



Department of Safety and Inspections
Skyways
375 Jackson Street, Suite 220
Saint Paul, Minnesota 55101-1806
Phone: (651) 266-9117

DSI Staff Use Only

File number: TBD
Date Received: 4/19/19
Fee attached: paid by check

SKYWAY ORDINANCE 140.11

Exception to General Hours of Operation Application

This application must be filled out completely. The application fee of \$110.00 must be attached. In addition to The significant reasons for requesting an exception to the general hours of operation, please attach any supporting information you feel should be considered in granting this exception.

****Incomplete applications will be returned.****

1. Reason for request Attach additional sheet if necessary

BUILDING RENOVATION, CONSTRUCTION & ABATEMENT
See Attached Sheet

2. Skyway to be considered for exception to general hours of operation

City skyway number: 33, 43, 46 Crosses over street: CEDAR EAST 4th Street

Building names and addresses on each side of the skyway:

1. PIONEER PRESS 345 CEDAR STREET
2. CAPITAL CITY RAMP 50 EAST 4th STREET

Proposed alternate hours of operation: ☐ - CLOSED FOR CONSTRUCTION THROUGH

3. APPLICANT INFORMATION

Name of contact person: Tom Dillon
Building or company name: MADISON EQUITIES
Street and number: 375 JACKSON SUITE #700 WEST
City: SAINT PAUL State: MN Zip Code: _____
Phone number: (612) 388-9432 e-mail: TDILLON@McSHARRYRE.COM

4. PROPERTY OWNER(S) INFORMATION Complete only if different from applicant

Name: DEGREE OF HOUSE BUILDING LLC
Street and number: 375 JACKSON STREET SUITE 700 W

City: SAINT PAUL State: MN Zip Code: 55101
Phone number: (612) 388-9432 e-mail: TDILLON@McSHARRYRE.COM

5. ATTACHMENTS

Please include the filing fee of \$110.00, and all supporting documents required for consideration.
****Fee is not applicable at this time.****

6. APPROVAL/DENIAL

An exception to general hours of operation for skyways may be granted if, after review by the Department of Safety and Inspections, the Skyway Governance Advisory Committee and the Saint Paul City Council, it is found that the information submitted is sufficient to warrant an exception.

I, the undersigned, hereby certify that the information provided in this application is accurate.
I have read the requirements to apply for an exception to Sky ordinance 140.11.

Signature of applicant:  Date: 4/17/19

Signature of owner (if different): _____ Date: _____

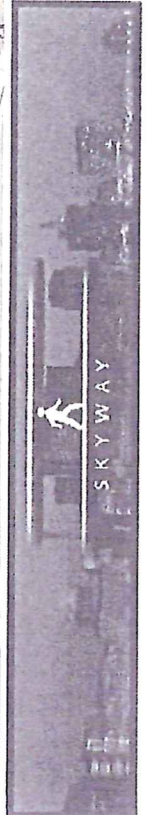
FOR DSI OFFICE USE ONLY

Date received at DSI: 4/19/19 City Staff: T. Ferrara
Date submitted to Skyway Governance Advisory Committee: 4/19/19 email by TJ
(Must be received at the City Council within thirty (30) days of this date.)
Date received at City Council: _____ by _____
Tentative Hearing Date: _____
Approval: Yes or No Resolution Date: _____
Alternate hours posted within five (5) feet of all entrances to # _____ skyway as required.
Confirmation of signage date: _____ by Inspector: _____

SAINT PAUL, MINNESOTA DOWNTOWN SKYWAY SYSTEM	
SKYWAY MAP KEY 	WAYFINDING KEY
SKYWAY HOURS OF OPERATION MONDAY - FRIDAY: 6:00 AM - 6:00 PM SATURDAY: 8:00 AM - 6:00 PM SUNDAY: 10:00 AM - 6:00 PM HOLIDAYS: 10:00 AM - 6:00 PM CLOSURES: 10:00 AM - 6:00 PM SPECIAL EVENTS: 10:00 AM - 6:00 PM MAINTENANCE: 10:00 AM - 6:00 PM CONSTRUCTION: 10:00 AM - 6:00 PM EMERGENCY: 10:00 AM - 6:00 PM OTHER: 10:00 AM - 6:00 PM	SKYWAY HOURS OF OPERATION MONDAY - FRIDAY: 6:00 AM - 6:00 PM SATURDAY: 8:00 AM - 6:00 PM SUNDAY: 10:00 AM - 6:00 PM HOLIDAYS: 10:00 AM - 6:00 PM CLOSURES: 10:00 AM - 6:00 PM SPECIAL EVENTS: 10:00 AM - 6:00 PM MAINTENANCE: 10:00 AM - 6:00 PM CONSTRUCTION: 10:00 AM - 6:00 PM EMERGENCY: 10:00 AM - 6:00 PM OTHER: 10:00 AM - 6:00 PM



SAINT PAUL, DOWNTOWN
NOTES: *Madison Equities*



DEGREE OF HONOR APATRMENT PROJECT

Exception to General Hours of Operation Application

April 17, 2019

The Owner requests consideration of zero hours of operation for the three skyways serving the Degree of Honor Building during the impending construction. It is projected that construction will be completed by March 31, 2020. The Degree of Honor contains one of the highest concentrations of Asbestos in recent memory within the State of Minnesota.

Madison Equities bases its request on these impacts:

- Economic hardship to the Owner for increased cost of construction;
- Safety of the General Public
- Safety of Workers on site
- Difficult logistics for construction and asbestos abatement
- Mandated safety practices by MN Department of Health and OSHA

Economic Hardship for Madison Equities

Should our General Contractor be compelled to maintain a corridor through the middle of the project, additional costs such as these would result:

- Additional Labor and Materials to construct, adjust a two sided corridor wall as construction progresses (cost estimated \$12,000)
- Due to the additional time for construction, additional costs for General Conditions would result. We estimate a 4-week adverse impact to the construction schedule (cost estimated \$76,940).

Safety of the General Public

The General Public would be at risk for adverse exposure to noise, dust, odors and contaminants. Failure to close the skyway section would result in liability exposure from the General Public, which is not an acceptable risk to Madison Equities.

In addition, past episodes with the Homeless population, where drug use, prostitution, vandalism and bullying of Skyway users has occurred. The temporary barriers would not stop this activity (This has also occurred in the Pioneer Press building project.)

During the abatement process on third, second, and first floors (the protective zone requirements), which will span a 1Q-week period of elapsed time, we are compelled to follow MN Department of Health rules to limit exposure. We will incur thousands of dollars in expense to protect Workers, only to expose the General Public? We must follow MDH rules to continue the abatement process.

Safety of Workers on site

In addition to the Homeless vagrancy exposure, having to shift materials and personnel and perform work in stages will create work areas with confining dimensions, compromising work speed, quality and schedule (see above).

Difficult Logistics for Abatement, Demolition and Construction

The need to maintain a skyway corridor will require demolition, abatement and construction workers to cross public paths with materials. The rebuilding process will require the same public path crossing, irrespective of the path designated within the building. This contributes to the increase costs for the Owner.

Mandated Safety Practices by MDH and OSHA

Madison Equities is compelled to maintain safe exposure zones during the pre-abatement demolition and the abatement work. As detailed earlier, the elapsed timeframe required to complete this work safely and efficiently exceed the administrative exceptions prescribed in the Skyway Ordinance. This building has one of the highest concentrations of asbestos containing materials in recent memory, according to our Abatement Contractor.

CFR1926.64 and CFR 1925.65 in OSHA Subpart D specify Environmental Controls our Contractors must follow. The closure of the skyway is a prudent step to mitigate those risks.

Precedent

In recent times, the projects at the MN Wild Practice Facility project and the Pioneer — Endicott projects have been allowed to close their skyways for the duration of their projects. We ask for similar consideration.

33- 345 CEDAR

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46

RECEIVED IN D.S.I.

APR 19 2019

PAID
4/19/19
CHECK