

WHEREAS, Jaunae Brooks has submitted an application on behalf of the Railroader Building for an exception to the general hours of operation for the pedestrian skyway system. That application requests an exception to the general hours of operation for the portion of the skyway on both sides of bridge #15 allowing that end section of the skyway system to have the hours of 6:00AM to 8:00 PM seven days a week and

WHEREAS, Chapter 140.11 (b) of the Saint Paul Legislative Code give the Council the power to grant such exceptions; and

WHEREAS, both the Railroader Building and River Park Lofts original easement documents stipulated that the skyway system through their buildings, "shall be open for public ingress, egress and transit from 7:00 A.M. to 6:00 P.M., five days a week and closed on Saturdays and Sundays." and

WHEREAS, the easement also states, "These hours are subject to revision by mutual agreement and subject to the general power of the City to prescribe System hours by ordinance." and

WHEREAS, Railroader Building and River Park Lofts creates an end point in the skyway system and does not lead to other buildings; and

WHEREAS, the offices within the building and on the skyway level are closed outside of the proposed hours, however, there are retail/restaurant uses on the first floor with storefront access; and

WHEREAS, the City Council held a public hearing on the applications for an exception on May 3, May 17, June 7, and June 21 at which time the Council heard recommendations from the Skyway Governance Committee, the Department of Safety and Inspections, the applicant was given the opportunity to speak and public testimony was allowed; now therefore be it

RESOLVED, that the Council hereby finds that the proposed hours of operation are reasonable for the above-stated reasons and approves the alternate hours of 6:00 AM to 8:00 PM seven days a week with the following condition:

For as long as there be restaurant tenants on the first floor level, the skyway doors to the Railroader Building when locked will be able to be remotely unlocked by staff in the first floor restaurant with a "buzz in" or comparable system during their hours of operation.

Further when then granted access, the skyway shall be lit and the elevator be operable to allow customers complete access to the first floor restaurant.

And be it FURTHER RESOLVED, that the above condition must be met within 90 days. If the building cannot meet the condition within 90 days, then a representative must appear before the Council to explain why such a condition has not been met.