

"ANYTHING TWO PEOPLE KNOW IS NOT A SECRET."

THE CHEYENNE HERALD

the local advocacy journal

In depth. Independent. Stories of Local Interest. Since January 2002.

November 29, 2007 ♦ Issue No. 136 ♦ Next issue December 13, 2007

Downtown Skywalk in violation of Code?

by *Dave Featherly*

The proposed skywalk between the parking garage and the Hynds Building appears to be getting ready to be built in spite of several violations of the 2003 International Building Code. Those rules are what govern the construction in the City and Laramie County.

Based upon a review by a former City of Cheyenne Chief Building Inspector and current Certified Plans Examiner, the initial presentation to City officials is in violation of several provisions of the 2003 IBC.

The drawings shown below and at the right on this page are the work of Eric Smith Associates, P.C., of Boulder, Colorado. A letter, dated May 25 2007, from architect Eric Smith to the Hynds property owner, Steve Caragol of Steamboat Springs, Colorado (which I have in my possession), refers to "preliminary concept drawings" prepared by Robert Clary, a regular trough feeder on City projects.

"With some re-design of the structural support system with masonry exterior

wall to the public walkway elevated section," Smith estimated that he believed "we should be able to construct this entire walkway for a budget of \$1,350,000, which is approximately \$400.00/square foot of elevated area."

\$400.00 per square foot of elevated area?

However, that cost, he wrote, "would exclude the cost of any site utility relocations, but should cover the hard construction costs and fees associated with the elevated walkway from the city center parking structure to Capitol Avenue."

Finally, he wrote: "This would also include three (3) connections from the alleyway portion to the Idelman Building, Wyoming Home Building, Pioneer Hotel and the Hynds Building."

Presumably he meant to the proposed Marriott Hotel (not the Pioneer Hotel, which is across the alley from the envisioned skywalk. To extend the skywalk north across the alley from the Hynds Building would make the alley impassible. That doesn't seem to be in the plans.

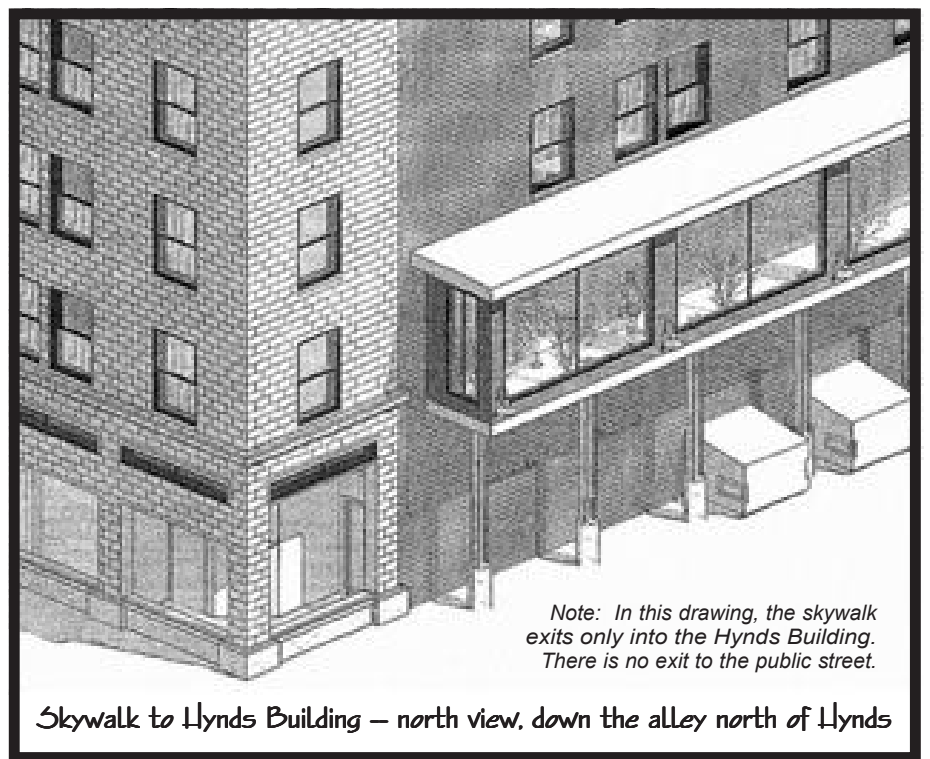
Let's see now. Idelman - that would be one. Wyoming Home, that would be two. Marriott, that would be three. And, Hynds. That would be four. Counting must not be a strong suit in Boulder public schools or wherever this architect was educated.

Let's assume that the writer meant the Marriott instead of the Pioneer and meant four instead of three.

Kind of makes one doubt the validity of costs, doesn't it?

Oh, what the hell. Maybe he had everything else right except for one hotel name and the number of connections.

After J. Greg Smith's foray into Cheyenne, we have to expect these foreigners to get things



Skywalk to Hynds Building – north view, down the alley north of Hynds

just a wee bit wrong.

You can see from the drawing above that the planned elevated tunnel is just a little wider than a traveler needs to pull his Samsonite behind him from the car to the room in the yet-to-be delivered Marriott.

But, that's the least of their problems.

While the drawing at lower left may be a little hard to decipher, the clearance to the lower deck of the skyway is 10' 9 3/4". That is ten feet, nine and three quarters inches.

According to **Section 3202.3.4 Pedestrian walkways** (in the 2003 IBC book), "The installation of a pedestrian walkway over a public right-of-way shall be subject to the approval of local authority having jurisdiction. The vertical clearance from the public right-of-way to the lowest part of a pedestrian walkway shall be 15 feet (4572 mm) minimum.

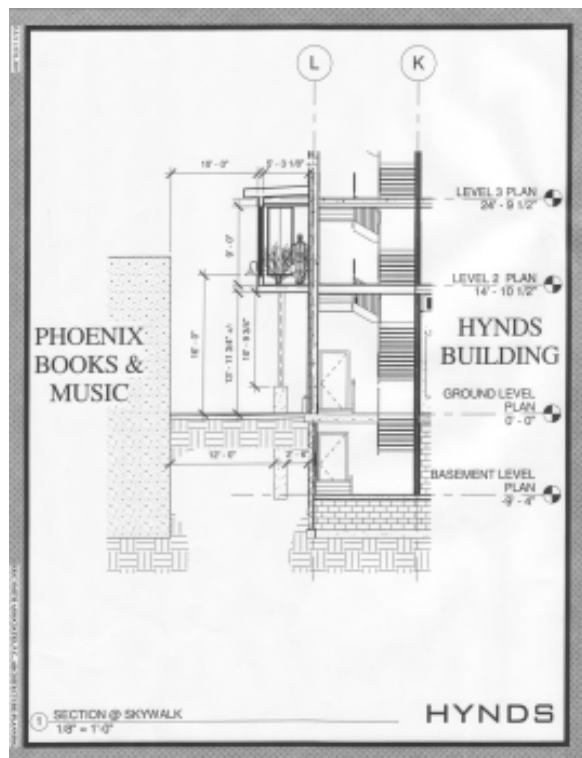
To reach that minimum would require raising the elevated walkway four feet, two and a quarter inches. That would leave

the designer with two options.

The first would be to raise the enclosure enough to obstruct the windows in the buildings (especially the Hynds, which is shown). The second would be to lower the nine (9) foot height of the skyway to a little less than five (5) feet. That probably wouldn't be approved.

Section 3014 of the 2003 IBC deals with **PEDESTRIAN WALKWAYS AND TUNNELS** and it says, in part: "This section shall apply to connections between buildings such as pedestrian walkways or tunnels, located at, above or below grade level, that are used as a means of travel by persons."

The complete text of this paragraph (**3104.5**) can be found on page 8 but what it requires, basically, is that such a skyway must have a "fire barrier wall," not only along the length of the skyway, but ten (10) feet above and below the enclosure. **3104.9** requires that "The length of exit access travel shall not exceed 200 feet (60.960 mm)." This skyway is planned to be more than 500'.



Skywalk ...

The drawing of a proposed skywalk running from the parking garage down the alley between the Hynds Building and buildings like Phoenix Books & Music and ending at Capitol Avenue shows a width of 12' between the walls of the buildings - the alley's total width.

At the height of a little less than 11', the skywalk extends into the alley more than 5' at the bottom and 6' or so at the top, which is about 23' from the ground.

This block long alley, one would think, should be accessible to ladder fire trucks and trash pickup vehicles. The maneuverability of a ladder truck would be greatly restricted with an alley opening of less than 7' the full length at 11' height.

If manned trash compactor trucks continue to be used, workers can roll the dumpsters out from under the overhang of the skywalk and load into the back of the compactor. If the City ever wants to convert to an automated system, such as the one used by Torrington, the trash container is dragged next to the truck, then up until it can be tipped. A 7' wide opening will not be sufficient and the intricacies of tipping such containers is almost certain to damage the skywalk or break the windows.

Speaking of windows -- will windows even be allowed?

Section 3104.5 Fire barriers between pedestrian walkways and buildings. Walkways shall be separated from the interior of the building by fire barrier walls with a fire-resistance rating of not less than 2 hours. This protection shall extend vertically from a point 10 feet (3048 mm) above the walkway roof surface or the connected building roof line, which is lower, down to a point 10 feet (3048 mm) below the walkway and horizontally 10 feet (3048 mm) from each side of the pedestrian walkway. Openings with the 10-foot (3048 mm) horizontal extension of the protected wall beyond the walkway shall be equipped with services providing a 3/4-hour fire protection rating in accordance with Section 715." Aarghhhh!

This means that pedestrians cannot be simply dumped into the parking garage - that the area within the structure has to have the protection stated at the end of the above paragraph.

If the plan is to construct a 5' 3 1/8" wide skywalk and the doors from the connecting buildings open into the skywalk, that would be a violation of **3104.8**, which states: "The unobstructed width of pedestrian walkways shall not be less than 36 inches (914 mm)."

If such a door was fully open, it could block the opening from an emergency exit.

If the skywalk were fully sprinkled, which could be required, the maximum expanse without exit is still only 250'. And none of the exit openings is shown to be to a public street - all empty into a private building, the Hynds, the Marriott, Wyoming Home, or the Idelman.

When will the skywalk be open and what is the plan to give only certain people access to it - in other words, employees of the adjacent properties, guests of the hotels, or customers?

Just as the parking garage itself has become a magnet for transients, this enclosed skywalk, presumably heated, lighted and dry, will provide an unexpected attraction for those homeless or aimless.

It has been said that the downtown is filthy because those assigned to clean it up are too busy cleaning up unspeakable items, waste and trash from the parking garage.

Section 3104.11 deals with ventilation: "Smoke and heat vents shall be provided for enclosed walkways and tunneled walkways ..." These vents, if on the top of the skywalk, could provide the escape for flames to reach the adjacent properties. If on the outer side, they could provide the escape to reach buildings to the north of the skywalk, like the Pioneer Hotel and Phoenix Books, etc.

Who will determine which of the 2003 International Building Codes must be complied with? City employees, of course. The same employees who decided that Mary's Bake Shoppe property had to be demolished without her knowledge, consent or right of appeal.

This is a foolish project which will benefit few people or downtown property owners. One property to benefit breached a previous agreement to lease spaces in the parking garage and another is not open and would be new to town. There are businesses that could benefit from similar unfair treatment and they've been downtown for a long time.

The Rosemary Woods missing segment of the November 19, 2007 vouchers meeting has been transcribed below. The proceeding following what appears below is on page 7.)

((Pledge of allegiance.))

Intlekofer: Approval of vouchers.

Segrave: So moved.

Brown: Seconded.

Laybourn: Mr. Chairman.

Pierson: Moved and seconded, Mr. Laybourn.

Laybourn: I observed quite a discussion going on at the other end of the dais here, about what we were doing. Could I have an explanation as to what conclusion was reached in your discussion with the Clerk and the Attorney?

Pierson: We were discussing - uh - Mr. -uh- Brown declaring a conflict and whether we would have a quorum to continue so -- that's what we discussed and once we get to moving here, I think you will see the action.

Laybourn: Well, I'm interested in the advice you received from the City Attorney.

Pierson: I didn't receive any advice from her - it was a discussion.

Laybourn: So is it your interpretation, Mr. Chairman, that we have a quorum to conduct business including Mr. Brown's voucher?

Pierson: We do at this time. Right now we do. We are waiting for any further motions. Did receive a motion for the vouchers and a second.

Brown: Mr. President.

Pierson: Mr. Brown.

Brown: I move to divide the question.

Segrave: Second.

Brown: By removing the Ameritech vouchers, page 1?

Pierson: So moved and seconded. Uh-hh - Mr. Brown, to remove your voucher, we have a, we can do that without (Note: Pick up the meeting's transcript on page 7.)

An incomplete tape was first provided to those requesting a complete tape. Only after further demand was a complete tape of the voucher meeting produced.

Water test results

About six weeks ago, a resident called about the water coming through his faucets after a water main break on the near eastside of the city.

The first complaint was that neighbors were not told in advance of the water being shut off so they could collect any amount of water for use until pipes were operational again. He had seen water department personnel shutting off the valve right in front of his house so he knew and took care of his own needs.

By the next morning, he had collected two samples of discolored water and offered them to me for viewing. I arranged to take samples of each - one a brownish color and the other with black shavings in it.

I spoke with BOPU about the basic issue of notice and we resolved how they do notify neighbors - either by going door-to-door or leaving notes on the door of someone gone or asleep if the hour is late. The notice gives an estimate of when the water will be back on and residents can decide how they want to handle the shut-off. And, while the sampling came in a manner different than they would have done it, they agreed to send the samples I had to be tested. They later informed me that they unable to conduct biological

analyses on the samples because of the containers used to hold the water.

The BOPU pointed out in their letter to me that they encourage people who have concerns about the contents of their public drinking water supply to have it tested. The water should be appropriately collected and labeled so the BOPU should be contacted to accomplish that.

While the specific levels of contaminants in the samples may not mean anything to readers, it is important to remember that, after an incident such as this one wherein the water is shut off, homeowners should flush their water lines and water heaters when water is flowing normally again.

The brownish color came from elevated levels of iron and manganese which may affect taste, odor, or color but at levels such as these for brief durations, are not harmful when consumed. The black color likely came from the residue in the homeowners hot water heater. It cleared as hot water was run into the tub the following morning. Showering in that same water may not have been as noticeable but the discoloration was present.

If in doubt regarding the taste, odor or color of your water, contact the BOPU.

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