



## Legislation Details (With Text)

**File #:** RLH RR 16- 50      **Version:** 1

**Type:** Resolution LH Substantial Abatement Order      **Status:** Passed

**In control:** City Council

**Final action:** 10/26/2016

**Title:** Granting request for stay enforcement for 180 days of City Council File RLH RR 13-62 which ordered the rehabilitation or razing and the demolition of the structures at 929 SEVENTH STREET WEST within 180 days after the March 5, 2014 City Council Public Hearing. (Public hearing held October 19)

**Sponsors:** Rebecca Noecker

**Indexes:** Substantial Abatement Orders, Ward - 2

**Code sections:**

**Attachments:** 1. 929 7th St W.North-Moermond Email Chain.7-13-16, 2. 929 Seventh St W.Ryan R-R Ltr.7-20-16 #1, 3. 929 Seventh St W.Ryan R-R Ltr.7-20-16, 4. 929 7th St W.North-Moermond Email Chain.7-21-16, 5. 929 7th St W.North-Moermond Email Chain.8-5-16, 6. 929 7th St W.Sunrise Bank Letter.8-31-16, 7. 929 7th St W.Ryan Bond.9-9-16, 8. 929 7th St W.Sworn Construction Statement-Unsigned..9-9-16, 9. 929 7th St W.NorthGardenTheaterBusinessPlanUpdated.9-9-16, 10. 929 7th St W.North-Moermond Email.9-9-16, 11. 929 Seventh St W.Ryan R-R Ltr.9-15-16, 12. 929 Seventh St W.Ryan R-R Ltr.9-15-16-Revised, 13. 929 Seventh St W.Costs Spreadsheet.9-27-16, 14. 929 Seventh St W.Locus Architecture Docs-unreadable.9-27-16, 15. 929 Seventh St W.Raven Construction Work Plan.9-27-16, 16. 929 Seventh St W.Timeline of Events.9-27-16, 17. 929 Seventh St W.Ryan R-R Ltr.9-29-16, 18. 929 7th St W.Design Info.10-14-21, 19. 929 7th St W.Financials.10-13-16, 20. 929 7th St W.Work Plan-Raven.10-13-16

Date	Ver.	Action By	Action	Result
11/1/2016	1	Mayor's Office	Signed	
10/26/2016	1	City Council	Adopted	Pass
10/19/2016	1	City Council	Laid Over	Pass

Granting request for stay enforcement for 180 days of City Council File RLH RR 13-62 which ordered the rehabilitation or razing and the demolition of the structures at 929 SEVENTH STREET WEST within 180 days after the March 5, 2014 City Council Public Hearing. (Public hearing held October 19)

### **AMENDED 10-19-16**

WHEREAS, City Council File RLH RR 13-62 which ordered the rehabilitation or razing and the demolition of the structure of 929 Seventh Street West within 180 days after the March 5, 2014 City Council Public Hearing; and,

WHEREAS, the progress on this rehabilitation consists of the extensive interior demolition and clean-out which was necessary prior to construction to begin; and,

WHEREAS, City Council adopted File RLH RR 14-18 on September 24, 2014 granting a stay of enforcement of RLH RR 13-62 for 180 days; and,

WHEREAS, a request was made by owners, Ryan & Tina North (929 7th Street West LLC), to the City Council to review this case again and consider granting an additional stay of enforcement for the development of a

theater and performance space; and,

WHEREAS, the Legislative Hearing Officer considered the owner's request in the context of the following:

1. A \$5,000 performance deposit will need to be posted with the Department of Safety and Inspections by December 2, 2015;
2. The annual Vacant Building Fee in the amount of \$2,025 must 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 intended use, a code analysis may need to be conducted (intended use may also require a parking variance). This application should be filed as soon as practicable;
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. Based on these estimates, establish the amount of financing/cash on hand must be demonstrated for the work to go forward;
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; and,
7. The property must be maintained;

WHEREAS, the Legislative Hearing Officer recommended that the City Council stay enforcement of City Council File RLH RR 13-62 for a period of 180 days as the following conditions were met on Tuesday, March 8, 2016:

- 1) New bids and a new work plan consistent with the C of O Team Inspection dated April 18, 2014 were provided, including architectural drawings/plans;
- 2) Documentation of loan financing sufficient to complete the project has been demonstrated;
- 3) A \$5,000 performance deposit was posted with the Department of Safety and Inspections on December 22, 2015 (this is refundable upon completion of the project within the time allotted);
- 4) Vacant building fee payments are current; and,
- 5) The property has been maintained; now, therefore, be it

WHEREAS, another request was made by owners, Ryan & Tina North (929 7th Street West LLC), to the City Council to review this case again and consider granting an additional stay of enforcement as no rehabilitation work had taken place while they were seeking a liquor license; and

WHEREAS, the Legislative Hearing Officer is prepared to recommend that the City Council stay enforcement of City Council File No. RLH RR 13-62 for a period of 180 days if the following conditions are met by Thursday, October 14, 2016:

- 1) signed loan agreement for the rehabilitation funding to be received in Legislative Hearing Office within a week of the issuance of liquor license;
- 2) revised work plan from Raven Construction to include specific deadlines;
- 3) confirmation that the project budget includes monetary provision for storm water sewer connection, and if it does not, an amended budget will be necessary;
- 4) electrical bid and revised project budget to reflect this amount;
- 5) current floor plans;
- 6) current site plan; and
- 7) \$5,000 performance deposit, the performance bond is not acceptable in current circumstances.

WHEREAS, as the above-mentioned conditions were not addressed by October 12, 2016, the Legislative Hearing Officer's recommendation is forthcoming to grant 180 days for the rehabilitation or razing and removal of the structure at 929 Seventh Street West; Now, therefore, be it

RESOLVED, that the Saint Paul City Council hereby accepts and adopts the Legislative Hearing Officer's recommendation in this matter, granting a stay for a period of 180 days for the completion of the rehabilitation of the property; and be it further

RESOLVED, that if the necessary corrective action has not been taken within the time allotted, the Department of Safety and Inspections is authorized to take those steps necessary to raze and remove this structure and to charge the costs incurred in accordance with Saint Paul Legislative Code §45.12(4). Any personal property or fixtures of any kind shall be removed by the owners, interested parties or responsible parties prior to the demolition or it will be considered to be abandoned and the City of Saint Paul shall remove and dispose of such property as it deems appropriate; and be it

FINALLY RESOLVED that this resolution shall be served on any of the parties required to be notified in Saint Paul Legislative Code §45.12(4).