



Legislation Text

File #: RES PH 19-357, **Version:** 1

Approving the application of Minnesota United FC & Allianz Field for two sound level variances for amplified music during the MN United FC - MLS Playoff - Semifinals on October 23 or 24, 2019, and during the MLS Playoff-Conference Finals on October 29 or 30, 2019 at 400 Snelling Avenue North. (To be withdrawn)

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 95 decibels (dBA) at no specified distance, to present amplified music in the street and/or with a DJ Booth within the Beer Garden area at 400 Snelling Avenue N; and

WHEREAS, applicant is seeking a variance for the hours of 3:00 p.m. until 10:00 p.m., on Wednesday October 23 or Thursday, October 24, 2019, at 400 Snelling Avenue N for the MN United FC - MLS Playoff Semifinals and a second for the hours of 10:00 a.m. until 9:00 p.m., with a pre-event sound check at 9:00 a.m. on Tuesday, October 29 or Wednesday, October 30, 2019 for the MLS Playoff Conference Finals; and

WHEREAS, if applicant is not granted a variance applicant will not be able to present amplified music in the street and/or DJ Booth amplified music within the 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 3:00 p.m. to 10:00 p.m., on Wednesday, October 23, or Thursday, October 24, 2019 and for the hours of 10:00 a.m. until 9:00 p.m., with a pre-event sound check at 9:00 a.m. on Tuesday, October 29 or Wednesday, October 30, 2019.
- 2) All electronically powered equipment used in conjunction with the event shall not exceed 95 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 Wednesday, October 23 or Thursday, October 24, 2019 and no later than 9:00 p.m. on Tuesday, October 29 or Wednesday, October 30, 2019, the dates of the events.

FURTHER RESOLVED, that any violations of the conditions set forth above on the event 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 in the street and/or in the DJ Booth Area within the Beer Garden area, from 3:00 p.m. to 10:00 p.m., on Wednesday, October 23, or Thursday, October 24, 2019 as well as from 10:00 a.m. until 9:00 p.m., with a pre-event sound check at 9:00 a.m. on Tuesday, October 29 or Wednesday, October 30, 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