



Legislation Text

File #: RES PH 23-79, **Version:** 1

Approving the applications of the Minnesota United FC for sound level variance applications in order to present amplified sound on May 17, 2023, May 27 and on June 3, 2023 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 three 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 Minnesota United FC v Houston game, the Minnesota United FC v Real Salt Lake game and for the Minnesota United FC v Toronto FC game at Allianz Field - 400 Snelling Ave. N.; and

WHEREAS, applicant has requested a variance for the hours from 4:00 p.m. to 7:30 p.m. with a pre-event sound check at 3:00 p.m. on Wednesday, May 17, 2023 for the MNUFC v Houston game, Saturday, May 27 for the MN UFC v Real Salt Lake game and on June 3, 2023 for the MNUFC v Toronto FC 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 applications and have made recommendations regarding conditions for the variances. Now, therefore, be it

RESOLVED, that the Council of the City of Saint Paul hereby grants two variances to the Minnesota United FC, subject to the following conditions:

- 1) The Variances shall be for the hours of 4:00 p.m. to 7:30 p.m. with a pre-event sound check at 3:00 p.m. on Wednesday, May 17, 2023 for the MNUFC v Houston game, Saturday, May 27, 2023 for the MNUFC v Real Salt Lake game, and Saturday, June 3, 2023 for the MNUFC v Toronto FC game.
- 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 7:30 p.m. on May 17, May 27 and June 3, 2023, the event dates.

FURTHER RESOLVED, that any violations of the conditions set forth above on the May 17, 2023, May 27, 2023 and June 3, 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.

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 Houston game on Wednesday, May 17, on Saturday, May 27, 2023, for the MNUFC v Real Salt Lake, and Saturday, June 3, 2023 for the MNUFC v Toronto FC game, from 4:00 p.m. until 7:30 p.m., with a pre-event sound check at 3:00 p.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