



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: 21 244511  
Date Received: 3/11/21 TF  
Fee attached: 3/12/21 ZL/tf

**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**

Major renovation of the entire building. Convert the building from office space to apartments.  
"See Attached letter"

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

City skyway number: 14 Crosses over street: N. Sibley St.

Building names and addresses on each side of the skyway:

1. Means Park Place Apts. 401 N. Sibley St.
2. Park Square Court 400 N. Sibley St.

Proposed alternate hours of operation: Closed permanently throughout construction

**3. APPLICANT INFORMATION**

Name of contact person: Ronn Tansen

Building or company name: Park Square Court

Street and number: 400 N Sibley St.

City: St. Paul State: MN Zip Code: 55101

Phone number: (612) 715-9384 e-mail: ronn@madisonequities.biz

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

Name: Madison Equities

Street and number: 375 Jackson St.

City: St. Paul State: MN Zip Code: 55101  
Phone number: (612) 715-9384 e-mail: ronu@madisonewhites.biz

#### 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: [Signature] Date: 3-11-21

Signature of owner (if different): \_\_\_\_\_ Date: \_\_\_\_\_

#### FOR DSI OFFICE USE ONLY

Date received at DSI: 3/12/21 City Staff: T. Ferrara

Date submitted to Skyway Governance Advisory Committee: est. 3/26/21 by TF  
(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: \_\_\_\_\_

## Park Square Court Apartment Project

### Exception to General Hours of Operation Application

March 10, 2021

The Owner requests consideration of zero hours of operation for skyway number 14 serving the Park Square Court Building during the impending construction. It is projected that construction will be completed by July 1, 2024.

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.
- Due to the additional time for construction, additional costs for General Conditions would result.

#### 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 and the Degree of Honor Building project.)

During the abatement process on all levels (the *protective zone requirements*), 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.

#### 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.

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, Pioneer –Endicott and the Degree of Honor projects have been allowed to close their skyways for the duration of their projects. We ask for similar consideration.