



Legislation Text

File #: RLH RR 19-28, **Version:** 1

Lifting the stay of enforcement of Council File No. RLH RR 19-4, an Order to Raze and Remove the Structures at 888 MARYLAND AVENUE EAST.

WHEREAS, the Saint Paul City Council ordered the demolition and removal of the structure located at 888 Maryland Avenue East within fifteen days of the passage and adoption of Resolution RLH RR 19-4; and

WHEREAS, L.H. Meltzer is the fee title owner of the property, which was being sold on a contract for deed and was of late cancelled; and

WHEREAS, L.H. Meltzer filed an appeal of the decision through a Writ of Certiorari to the Court of Appeals; and

WHEREAS, pursuant to Minn. R. Civ. P. 108, Petitioner requested a stay of the enforcement of the order to demolish the structure pending appeal; and

WHEREAS, the City Council granted a stay of enforcement with conditions in Council File RES 19-744; and

WHEREAS, the conditions upon which the stay was granted were as follows:

1. Petitioner must file a \$5,000 supersedeas bond within 5 business days of the passage and of this resolution;
2. Petitioner must maintain the property in a clean and orderly condition, and keep the structure and property secure.
3. No permits or licenses will be issued while this matter is under appeal.
4. Any change in the ownership status of the property must be promptly reported to the City.

WHEREAS, L.H. Meltzer requested that the briefing schedule on the appeal be extended in order to bring forward a proposal for the rehabilitation of the structure; and

WHEREAS, the Court of Appeals stayed the appeal while efforts were being made to resolve the status of the property; and

WHEREAS, Legislative Hearings were conducted on July 16, August 13, September 10 and October 8, 2019 in order to review 3 separate proposals for the property - the first being a partial rehabilitation to be undertaken by L.H. Meltzer, the second being a restaurant development proposal from Long Hang, a potential purchaser of the property and the third being a proposal for demolition of the structure from Kong Lee, representing Kia Lee, a potential purchaser of the property; and

WHEREAS, the 888 Maryland Avenue East property was sold on October 16, 2019 to Kia Lee whose stated intention to demolish the structure is articulated in an addendum to the September 20, 2019 Purchase Agreement for the property; and

WHEREAS, the demolition of the 888 Maryland Avenue East would abate the nuisance building conditions documented in Council File RLH RR 19-4; now, therefore, be it

RESOLVED, that the City Council lifts the Stay of Enforcement granted in Council File RES 19-744 to allow demolition-related permits to be issued by the City of Saint Paul to the property owner; and be it

RESOLVED, that the City Council grants the property owner until January 1, 2020 to complete the demolition of this property, which shall be measured by finalized demolition permits.