



## Legislation Details (With Text)

**File #:** RES PH 15- 349 **Version:** 1

**Type:** Resolution-Public Hearing **Status:** Passed  
**In control:** City Council  
**Final action:** 12/2/2015

**Title:** Approving the application of Become Co/Red Bull Media House for a sound level variance, in order to allow Snowmobile Driving, Jumping, and Production on Sunday, January 10th, 17th or 24th, with the use of a specialized snowmobile for the Become Co/Red Bull Media House Frozen City Project. (SLV #2 Event, Shot 8 Noise sources will be from the specialized snowmobile at the following location: Shot 8 at the Roberts Street North and State Capitol Overlook from 12th Street to University Avenue.)

**Sponsors:** Dai Thao

**Indexes:** Ward - 1

**Code sections:**

**Attachments:** 1. Application, 2. ENS, 3. Map, 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
12/4/2015	1	Mayor's Office	Signed	
12/2/2015	1	City Council	Adopted	Pass

Approving the application of Become Co/Red Bull Media House for a sound level variance, in order to allow Snowmobile Driving, Jumping, and Production on Sunday, January 10th, 17th or 24th, with the use of a specialized snowmobile for the Become Co/Red Bull Media House Frozen City Project. (SLV #2 Event, Shot 8 Noise sources will be from the specialized snowmobile at the following location: Shot 8 at the Roberts Street North and State Capitol Overlook from 12<sup>th</sup> Street to University Avenue.)

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 Media House, 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 #2 Event. The applicant is seeking a variance to be able to use a specialized snowmobile on Sunday, January 10, 2016, January 17, 2016 and/or January 24, 2016 to allow for set up, snowmobile driving, jumping and production. The noise source will be from the specialized snowmobile at the State Capitol Overlook and Robert Street North from 12<sup>th</sup> Street to University Avenue. 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 specialized snowmobile 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 on Sunday, January 10, 2016, January 17, 2016, or January 24, 2016 to allow for set up, snowmobile driving, jumping and production at the SLV #2 Event, from 8:00 a.m. to 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 at the State Capitol Overlook and Robert Street North from 12<sup>th</sup> Street to University Avenue from 8:00 a.m. until 6:00 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 Sunday, January 10, 2016, January 17, 2016 and/or January 24, 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 10, 2016, January 17, 2016 or January 24, 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 Media House, 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 on Sunday, January 10, 2016, January 17, 2016 or January 24, 2016. Applicant has requested the use of this specialized snowmobile at the following location: SLV #2 Event Shot 8, State Capitol Overlook and Robert Street North from 12<sup>th</sup> Street to University Avenue on Sunday, January 10, 2016, January 17, 2016 and/or January 24, 2016 from 8:00 a.m. to 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