

INTRODUCED: May 11, 2020

AN ORDINANCE No. 2020-111

To declare the property known as 1201 Porter Street to be blighted property pursuant to Va. Code § 36-49.1:1 and to approve a spot blight abatement plan for such property.

Patron – Mayor Stoney

Approved as to form and legality
by the City Attorney

PUBLIC HEARING: JUN 8 2020 AT 6 P.M.

WHEREAS, in accordance with section 36-49.1:1 of the Code of Virginia (1950), as amended, the Chief Administrative Officer made a preliminary determination that the property known as 1201 Porter Street is blighted; and

WHEREAS, the City Planning Commission has determined that the property known as 1201 Porter Street is blighted, which determination along with recommendations have been submitted to the City Council as part of the City Planning Commission resolution dated May 4, 2020, a copy of which is attached to and incorporated into this ordinance; and

AYES: 8 NOES: 0 ABSTAIN: _____

ADOPTED: JUN 8 2020 REJECTED: _____ STRICKEN: _____

WHEREAS, the City Council desires to affirm the findings and recommendations of the City Planning Commission by approving and adopting the City Planning Commission resolution dated May 4, 2020, a copy of which is attached to and incorporated into this ordinance;

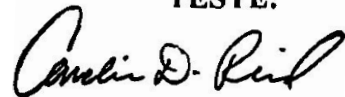
NOW, THEREFORE,

THE CITY OF RICHMOND HEREBY ORDAINS:

§ 1. That, pursuant to section 36-49.1:1 of the Code of Virginia (1950), as amended, the City Council hereby declares the property known as 1201 Porter Street and identified as Tax Parcel No. S000-0087/011 in the 2020 records of the City Assessor to be blighted and hereby affirms the findings and recommendations of the City Planning Commission by approving and adopting the City Planning Commission resolution dated May 4, 2020, a copy of which is attached to and incorporated into this ordinance.

§ 2. This ordinance shall be in force and effect upon adoption.

**A TRUE COPY:
TESTE:**

A handwritten signature in black ink that reads "Carlin D. Reil". The signature is written in a cursive style with a large initial 'C'.

City Clerk



CITY OF RICHMOND
INTRACITY CORRESPONDENCE

O & R REQUEST

2020-024
FEB 12 2020

Office of the
Chief Administrative Officer

O&R REQUEST

DATE: February 10, 2020

EDITION: 1

TO: The Honorable Members of City Council

THROUGH: The Honorable Levar M. Stoney, Mayor [Signature] 5/7/2020

THROUGH: Lenora G. Reid, Acting Chief Administrative Officer [Signature]

THROUGH: Sharon Ebert, Deputy Chief Administrative Officer Economic Development and Planning [Signature]

FROM: Mark A. Olinger, Director Planning and Development Review [Signature]

RE: To declare the property located at 1201 Porter Street Richmond, Virginia as blighted and that a public necessity exists to adopt a spot blight abatement plan and to authorize the acquisition of this property for the purpose of correcting the blighted conditions.

ORD. OR RES. No. _____

PURPOSE: Section 5-118, et seq. Richmond City Code authorizes the City to acquire or repair blighted property in accordance with the provisions enumerated therein. In order to proceed under the authorized spot blight abatement program, the local governing body must declare the property as blight and adopt a spot blight abatement plan.

REASON: The City Planning Commission has determined property located at 1201 Porter Street is blighted. In accordance with the applicable City Code, the property owners, David Williams & Elma G. Williams, were notified of the preliminary determination of blight via letter dated 12/09/2019. The owners have not corrected the building code violations nor presented a plan to the City to correct the blighted conditions.

RECOMMENDATION: Staff finds that the property at 1201 Porter Street is blighted under Richmond City Code 5-120 and finds further that:

- 1. The owner of the blighted property has failed to present or implement an acceptable blight elimination work plan;
2. The work plan presented by staff for correcting the blighted conditions is consistent with city and state laws, reasonably designed to eliminate blighting conditions, and should be implemented; and,

3. The City's work plan should be implemented as follows:
 - a. The property at 1201 Porter Street shall be acquired by the City.
 - b. The City shall either demolish the property or alternatively; renovate the property by either using contractors or by selling the property so that it is restored to a condition that it can be fully occupied.

Therefore, the City Planning Commission recommends that City Council: 1) declare the property as blighted, 2) affirm the City Planning Commission's findings that the City should acquire 1201 Porter Street, and 3) authorize the acquisition of the property for the purpose of correcting the blighted conditions.

BACKGROUND: The spot blight abatement program is designed to address individual properties that are not maintained and have deteriorated in such a manner as to negatively affect the neighborhood. Under the program, the City is authorized, pursuant to a plan approved by City Council following a public hearing, to repair or acquire a property designated as blighted under the program. The City may recover the costs of repairing the property either from the owner or from the proceeds from the sale of the property. The program allows an owner of a blighted property to avoid any repair or other action by the City if an acceptable work plan for the elimination of blighted conditions is prepared and implemented.

The property at 1201 Porter Street is a two-story residential structure of 3,456 square feet of floor area constructed in 1876. This building has been unoccupied, neglected and left in a deteriorating condition for a number of years. Since 2016, the City has issued a number of violation notices and has attempted to work with the owners to develop an acceptable plan to repair the blighting conditions at this property, but the problems persist. Due to inaction by the owners, the exterior of the property has been compromised and exposed openings have had to be boarded by the City contractor.

By letter dated 12/09/2019, the property owners David Williams & Elma G. Williams, were notified of the following specifications of blight:

- 1) Property has been vacant since 1997;
- 2) The property has been designated as a Derelict Building since 2016;
- 3) Violations at the property has been abated by city contractors on three different occasions;
- 4) The chimney in the rear has collapsed and bricks are missing from the exterior of the structure;
- 5) Extensive roof damage exists allowing infiltration of water into the structure
- 6) The headers on the structure are rotten, and mortar is loose and falling out of the joints;
- 7) Cornices are rotten and falling away from the building;
- 8) Interior of the structure has sustained long-term weather exposure;
- 9) Windows and doors are missing from the structure, and structure is open to the weather, people, and animals.

The standard for designating a property as blighted is found in Section 5-85 et seq. of the Richmond City Code. These provisions state that the "blighted" designation may be made if a property endangers the public's health, safety or welfare because the structure or improvement upon the property are dilapidated, deteriorated, or violate minimum health and safety standards.

FISCAL IMPACT / COST: Funding to acquire and/or repair blighted properties has been allocated in the Capital Budget. If the City Council agrees that acquisition is appropriate, then an appraisal will be ordered. The Department of Planning and Development Review anticipates that purchase costs will be offset by the sale of the property to a buyer capable of rehabilitating the property to a habitable condition.

FISCAL IMPLICATIONS: Rehabilitation will not only increase the value of the blighted property, but will also positively affect nearby properties.

BUDGET AMENDMENT NECESSARY: No

REVENUE TO CITY: None

DESIRED EFFECTIVE DATE: Upon Adoption

REQUESTED INTRODUCTION DATE: March 9, 2020

CITY COUNCIL PUBLIC HEARING DATE: March 23, 2020

REQUESTED AGENDA: Consent

RECOMMENDED COUNCIL COMMITTEE: Land Use, Housing and Transportation Committee meeting March 17, 2020

CONSIDERATION BY OTHER GOVERNMENTAL ENTITIES: None

AFFECTED AGENCIES: Office of Chief Administrative Officer, City Attorney's Office, Planning and Development Review

RELATIONSHIP TO EXISTING ORD. OR RES.: N/A

REQUIRED CHANGES TO WORK PROGRAM(S):

ATTACHMENTS:

1. Location Map
2. Pictures of Property (09-27-19 and 02-04-2020)

STAFF: Mark A. Olinger, Director Planning & Development Review
City Hall, Room 511, (804) 646-6305



CITY OF RICHMOND

PLANNING COMMISSION

May 4, 2020

CPCR.2020.009: RESOLUTION OF THE RICHMOND CITY PLANNING COMMISSION TO MAKE A FINDING OF BLIGHT FOR 1201 PORTER STREET AND TO RECOMMEND TO THE RICHMOND CITY COUNCIL THE ACQUISITION OF THE PROPERTY TO ELIMINATE BLIGHT

WHEREAS, the City of Richmond, pursuant to Richmond City Code Chapter 5, Article IV, Division 1, Section 5-85 et seq., provides for the City to acquire or repair any blighted property by purchase or through the exercise of the power of eminent domain, and further to hold, clear, repair, manage or dispose of such property for purposes and in a manner consistent with general law and the authority set forth in Code of Virginia § 36-49.1:1.; and

WHEREAS, the Mayor, or their designee, shall make a preliminary determination that a property is blighted property in accordance with Richmond City Code; and

WHEREAS, by letter dated December 9, 2019, the owners of record (the Owners), David Williams & Elma G. Williams, of 1201 Porter Street, (the Property) were notified of the following specifications of blight:

1. Property has been vacant since 1997;
2. The Property has been designated as a derelict building since 2016;
3. Violations at the Property have been abated by City contractors on three different occasions;
4. The chimney in the rear has collapsed and bricks are missing from the exterior of the structure;
5. Extensive roof damage exists allowing infiltration of water into the structure;
6. The headers on the structure are rotten, and mortar is loose and falling out of the joints;
7. Cornices are rotten and falling away from the building;
8. Interior of the structure has sustained long-term weather exposure;
9. Windows and doors are missing from the structure, and structure is open to the weather, people, and animals; and

WHEREAS, the owner or owners of record were notified they had 30 days from the date the notice was sent to respond in writing with a Spot Blight Abatement Plan to address the blight within a reasonable time; and

WHEREAS, the owners of record have neither corrected the building code violations nor presented a plan to the City to correct the blighted conditions; and

WHEREAS, the Mayor, or their designee, may request the City Planning Commission to hold a public hearing and make findings and recommendations that shall be reported to the City Council concerning the repair or other disposition of the Property in question; and

WHEREAS, in the event a public hearing is scheduled, the Mayor, or their designee, shall prepare a written City Blight Abatement Plan for the repair or other disposition of the Property for consideration by the City Planning Commission at a public hearing; and

WHEREAS, notice of all public hearings shall be in accordance with general law; and

WHEREAS, the City Planning Commission conducted a public hearing, noticed in accordance with general law, on May 4, 2020, for the purpose of considering a written City Blight Abatement Plan for the repair or other disposition of the Property; and

WHEREAS, the City Planning Commission received testimony from City staff regarding the blighted conditions of the Property, failure by the Owners to timely cure the blight or present a reasonable Spot Blight Abatement Plan to do so, and a City Blight Abatement Plan for the Property; and

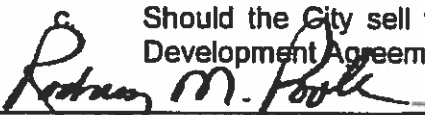
WHEREAS, the property is located within an area listed on the National Register of Historic Places and the Commission of Architectural Review voted at its regularly scheduled meeting on February 25, 2020, to encourage the preservation of the Ingram House at 1201 Porter Street using historic rehabilitation tax credits and/or the tax abatement program.

NOW, THEREFORE BE IT RESOLVED, that the City Planning Commission, after conducting the public hearing and hearing testimony from all affected parties in attendance regarding the Property, makes the following determinations per Richmond City Code Sec. 5-120:

1. The Property is blighted;
2. The owner or owners of record of the Property have failed to cure the blight or to present a reasonable Spot Blight Abatement Plan to do so to the City;
3. The City Blight Abatement Plan presented for the repair or other disposition of the Property is in accordance with the locally adopted comprehensive plan, zoning ordinances and other applicable land use regulations; and
4. The Commission of Architectural Review has been consulted, and the City Planning Commission has received and reviewed its comments. The Commission of Architectural Review voted at its regularly scheduled meeting on February 25, 2020, to encourage the preservation of the Ingram House at 1201 Porter Street using historic rehabilitation tax credits and/or the tax abatement program

BE IT FINALLY RESOLVED that, the City Planning Commission shall report its findings and recommendations to the City Council, which are as follows:

1. The Property is blighted;
2. The owners of record of the blighted Property have failed to present, or implement, an acceptable blight elimination work plan;
3. The City Blight Abatement Plan presented by staff for correcting the blighted conditions is consistent with City and State laws, reasonably designed to eliminate blighting conditions, and should be implemented; and
4. The City's Blight Abatement Plan shall be implemented as follows:
 - a. The Property at 1201 Porter shall be acquired by the City.
 - b. The City shall either demolish the Property or, alternatively, provide for renovation of the Property either by using contractors or by selling the Property so that it is restored to a condition where it can be fully occupied; and
 - c. Should the City sell the Property, that the Property shall be sold subject to a Development Agreement.


Rodney M. Poole - Chair, City Planning Commission


Matthew J. Ebinger - Secretary, City Planning Commission



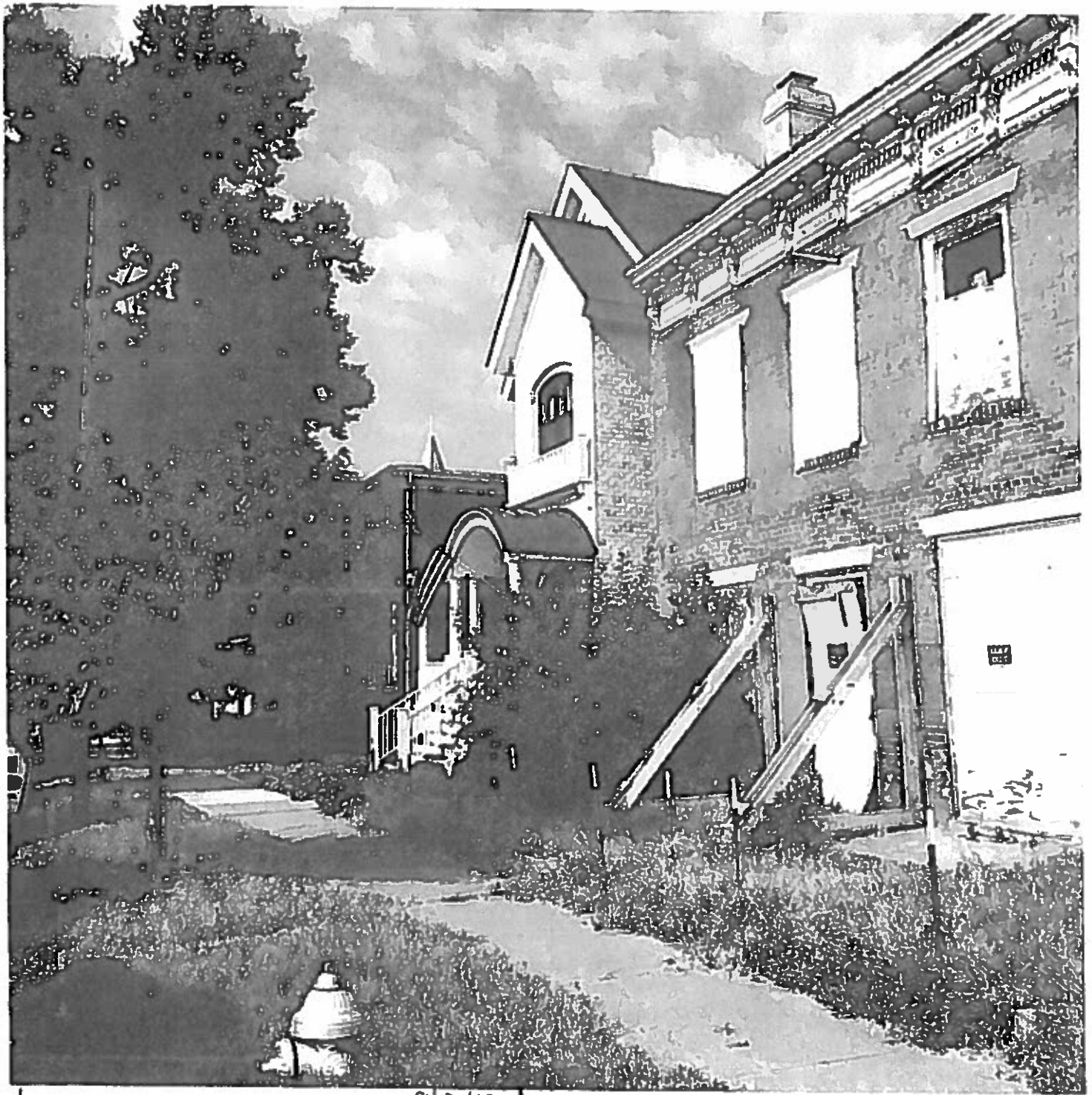
1201 Porter Street

9/27/19



1201 Porter Street

9/27/19



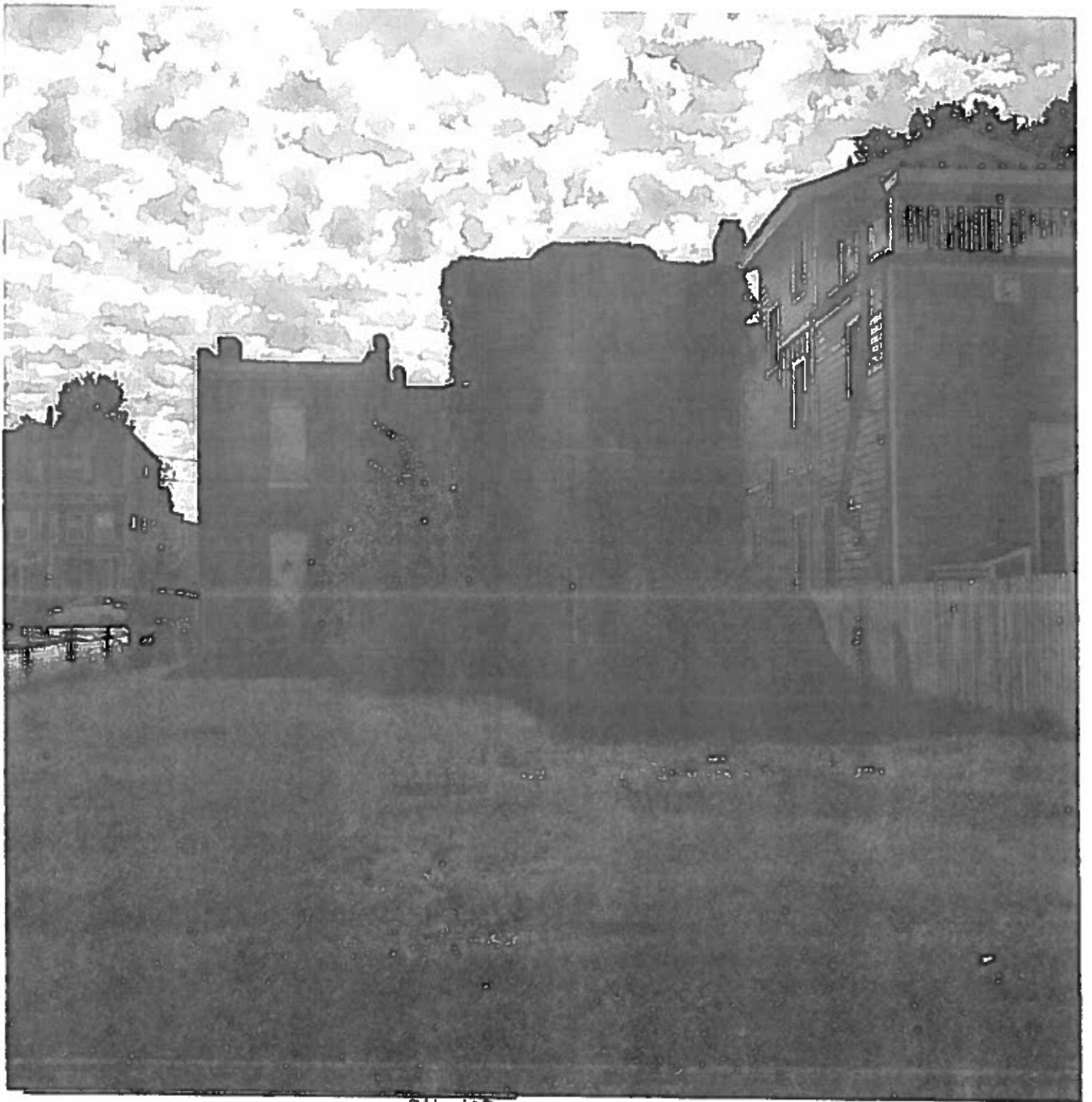
1201 Porter Street

9/27/19



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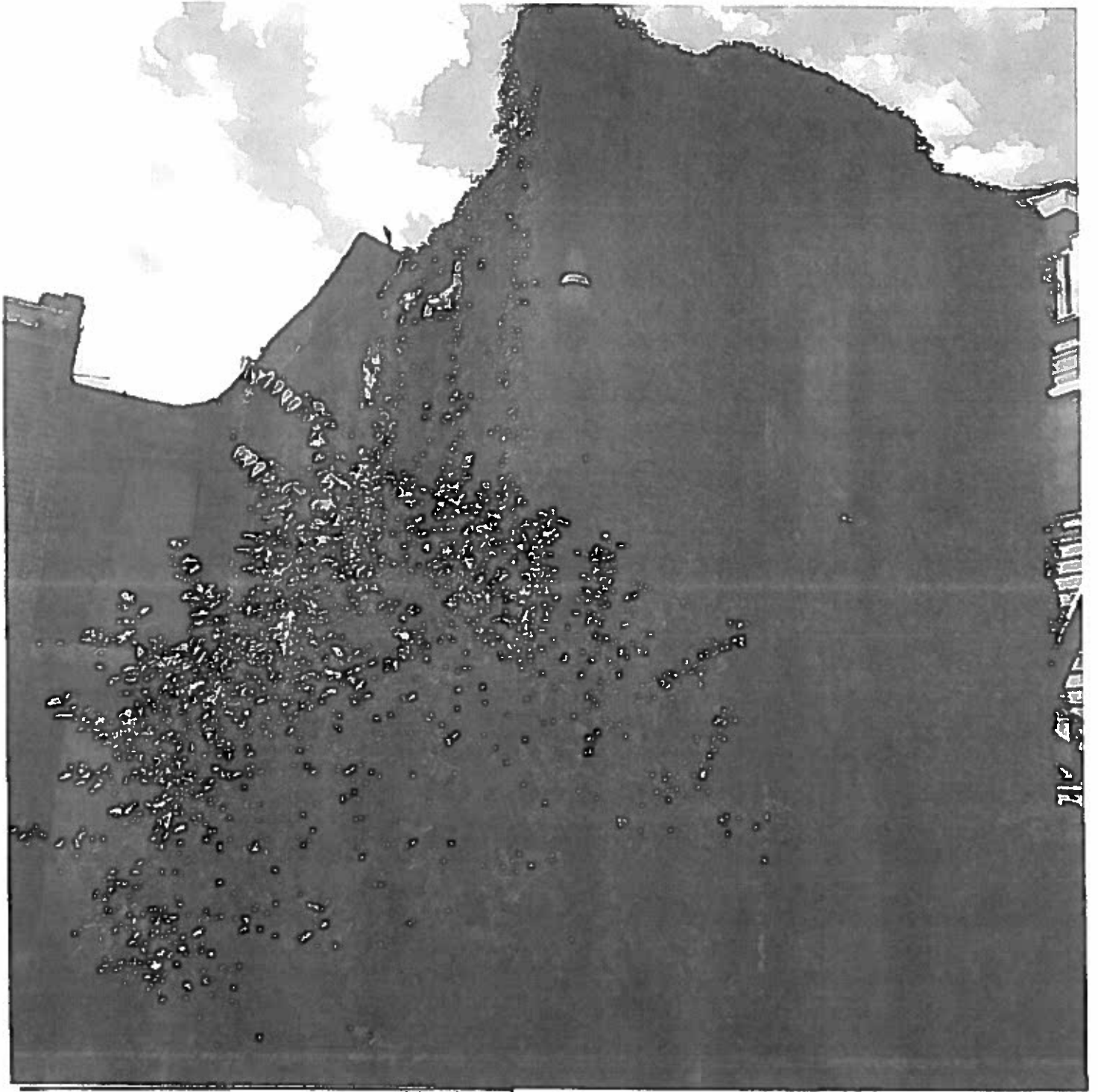
1201 Porter Street

9/27/19



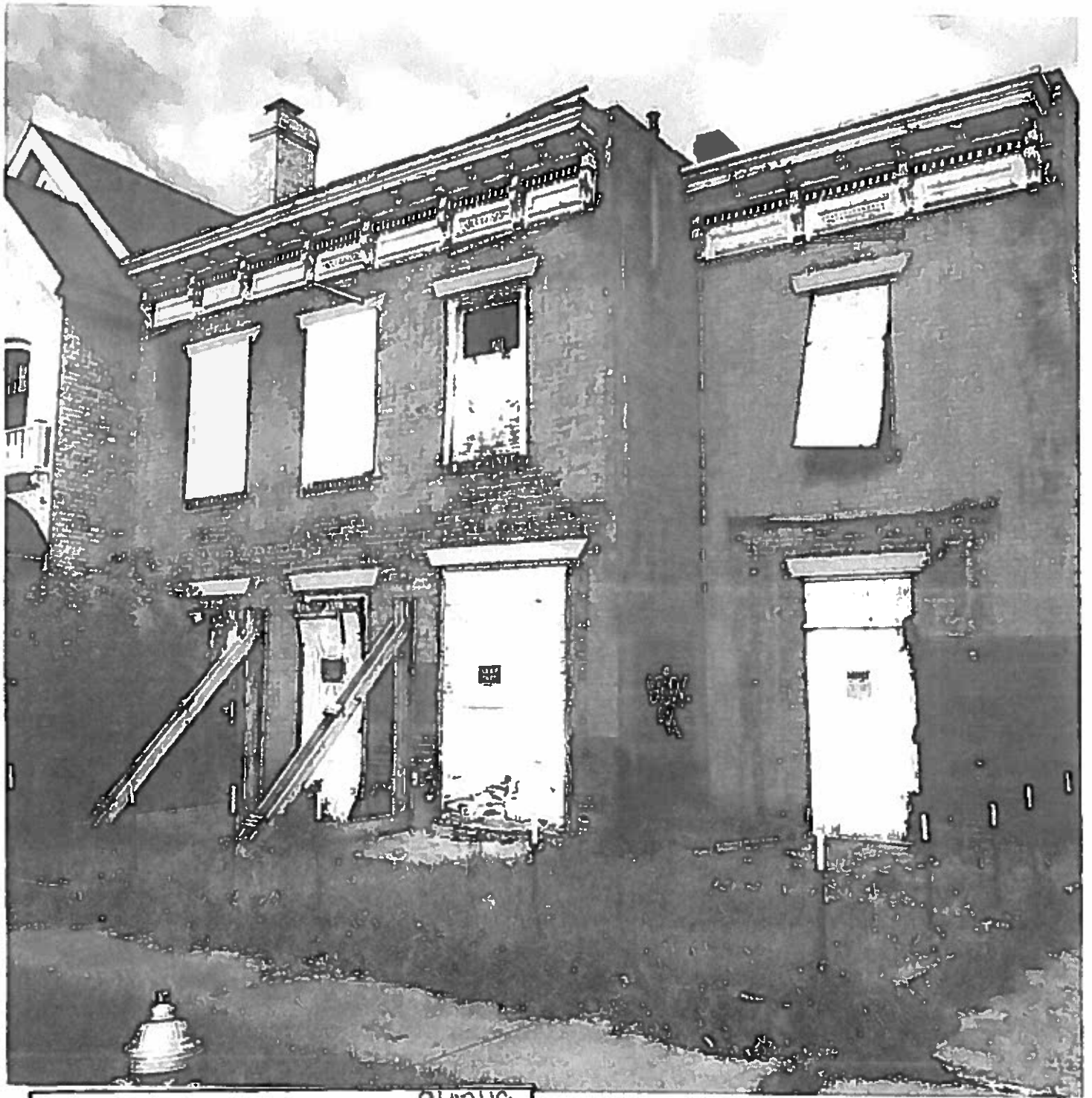
1201 Porter Street

9/27/19



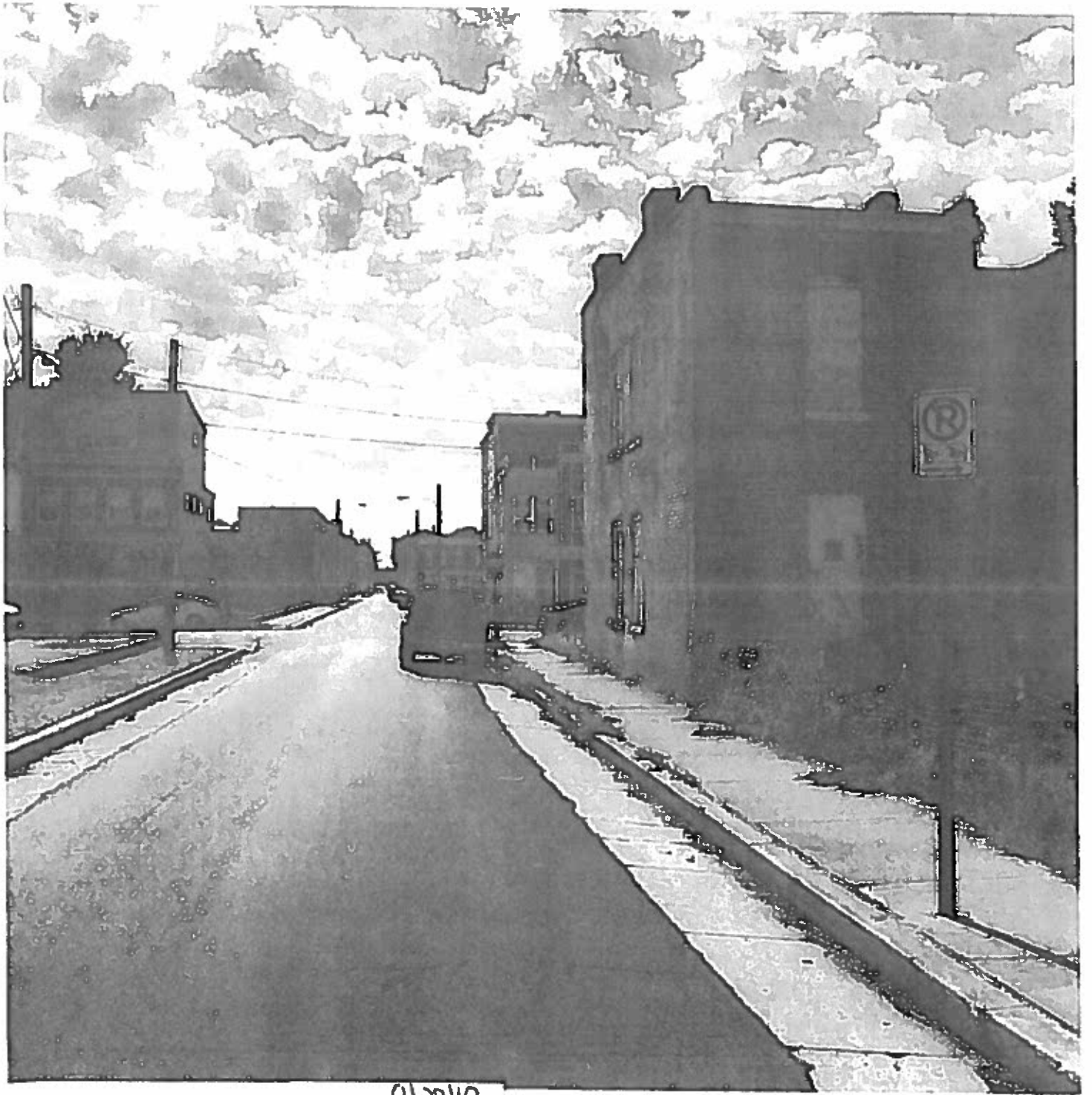
1201 Porter Street

9/27/19



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1201 Porter Street

9/27/19

1201 Porter Street

Photos Taken February 4, 2020

Department of Planning & Development Review
Property Maintenance Code Enforcement

