



**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