



Legislation Details (With Text)

File #: RES PH 15- 44 **Version:** 1

Type: Resolution-Public Hearing **Status:** Passed
In control: City Council
Final action: 2/18/2015

Title: Approving the application of Become Co/Red Bull for a sound level variance in order to allow Snowmobile Driving, Jumping, and Production with the use of a specialized snowmobile during various times periods from Wednesday, February 25, 2015 through Monday, March 2, 2015 for the Become Co/Red Bull Frozen City Project SLV #1 Event.

Sponsors: Dave Thune

Indexes: Ward - 2

Code sections:

Attachments: 1. Application, 2. ENS, 3. Maps, 4. Notice to District Council, 5. Notice to Property Owners, 6. List of Property Owners, 7. Letter to Applicant

Date	Ver.	Action By	Action	Result
2/20/2015	1	Mayor's Office	Signed	
2/18/2015	1	City Council	Adopted	Pass

Approving the application of Become Co/Red Bull for a sound level variance in order to allow Snowmobile Driving, Jumping, and Production with the use of a specialized snowmobile during various times periods from Wednesday, February 25, 2015 through Monday, March 2, 2015 for the Become Co/Red Bull Frozen City Project SLV #1 Event.

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 Frozen City SLV #1 Event. The applicant is seeking a variance to be able to use a specialized snowmobile beginning Wednesday, February 25, 2015 through Monday, March 2, 2015 to allow for set up, snowmobile driving, jumping and production. The noise source will be from the specialized snowmobile on the Location 2, Wabasha Street Bridge on Wednesday, February 25, 2015; Location 3, Harriet Island on Wednesday, February 25, 2015 and Thursday, February 26, 2015 and at Location 10, RiverCentre Parking Ramp, 150 Kellogg Boulevard on Monday, March 2, 2015 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, subject to the following conditions:

- 1) The variance shall be for the use of a specialized snowmobile beginning on Wednesday, February 25, 2015 through Monday, March 2, 2015 to allow for set up, snowmobile driving, jumping and production from 7:30 a.m. to 5:30 p.m. Applicant has requested use of this specialized snowmobile SLV #1 at the following locations: Location 2, Wabasha Street Bridge on Wednesday, February 25, 2015 from 8:00 a.m. until 10:00 a.m.; Location 3, Harriet Island on Wednesday, February 25, 2015 and Thursday, February 26, 2015 from 8:00 a.m. until 5:30 p.m. and at Location 10, RiverCentre Parking Ramp, 150 Kellogg Boulevard from 9:00 a.m. until 5:00 p.m.
- 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, February 25, 2015 through Monday, March 2, 2015 to ensure compliance with these conditions.
- 4) All PA systems, loudspeakers or similar devices shall be turned off no later than 5:30 p.m. on February 25, 2015 through March 2, 2015.

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 February 25, 2015 through March 2, 2015. Applicant has requested the use of this specialized snowmobile at the following locations: Location 2, Wabasha Street Bridge on Wednesday, February 25, 2015; Location 3, Harriet Island on Wednesday, February 25, 2015 and Thursday, February 26, 2015 and at Location 10, RiverCentre Parking Ramp, 150 Kellogg Boulevard on Monday, March 2, 2015 from 7:30 a.m. to 5:30 p.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