer Garden area, from 4:30 p.m. to 11:00 p.m., with a pre-event sound check at 3:30 p.m. on Tuesday, August 27, or Wednesday, August 28, 2019 as well as Tuesday, September 3, 2019 for the MN United FC and Allianz Field at 400 Snelling Ave N. 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