



Legislation Text

File #: RES PH 22-182, **Version:** 1

Approving the application of the Minnesota United FC for a sound level variance in order to present amplified sound on July 20 and July 30, 2022 within the Street and the Beer Garden Area at Allianz Field - 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, 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 MNUFC v Everton FC game on July 20, 2022 and the MNUFC v Portland Timbers game on July 30, 2022 at Allianz Field - 400 Snelling Ave. N.; and

WHEREAS, applicant has requested the variances for the hours of 4:30 p.m. to 7:00 p.m. with a pre-event sound check at 3:30 p.m. on Wednesday, July 20, 2022 for the MNUFC v Everton FC game and for the hours of 11:30 a.m. to 2:00 p.m., with a pre-event sound check at 10:30 a.m. on Saturday, July 30, 2022 for the MNUFC v Portland Timbers 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 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 the Minnesota United FC, subject to the following conditions:

- 1) The Variances shall be for the hours of 4:30 p.m. to 7:00 p.m. with a pre-event sound check at 3:30 p.m. on Wednesday, July 20, 2022, and the hours of 11:30 a.m. to 2:00 p.m., with a pre-event sound check at 10:30 a.m. on Saturday, July 30, 2022.
- 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 7:00 p.m. July 20, 2022 and no later than 2:00 p.m. on July 30, 2022 the event dates.

FURTHER RESOLVED, that any violations of the conditions set forth above on July 20, 2022 and July 30, 2022 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 Everton FC game on July 20, 2022, from 4:30 p.m. to 7:00 p.m. with a pre-event sound check at 3:30 p.m. and on July 30, 2022 for the MNUFC v Portland Timbers game, from 11:30 a.m. to 2:00 p.m., with a pre-event sound check at 10:30 a.m., with limitations, 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