



## Legislation Text

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**File #:** RES PH 21-118, **Version:** 1

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Denying the March 11, 2021 application submitted by Ronn Jansen of Madison Equities for an exception to the general hours of operation for Pedestrian Skyway Bridge #14 which serves the Mears Park Place Apartments and Park Square Court.

WHEREAS, on March 11, 2021, Ronn Jansen submitted a request for an exception to the general hours of skyway operation, incorporated herein as Exhibit 1, on behalf of Madison Equities to the Department of Safety and Inspections (“Department”); and

WHEREAS, that application requested an exception to the general hours of operation for the skyway bridge #14 which connects Mears Park Place Apartments and Park Square Court; and

WHEREAS, the exception requested a total closure of the Skyway 14 until July 1, 2024 to the general public; and

WHEREAS, Chapter 140.10(b) of the Saint Paul Legislative Code gives the Council the power to grant such exceptions and directs that in determining whether to grant or deny the petition, the council shall consider:

- (1) Whether the portion of the skyway system petitioning for alternative hours leads to another portion of skyway system that has the general hours of operation;
  - (2) Whether security such as a metal detector or photo identification is required to gain access to the portion of the skyway system requesting the alternative hours;
  - (3) Whether there is a contract or other legal document between the property and the city outlining alternative hours that cannot be altered by ordinance;
  - (4) Whether retail or other business activities take place within the skyway system and the difficulty of closing off those business areas from the ingress/egress area;
  - (5) The reasonableness of the alternative proposed hours;
  - (6) Other logistical or financial hardship imposed on the building if it is not granted alternative hours.
- and;

WHEREAS, Chapter 140.10(b) directs that the Department forward the petition for an exception to the Skyway Governance/Advisory Committee for a recommendation and requires that the committee forward their recommendation to city council; and

WHEREAS, the Department did forward the application for an exception to the Skyway Governance/Advisory Committee for a recommendation; and

WHEREAS, on March 26, 2021, the Skyway Governance/Advisory Committee took testimony on the request which is herein attached as Exhibit 2; and

WHEREAS, on March 26, 2021, the Skyway Governance/Advisory Committee then considered the request through Resolution herein incorporated as Exhibit 3; and

WHEREAS, on March 26, 2021 the Skyway Governance/Advisory Committee Resolution recommended denial of the Skyway Hours Exception Application; and

WHEREAS, as of March 26, 2021 the Department of Safety and Inspections reported that it had not received plans for construction related to the reason for the requested closure of Skyway 14; and

WHEREAS, the Department of Safety and Inspections has also recommended denial of the application and that recommendation is herein incorporated as Exhibit 4; and

WHEREAS, the Council held a public hearing on the application for an exception on (DATE) at which time the applicant was given an 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 not reasonable for the above-stated reasons and denies the request to grant an exception to the general hours of operation for skyway #14.

A copy of this resolution as adopted, shall be sent by first class mail to the applicant.