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City of Saint Paul

Legislation Details (With Text)

File #:	RES 11-77 **Version:** 2		
Type:	Resolution-Public Hearing	**Status:**	Archived
		In control:	City Council
		Final action:	1/18/2012
Title:	Ordering the rehabilitation or razing and removal of the structures at 686 BRADLEY STREET within fifteen (15) days after the February 16, 2011 City Council Public Hearing. (Public hearing held August 17, 2011; laid over from November 16)		
Sponsors:	Dave Thune		
Indexes:	Substantial Abatement Orders, Ward - 2		
Code sections:			
Attachments:	1. 686 Bradley.Hearing Notice.12.30.10.pdf, 2. 686 Bradley.Order to Abate.11-17-10.pdf, 3. 686 Bradley.Photos.9-22-10.pdf, 4. 686 Bradley.Code Compliance Report.10-17-05.pdf, 5. 686 Bradley.Code Compliance Report.11-1-07.pdf, 6. 686 Bradley St.LH Referral to HPC.1-25-11.pdf, 7. 686 Bradley St-HPC Packet 3-28-11.pdf, 8. 686 Bradley Notes 3-22-1 LH.pdf		

Date	Ver.	Action By	Action	Result
1/18/2012	2	City Council	Withdrawn	
11/16/2011	2	City Council	Laid Over	Pass
8/17/2011	2	City Council	Laid Over	Pass
2/16/2011	2	City Council	Continue Public Hearing	Pass
1/25/2011	1	Legislative Hearings	Referred	

Ordering the rehabilitation or razing and removal of the structures at 686 BRADLEY STREET within fifteen (15) days after the February 16, 2011 City Council Public Hearing. (Public hearing held August 17, 2011; laid over from November 16)

WHEREAS, the Department of Safety and Inspections has requested the City Council to hold public hearings to consider the advisability and necessity of ordering the repair or razing and removal of a two story, wood frame duplex located on property hereinafter referred to as the "Subject Property" and commonly known as 686 BRADLEY ST. This property is legally described as follows, to wit:

Sub Of And Add To Irvines Add The W 70 Ft Of Lot 9 Blk 3

WHEREAS, based upon the records in the Ramsey County Recorder's Office and information obtained by the Department of Safety and Inspections on or before August 2, 2010, the following are the now known owners, interested or responsible parties for the subject property: Deutsche Bank National Trust, c/o Chase Home Finance LLC, 10790 Rancho Bernando Rd, San Diego CA 92127-5705; Mahmood Hassan, 7735 Teal Rd, Woodbury, MN 55125; Peterson, Fram & Bergman, 55 East Fifth St, Ste 800, St Paul, MN 55101; Bank of Record, c/o Rob Lenz, 3464 Washington Drive, Ste 100, Eagan, MN 55122; Payne-Phalen District 5 Planning Council; and

WHEREAS, the Department of Safety and Inspections has notified the known owners, interested or responsible parties of the "Order to Abate Nuisance Building(s) pursuant to Saint Paul Legislative Code Chapter 45; and

WHEREAS, this order informed the interested or responsible parties that they must repair or raze and remove the structures(s) located on the Subject Property by December 17, 2010; and

WHEREAS, the enforcement officer has posted on November 18, 2010, a placard on the Subject Property declaring this building(s) to constitute a nuisance condition, subject to demolition; and

WHEREAS, this nuisance condition has not been corrected and the Department of Safety and Inspections requested the City Clerk schedule public hearings before the Legislative Hearing Officer and the Saint Paul City Council; and

WHEREAS, the interested and responsible parties have been served notice in accordance with the provisions of Chapter 45 of the Saint Paul Legislative Code, of the time, date, place and purpose of the public hearings; and

WHEREAS, a hearing was conducted before the Legislative Hearing Officer of the City of Saint Paul City Council on January 25, 2011 at which the staff put the following information into the record;

1. This is a two-story, wood frame, duplex on a lot of 2,614 square feet and has been vacant since June 10, 2005.
2. The current owner is Deutsche Bank National Trust c/o Chase Home Finance LLC per Ramsey County.
3. There have been fifteen (15) Summary Abatement Notices since 2005 and seventeen (17) Work Orders issued for: 1) boarding/securing; 2) garbage/rubbish; 3) tall grass/weeds; and 4) snow/ice.
4. On September 22, 2010, an inspection of the building was conducted, a list of deficiencies which constitute a nuisance condition was developed and photographs were taken. An Order to Abate a Nuisance Building was posted on November 17, 2010 with a compliance date of December 17, 2010. As of this date, the property remains in a condition which comprises a nuisance as defined by the legislative code.
5. The Vacant Building registration fees were paid by assessment (7/7/10).
6. Taxation has placed an estimated market value of $6,800 on the land and $43,200 on the building. Real Estate taxes for the years 2008, 2009 and 2010 are delinquent in the amount of $11,358 including penalty and interest. The property is scheduled to go tax forfeiture in 2010.
7. As of January 21, 2010, a Code Compliance Inspection has not been done and the $5,000 performance deposit has not been posted.
8. Code Enforcement officers estimate the cost to repair this structure to be between $50,000 and $60,000; estimated cost of demolition between $8,000 and $10,000.
9. PED-HPC, reported that this property is known as the Nels-Okeson house. The 1981 Inventory Form states that it's a Queen Anne style 2 1/2 story built in 1889. It's a dark red soft brick. It is ornate with a hip and gable roof, an unusual asymmetrical profile with a two-story corner bay window topped by a wood turret which is missing its spire. There is elaborate brick work and rock-faced stone sills, ornate details and carving in woodwork, beautiful stained and colored glass windows, cut out circle motif in porch, gable on south side has recessed balcony with a mounted arch, shingles on dormer. It is by far the most ornate Victorian house in the vicinity. In 1982 it was being used as a duplex but originally, used as a single-family house. It has national register and local designation potential. It is located within the upcoming survey for Payne-Phalen, so it will be re-evaluated to see if it still maintains that potential. There are a couple other houses with some of these similar architectural features in the area. Noted threat in 1981: the owner plans to paint the brick. Now, it looks as though it's been painted with a red color all over. It still has its original double leaf doors. PED-HPC is going to recommend that this building be forwarded to the HPC and/or delay a City Council decision in order for the survey findings to come forward on this property within the next few months. It is noted as a site of major significant in the final report of 1983. Railroad Island was recommended as a potential historic district. HPC staff indicate that this is the most important building slated for substantial abatement reviewed in the last year.

WHEREAS, after reviewing testimony and evidence, the Legislative Hearing Officer recommends that the Heritage Preservation Commission formally review this pending order for substantial nuisance abatement in

order that they may provide input to the City Council in its deliberation on this matter; and

WHEREAS, the Legislative Hearing Officer may make the recommendation to approve the request to order the owners, interested or responsible parties to make the Subject Property safe and not detrimental to the public peace, health, safety and welfare and remove its blighting influence on the community by rehabilitating this structure in accordance with all applicable codes and ordinances, or in the alternative by razing and removing the structure in accordance with all applicable codes and ordinances, which is to be completed within fifteen (15) days after the date of the Council Hearing; and

WHEREAS, a hearing was held before the Saint Paul City Council on February 16, 2011, and the testimony and evidence including the action taken by the Legislative Hearing Officer was considered by the Council; now, therefore, be it

RESOLVED, that based upon the testimony and evidence presented at the above referenced public hearings, the Saint Paul City Council hereby adopts the following Findings and Order concerning the Subject Property at 686 BRADLEY ST:

1. The Subject Property comprises a nuisance condition as defined in the Saint Paul Legislative Code;
2. That costs of razing and removal of this building(s) is estimated to exceed $5,000;
3. That there now exists and has existed multiple Housing or Building Code violations at the Subject Property;
4. That an Order to Abate Nuisance Building(s) was sent to the then known owners, interested and responsible parties to correct the deficiencies or to raze and remove the building(s);
5. That the deficiencies causing this nuisance condition have not been corrected;
6. That the Department of Safety and Inspections has posted a placard on the Subject Property which declares it to be a nuisance condition, subject to razing and removal;
7. That this building(s) has been routinely monitored by Department of Safety and Inspections Vacant/Nuisance Buildings staff; and
8. That the known interested parties and owners are as previously stated in this resolution and that the notification requirements of Saint Paul Legislative Code Chapter 45 have been fulfilled.

and be it

RESOLVED, that the Saint Paul City Council hereby makes the following order:

1. The above-referenced owners, interested or responsible parties shall make the Subject Property safe and not detrimental to the public peace, health, safety and welfare and remove its blighting influence on the community by rehabilitating this structure(s) and correcting all deficiencies as prescribed in the above-referenced Order to Abate Nuisance Building(s) in accordance with all applicable codes and ordinances. The rehabilitation or razing and removal of the structure must be completed within fifteen (15) days after the date of the Council Hearing;
2. If the above corrective action is not completed within this period of time, the Department of Safety and Inspections is hereby authorized to take whatever steps are necessary to raze and remove this structure, fill the site and charge the costs incurred against the Subject Property pursuant to the provisions of Chapter 45 of the Saint Paul Legislative Code;
3. In the event the building is to be razed and removed by the City of Saint Paul, all personal property or fixtures of any kind which interfere with the razing and removal shall be removed from the Subject Property by the owners or responsible parties by the end of this time period. If all personal property is not removed, it shall be considered to be abandoned and the City of Saint Paul shall remove and dispose of such property as provided by law; and
4. It is further ordered that a copy of this resolution be mailed to the owners, interested and responsible parties in accordance with Chapter 45 of the Saint Paul Legislative Code.