Legislation Details (With Text)

File #:	RES PH 20-200 **Version:** 1		
Type:	Resolution-Public Hearing	**Status:**	Passed
		In control:	City Council
		Final action:	9/23/2020
Title:	Denying the June 17, 2020 application submitted by Tom Dillon of Madison Equities for an exception to the general hours of operation for Pedestrian Skyway Bridge #43 which serves the Degree of Honor Building.		
Sponsors:	Rebecca Noecker		
Indexes:			
Code sections:			
Attachments:	1. 325 Cedar St 2020-6-26 SGAC Hours Resolution, 2. Skyway #43 Exhibit 3, 3. 325 Cedar St - Degree of Honor 2020-6-17 Skyway Hours Exception App		

Date	Ver.	Action By	Action	Result
9/25/2020	1	Mayor's Office	Signed	
9/23/2020	1	City Council	Adopted	Pass

Denying the June 17, 2020 application submitted by Tom Dillon of Madison Equities for an exception to the general hours of operation for Pedestrian Skyway Bridge #43 which serves the Degree of Honor Building.

WHEREAS, on June 17, 2020 Tom Dillon submitted an application requesting extension of an exception to the general hours of skyway operation, herein attached as Exhibit 1, (“Application”) on behalf of Madison Equities to the Department of Safety and Inspections (“Department”); and

WHEREAS, under RES PH 18-236 the hours of operation for skyway #43 had been previously reduced to zero until June 1, 2019; and

WHEREAS, the reduction in hours granted under RES PH 18-236 was extended under RES PH 19-162 until December 1, 2019; and

WHEREAS, the reduction in hours granted under RES PH 19-162 extended under RES PH 20-18 until March 1, 2020; and

WHEREAS, the Application requested that the hours of operation for skyway #43 remain at zero until renovations on the skyway level are completed; and

WHEREAS, the application stated that the estimated completion date for renovations was the end of August 2020; and

WHEREAS, the application laid out the basis for the request as:

Safety of the general public.
Safety of workers on site.
Difficult logistics for construction and skyway use; 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 Application was forwarded to the Skyway Governance/Advisory Committee ("Committee") and the Committee considered the Application on June 26, 2020 and rejected it, asking that the building owner establish a reasonable corridor through the Degree of Honor building within 30 days (Exhibit 2); and

WHEREAS, on August 28, 2020 the Building Official from the City of Saint Paul contacted applicant, Tom Dillon and notified him that the previous extensions were given due to the electrical fire in the lower level and the excessive asbestos found in the building and the Building Official informed him that the City had not received a commitment for a specific date to reopen the skyway despite countless requests (Exhibit 3); 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, the Council held a public hearing on the application for an exception on September 23, 2020 at which time the applicant was given an opportunity to speak, public testimony was allowed and the Department of Safety and Inspections had no further information or recommendations; now, therefore be it

RESOLVED, that Council finds that based on the exhibits and testimony provided the request is not reasonable and there is not a sufficient basis to support further reduction in the hours of operation for skyway #43; and be it further

RESOLVED, that the request for reduced hours for skyway #43 is denied.

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