



Legislation Text

File #: RES PH 15-350, **Version:** 1

Approving the application of Become Co/Red Bull Media House for a sound level variance, in order to allow Snowmobile Driving, Jumping, and Production beginning Wednesday, January 6 through Monday, January 11; Wednesday, January 13 through Monday, January 18; and Wednesday, January 20 through Monday, January 25 with the use of a specialized snowmobile for the Become Co/Red Bull Media House Frozen City Project. (2016 SLV #3 Event, Locations Shot 4,5, 6, 7 and 16. Noise sources will be from the specialized snowmobile at the following locations: Shot 4, Ramsey Street Hill, Shot 5, City Hall, Shot 3, Mickey's Diner, Shot 7, Cathedral Park, and Shot 1b, Smith Avenue Bridge.)

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, Become Co/Red Bull, represented by Luke Seile, Managing Partner Producer, who has been designated as the responsible person on the application, has applied for a variance for the Become Co/ Red Bull Media House Frozen City SLV #3 Event. The applicant is seeking a variance to be able to use a specialized snowmobile beginning Wednesday, January 6, 2016 through Monday, January 11, 2016; Wednesday, January 13, 2016 through Monday, January 18, 2016 and Wednesday, January 20, 2016 through Monday, January 25, 2016 to allow for set up, snowmobile driving, jumping and production. The noise source will be from the specialized snowmobile on the Shot 4, Ramsey Street Hill, Shot 5, City Hall; Shot 6, Mickey's Diner, Shot 7 at Cathedral Park and Shot 1b at the Smith Avenue Bridge locations. The applicant has indicated that the sound coming from the snowmobile will be limited to 91 dBA as measured 50 feet from the sound source; and

WHEREAS, if applicant is not granted a variance, they will not be able to operate the chillers, generators, and provide the music and announcements necessary for the event; 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 Become Co/Red Bull Media House, subject to the following conditions:

- 1) The variance shall be for the use of a specialized snowmobile beginning on Wednesday, January 6, 2016 through Monday, January 11, 2016; Wednesday, January 13, 2016 through Monday, January 18, 2016 and Wednesday, January 20, 2016 through Monday, January 25, 2016 to allow to allow for set up, snowmobile driving, jumping and production from 8:00 a.m. until 6:00 p.m., with a pre-event sound check from 7:30 a.m. until 8:30 a.m. Applicant has requested use of this specialized snowmobile SLV #3 at the following locations: Shot 4, Ramsey Street Hill, Shot 5, City Hall; Shot 6, Mickey's Diner, Shot 7 at Cathedral Park and Shot 1b at the Smith Avenue Bridge locations. The applicant has indicated that the sound coming from the specialized snowmobile will be limited to 91 dBA as measured 50 feet from the sound source.
- 2) Sound levels will not exceed 91 dBA measured 50 feet in any direction from the sound source.

3) The applicant will provide personnel and equipment to monitor snowmobile sound levels during the event, on Wednesday, January 6, 2016 through Monday, January 11, 2016; Wednesday, January 13, 2016 through Monday, January 18, 2016 and Wednesday, January 20, 2016 through Monday, January 25, 2016 to ensure compliance with these conditions.

4) All PA systems, loudspeakers or similar devices shall be turned off no later than 6:00 p.m. on January 6, 2015 through Monday, January 11, 2016, Wednesday, January 13, 2016 through Monday, January 18, 2016 and Wednesday, January 20, 2016 through Monday, January 25, 2016.

FURTHER RESOLVED, that any violation of the conditions set forth above may result in the denial of future requests for the grant of a noise variance, in addition to any criminal citation which may be issued.

Become Co/Red Bull, represented by Luke Seile, Managing Partner/ Producer, has requested an exemption from the sound level limitations in Chapter 293.07 in order to use a specialized snowmobile from January 6, 2016 through January 25, 2016. Applicant has requested the use of this specialized snowmobile at the following locations: Shot 4, Ramsey Street Hill, Shot 5, City Hall; Shot 6, Mickey's Diner, Shot 7 at Cathedral Park and Shot 1b at the Smith Avenue Bridge locations from 8:00 a.m. until 6:00 p.m., with a pre-event sound check from 7:30 a.m. until 8:30 a.m. Noise sources will be located at the above specified locations. 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