

Moermond, Marcia (CI-StPaul)

From: Moermond, Marcia (CI-StPaul)
Sent: Friday, November 20, 2015 3:57 PM
To: 'rtzprod@gmail.com'
Cc: 'bkfrey@cbburnet.com'; 'gfabel@cbburnet.com'; Magner, Steve (CI-StPaul); Vang, Mai (CI-StPaul)
Subject: 929 W. 7th - Garden View Theater Building

Good Afternoon Mr. Ryan,

It was good to talk to you this afternoon about your plans. This email is to recap our discussion and confirm the hearing. The legislative hearing is scheduled for **Tuesday November 24, 2015** at 9 a.m. and its purpose is to consider a stay of enforcement in the ordered demolition. As the 9 a.m. hearing slot is quite full, **I am going to give you a time of 10:30 a.m. to arrive.** The hearing will be conducted **in Room 330 City Hall, 15 W. Kellogg Blvd. Saint Paul.**

At the hearing I will be discussing with you the plans for this building's rehabilitation. There are a number of conditions which will need to be met in order for the City Council to put a stay of demolition in place granting you time for the work. The conditions will include the following:

- 1) A \$5,000 performance deposit will need to be posted with the Department of Safety and Inspections by December 2, 2015. The City Code allows that the deposit can be waived in lieu of a bond. However, I will require a deposit in this case.
- 2) The annual Vacant Building Fee in the amount of \$2,025 is past due. The bill is due within 15 days of the November 18, 2015 warning. It should also be paid by December 2, 2015.
- 3) Plans will need to be developed to execute the rehabilitation. In the case of this building, architectural and structural plans will be needed. Depending on your intended use, a code analysis may need to be conducted. Your intended use may also require a parking variance. This application should be filed as soon as practicable. I believe a 4-6 week time period for the development of a scope of work is appropriate. Therefore, there will be a deadline of January 15, 2016 for all materials necessary for a plan review to be in at DSI. It is anticipated it will take DSI 4-6 weeks to complete review of the complete submitted application, which I would then estimate as March 1, 2015.
- 4) The scope of work provided should provide an estimate of costs for the work to be completed. Preferably, a sworn construction statement outlining costs could be provided to my office. Based on these estimates, I will establish the amount of financing/cash on hand you must demonstrate for the work to go forward. Pending the completion of the scope and construction statement, you must demonstrate \$150,000 in funds to do the work.
- 5) Work must be undertaken no later than April 1, 2015.
- 6) Work must be completed, as evidenced by issuance of a Certificate of Occupancy, no later than January 1, 2017.
- 7) The property must be maintained.

We spoke on the phone about how deadlines could be reinforced using the performance deposit as an incentive. There are quite a few layers in this particular project. However, right now I see only a few ways the City can enforce a punishment for failure to meet timelines. The first would be not moving forward with a stay of enforcement of the demolition order, which means the building would be demolished in the near future. The second could be forfeiture of the performance deposit. The third would be demolition of the structure for failure to meet deadlines along the way. I would like to see some consequences for failing on deadlines, short of the building's demolition. This is something we can discuss on Tuesday.

I look forward to talking with you more about this project Tuesday. Please contact Mai Vang, the Hearing Coordinator, with questions prior to our hearing. Thank you.

Sincerely,

Marcia Moermond
Legislative Hearing Officer
Saint Paul City Council