

## **DEGREE OF HONOR APARTMENT PROJECT**

### **Exception to General Hours of Operation Application, December 16, 2019**

The Owner requests consideration of zero hours of operation for the three skyways (#33, #43 and #46) serving the Degree of Honor Building during the current construction period. We are requesting, 1) that skyways #33 and #46 remain closed until the HVAC unit in skyway #46 be either repaired or replaced. The need has not yet been determined and the date of completion has not yet been determined. It is anticipated the date of repair/replacement completion will be known by December 24<sup>th</sup>, 2019, and 2) request to keep skyway #43 closed during construction/renovation of the Degree of Honor building. We request that skyway #43 be closed until the Degree of Honor corridor on the skyway level is completed, expected by March 1, 2020. It is projected that all construction at the Degree of Honor building will be completed by June 1, 2020.

Madison Equities bases its request on these impacts:

- Safety of the General Public

- Safety of Workers on site

- Difficult logistics for construction and skyway use

- Mandated safety practices by MN Department of Health and OSHA

#### 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 have occurred. The temporary barriers would not stop this activity.

#### 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.

#### Difficult Logistics for Abatement, Demolition and Construction

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

#### 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.