



## Legislation Text

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**File #:** RES PH 13-280, **Version:** 1

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Approving the application submitted by Gwen Shell on behalf of Macy's Retail Holdings, Inc. as Successor by Merger to May Dept. Stores, Co. for an exception to the general hours of operation for pedestrian Skyway #16.

**Amended 11/6/2013**

WHEREAS, Gwen Shell has submitted an application on behalf of Macy's at 411 Cedar Street for an exception to the general hours of operation for the pedestrian skyway system. That application requests an exception to the general hours of operation for the portion of the skyway system leading from bridge number 16, requesting that the skyway hours be reduced to zero.

WHEREAS, Chapter 140.11(b) of the Saint Paul Legislative Code give the Council the power to grant such exceptions; and

WHEREAS, the store closed on Saturday, March 16, 2013; and

WHEREAS, The pedestrian skyway system runs through the Macy's store with no barrier between the easement area and the now empty showroom floor; and

WHEREAS, if the skyway system leading from bridge number 16 were to be kept open barrier walls would be required due to the location of the easement; and

WHEREAS, the required walls would hamper egress through the showroom floor in the event of an emergency; and

WHEREAS, the required walls would not properly address life safety issues of proper sprinkler fire protection, lighting and security monitoring; and

WHEREAS, public access to the skyway system from the street level will continue to be provided at the street level within one block of Skyway 16; and

WHEREAS, the Skyway Advisory Committee considered this application and recommended approval of the proposed hours; and

WHEREAS, the Council may reconsider the exception to the general hours if the circumstances change; and

WHEREAS, the Council held a public hearing on the application for an exception on November 6, 2013, at which time the Council heard a recommendation from the Department of Safety and Inspections, 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 reasonable for the above-stated reasons and approves the reduction of hours to zero; and be it

FURTHER RESOLVED, that the Skyway Governance Committee may recommend and the Council may reconsider the exception to the general hours of operation if the circumstances that gave rise to the exception change.

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