



Request for City Council Committee Action from the Department of Regulatory Services

Date: July 12, 2010

To: Council Member Elizabeth Glidden, Chair – Regulatory, Energy, and Environment Committee

Subject: Nuisance Condition Process Review Panel Recommendation regarding appeal of Director's Order to Raze and Remove structure located at 2728 Stevens Avenue.

Recommendation: Adopt findings of the Nuisance Condition Process Review Panel to uphold the Director's Order and demolish the property located at 2728 Stevens Avenue

Previous Directives: None

Department Information

Prepared by: Ahna Minge (673-3508)

Approved by:

Rocco Forté, Director of Regulatory Services & Emergency Preparedness

Henry Reimer, Director of Inspections

Grant Wilson, Manager, Problem Properties Unit

Presenters in Committee: Grant Wilson

Financial Impact

- Action is within the Business Plan

Community Impact

- Neighborhood Notification of NCPRP
- Consistent with City Goals

Supporting Information

This matter came before the Nuisance Condition Process Review Panel on January 14, 2010.

The property is owned by Wilson Molina. An appeal of the order to demolish was filed by Noy Oudavanh a potential buyer for the property. She states that "the property will be totally remodeled and brought back to code within [a] reasonable time frame." Ms. Oudavanh was not present at the NCPRP hearing because she was no longer interested in the property.

Mr. Molina was present at the Nuisance Condition Process Review Panel and stated that he would spend \$146,000 on the house but did not provide a detailed plan, timelines or bids.

The Nuisance Condition Process Appeal Panel voted to recommend that Council uphold the Director's Order to demolish the property.

Background

2728 Stevens Avenue is a 4-plex in the Whittier neighborhood. The two story structure was built in 1900. The building is 4,604 square feet and sits on a 5,129 square foot lot.

The property is owned by Wilson Molina. An appeal of the order to demolish was filed by Noy Oudavanh a potential buyer for the property. She states that "the property will be totally remodeled and brought back to code within [a] reasonable time frame." The appellant is not the owner of the property.

Property has been determined to be substandard. The roof needs to be replaced, as does rotting decking, flashing, and ventilation system. Repairs may require a structural engineer's report. The foundation is failing; cracks, tuckpointing, buckling and settlement to foundation must be repaired. Ceiling is failing, resulting in water intrusion into the interior. Floor decking is warped and must be replaced. Exterior steps must be replaced to be code compliant, exterior siding, soffit, fascia, trim and gutters are in disrepair and need replacement; weather-tight building envelope required. Copper is missing from the building, and there is evidence of rodent or bird intrusion. Completely new heating plant and piping must be installed, and asbestos must be abated.

The City has hired contractors to reboard the building four times, cut grass and vegetation at the property five times, and pick up rubbish four times since the property was condemned.

The property has lost its nonconforming use rights to operate as a fourplex.

In 2000 the vacant housing rate in the Whittier neighborhood was around 3%. Of the approximately 831 houses on the city's Vacant Building Registration, 16 are in the Whittier neighborhood, which has approximately 7,265 housing units.

The estimated cost to rehabilitate the building is between \$195,016.00 and \$271,336.00, based on the MEANS square footage estimate.

CPED contracted appraiser has determined the after-rehab market value to be \$260,000.

The 2009 assessed value of the property is \$125,000. The 2008 assessed value was \$284,000.

The estimated cost to demolish the structure is between \$43,800 and \$53,000.

Staff has met with the appellant. The estimate presented at that time was \$92,100 to rehabilitate the structure as a duplex. At less than half of staff's estimated cost, staff informed the appellant that they would need to submit revised plans as this was insufficient for the amount of work required on the property. Staff reminded the appellant's contractor of this over the phone. No updated plans were received.

Staff recommendation is demolition.



City of Lakes

2728 Stevens Avenue
Nuisance Condition Process Review Panel Hearing
Thursday, January 14, 2010

Appeal received	November 13, 2009
Director's Order to Demolish Sent	November 4, 2009
Building condemned for being boarded and added to Vacant Building Registry	October 16, 2006

Owner

The property is owned by Wilson Molina. An appeal of the order to demolish was filed by Noy Oudavanh a potential buyer for the property. She states that “the property will be totally remodeled and brought back to code within [a] reasonable time frame.”

Structure description

2728 Stevens Avenue is a 4-plex in the Whittier neighborhood. The two story structure was built in 1900. The building is 4,604 square feet and sits on a 5,129 square foot lot.

General condition

Property has been determined to be substandard. The roof needs to be replaced, as does rotting decking, flashing, and ventilation system; repairs may require a structural engineer's report. Foundation is failing; cracks, tuckpointing, buckling and settlement to foundation must be repaired. Ceiling is failing, resulting in water intrusion into the interior. Floor decking is warped and must be replaced. Exterior steps must be replaced to be code compliant, exterior siding, soffit, fascia, trim and gutters are in disrepair and need replacement; weather-tight building envelope required. Copper is missing from the building, and there is evidence of rodent or bird intrusion. Completely new heating plant and piping must be installed, and asbestos must be abated. There are 22 open housing orders, including orders to repair/replace windows, repair/replace doors, repair floors, repair walls, repair and refinish walls and ceilings and repair or replace cabinets and counters.

The City has hired contractors to reboard the building four times, cut grass and vegetation at the property five times, and pick up rubbish four times since the property was condemned.

The property has lost its nonconforming use rights to operate as a fourplex.

Market analysis

Vacancy Rate: In 2000 the vacant housing rate in the Whittier neighborhood was around 3%. Of the approximately 831 houses on the city's Vacant Building Registration, 16 are in the Whittier neighborhood, which has approximately 7,265 housing units.

Cost to Rehab: The estimated cost to rehabilitate the building is between \$195,016.00 and \$271,336.00, based on the MEANS square footage estimate.

After Rehab Market Value: CPED contracted appraiser has determined the after-rehab market value to be \$260,000.

Assessed Value: The 2009 assessed value of the property is \$125,000. The 2008 assessed value was \$284,000.

Cost to Demolish: The estimated cost to demolish the structure is between \$43,800 and \$53,000.

Community impact

The Whittier Alliance and the owners of properties within 350 feet of 2728 Stevens Avenue were mailed requests for a community impact statement. The department has received two responses. One states that the property has had a negative impact on the community because it has been vacant for so long, but that it should be rehabilitated because it would be more quickly utilized than a vacant lot. The other states that the property has had no impact and should be repaired.

Notification summary

The Order to Raze and Remove the Building was sent by certified mail to:

1. Wilson Molina, 3037 5th Avenue South, Minneapolis, MN 55408
2. Wilson Molina, 2840 Polk Street NE #3, Minneapolis, MN 55418

Recommendation

Demolition.