



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

Date: October 21, 2009

To: Council Member Don Samuels, Chair – Public Safety & Regulatory Services Committee

Subject: Nuisance Condition Process Review Panel Recommendation regarding appeal of Director's Order to Raze and Remove structures located at 1304 42nd Avenue North, 4201 Fremont Ave N, and 4203 Fremont Ave N.

Recommendation: Adopt findings of the Nuisance Condition Process Review Panel and uphold the Director's Order to demolish the property located at 1304 42nd Avenue North, 4201 Fremont Ave N, and 4203 Fremont Ave N.

Previous Directives: None

Department Information

Prepared by: Kellie Rose Jones – 673-3506

Approved by:

Rocco Forté, Assistant City Coordinator for Emergency Preparedness & Regulatory Services

Henry Reimer, Director of Inspections

Thomas Deegan, Manager Problem Properties Unit

Presenters in Committee: Thomas Deegan and Lee Wolf

Financial Impact

- Action is within the Business Plan

Community Impact

- Neighborhood Notification of NCRP
- Consistent with City Goals

Supporting Information

This matter came before the Nuisance Condition Process Review Panel on September 10, 2009.

Larry Reed, Esq., was present and represented Katherine Jones and Thomas Scott, the owners of the building who were also present.

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

Background

An order to demolish the property was sent on July 14, 2009. Katherine Jones filed an appeal stating "Don't agree with decision I feel like I am being forced to do what the city wants done with lot. My intention has always been to remodel both units."

The parcel located at 1304 42nd Avenue North is a 6,400 square foot lot with three structures and is located in the Webber-Camden neighborhood. 1304 42nd Ave is a 488 sq ft commercial structure built in 1914, 4201 Fremont Ave N is a 1600 sq ft commercial structure built in 1954, and 4203 Fremont Ave N is an 1165 sq ft residential structure built in 1905.

All of the structures have been determined to be substandard.

1304 42nd Ave N has a failing foundation, deteriorated siding, and sagging roof rafters. A structural engineer's analysis would be required.

4201 Fremont Ave N has a settling and bowed foundation causing the north wall of the upstairs to buckle. In addition, the roof is leaking, there is a severe mold infestation, and exterior soils are washing in through the deteriorating foundation. A structural engineer's analysis would be required.

4203 Fremont Ave N has been gutted to the studs. There is a hole in the roof due to a missing chimney, leading to significant water intrusion and rotting. The foundation is a crawlspace that does not meet the frost requirements. The structure has no floor joists or subflooring.

Property has been subject to numerous housing violations including, but not limited to 5 orders to remove rubbish during 2008, and 10 orders to cut grass/weeds throughout 2008 and 2009.

In 2008 the City of Minneapolis levied \$11,231.50 in special assessments against the property. There are currently pending assessments totaling \$854.00.

The 2009 assessed value of the property is \$145,000. The 2008 assessed value was \$160,000.

The estimated cost to rehab all three structures, based on the MEANS estimating guide, is \$178,745 – \$241,518.

- The estimated cost for 4203 Fremont is \$94,265.00 – \$119,870.
- The estimated cost for 1304 42nd Ave N is \$31,390 - \$45,298.
- The estimated cost for 4201 Fremont is \$53,090 - \$76,350.

CPED contracted appraiser estimated the after rehab market value of the property to be \$180,000.

The estimated cost to demolish the structure is between \$30,903.50 and \$37,409.50.

The Webber-Camden Neighborhood Organization and the owners of properties within 350 feet of 1304 42nd Ave N were mailed requests for a community impact statement. The department received seven in return, five of which stated the property has a negative impact. Of the remaining two, one states that the property has had a mixed impact over the years and recently it has been negative, and the other states that it has had no impact other than being an ugly building. All state that the building should be demolished.

The Preservation and Design Team staff has conducted an historic demolition review of the property. The report states that the property would not impact the City's Historic Resources and has signed the wrecking permit.



1304 42nd Avenue North
Nuisance Condition Process Review Panel Hearing
Thursday, September 10, 2009

Appeal received from Katherine Jones	July 30, 2009
Director's Order to Demolish Sent	July 14, 2009
Condemned and added to Vacant Building Registry	June 25, 2008

Owner

Katherine Jones filed an appeal stating “Don’t agree with decision I feel like I am being forced to do what the city wants done with lot. My intention has always been to remodel both units.”

Structure description

The parcel located at 1304 42nd Avenue North is a 6,400 square foot lot with three structures and is located in the Webber-Camden neighborhood. 1304 42nd Ave is a 488 sq ft commercial structure built in 1914, 4201 Fremont Ave N is a 1600 sq ft commercial structure built in 1954, and 4203 Fremont Ave N is an 1165 sq ft residential structure built in 1905.

General condition

1304 42nd Ave N has a failing foundation, deteriorated siding, and sagging roof rafters. A structural engineer’s analysis would be required.

4201 Fremont Ave N has a settling and bowed foundation causing the north wall of the upstairs to buckle. In addition, the roof is leaking, there is a severe mold infestation, and exterior soils are washing in through the deteriorating foundation. A structural engineer’s analysis would be required.

4203 Fremont Ave N has been gutted to the studs. There is a hole in the roof due to a missing chimney, leading to significant water intrusion and rotting. The foundation is a crawlspace that does not meet the frost requirements. The structure has no floor joists or subflooring.

Property has been subject to numerous housing violations including, but not limited to 5 orders to remove rubbish during 2008, and 10 orders to cut grass/weeds throughout 2008 and 2009.

In 2008 the City of Minneapolis levied \$11,231.50 in special assessments against the property. There are currently pending assessments totaling \$854.00.

Market analysis

Vacancy Rate: In 2000 the vacant housing rate in the Webber-Camden neighborhood was around 4.5%. Of the approximately 822 houses on the city's Vacant Building Registration, 24 are in the Webber-Camden neighborhood, a neighborhood of approximately 2,232 housing units.

Assessed Value: The 2009 assessed value of the property is \$145,000. The 2008 assessed value was \$160,000.

Cost to Rehab: The estimated cost to rehab all three structures, based on the MEANS estimating guide, is \$178,745 – \$241,518.

- The estimated cost for 4203 Fremont is \$94,265.00 – \$119,870.
- The estimated cost for 1304 42nd Ave N is \$31,390 - \$45,298.
- The estimated cost for 4201 Fremont is \$53,090 - \$76,350.

After Rehab Market Value: CPED contracted appraiser estimated the after rehab market value of the property to be \$180,000.

Cost to Demolish: The estimated cost to demolish the structure is between \$30,903.50 and \$37,409.50.

Community impact

The Webber-Camden Neighborhood Organization and the owners of properties within 350 feet of 1304 42nd Ave N were mailed requests for a community impact statement. The department received seven in return, five of which stated the property has a negative impact. Of the remaining two, one states that the property has had a mixed impact over the years and recently it has been negative, and the other states that it has had no impact other than being an ugly building. All state that the building should be demolished.

Architectural and historic value/designation

The Preservation and Design Team staff has conducted an historic demolition review of the property. The report states that the property would not impact the City's Historic Resources and has signed the wrecking permit.

Notification summary

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

1. Katherine Jones, 1315 17th Ave N, Minneapolis, MN 55411
2. Kemper & Associates, Inc., 721 Old Highway 8 NW, New Brighton, MN 55112

Recommendation

Demolition.