

INTRODUCED: May 11, 2020

AN ORDINANCE No. 2020-124

To declare that a public necessity exists and to authorize the acquisition by gift, purchase, condemnation, or otherwise of the property known as 1201 Porter Street for the public purpose of implementing a Spot Blight Abatement Plan adopted in accordance with Va. Code § 36-49.1:1 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 the opinion of the City Council, a public necessity exists for the acquisition of the property known as 1201 Porter Street for the purpose of implementing a Spot Blight Abatement Plan adopted in accordance with section 36-49.1:1 of the Code of Virginia (1950), as amended, for such property and as shown on a map entitled “Spot Blight Property Acquisition Map” and prepared by the Department of Planning and Development Review;

NOW, THEREFORE,

THE CITY OF RICHMOND HEREBY ORDAINS:

AYES: 8 NOES: 0 ABSTAIN: _____

ADOPTED: JUN 8 2020 REJECTED: _____ STRICKEN: _____

§ 1. That a public necessity exists for the acquisition of the property known as 1201 Porter Street and identified as Tax Parcel No. S000-0087/011 in the 2020 records of the City Assessor, as shown on a map entitled “Spot Blight Property Acquisition Map” prepared by the Department of Planning and Development Review, and undated, a copy of which is attached to this ordinance, for the public purpose of implementing a Spot Blight Abatement Plan adopted in accordance with section 36-49.1:1 of the Code of Virginia (1950), as amended, for such property.

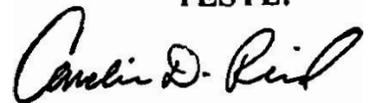
§ 2. That the Chief Administrative Officer or the designee thereof is hereby authorized and directed to, within the constraints imposed by this ordinance, (i) acquire, by gift, purchase, condemnation or otherwise, the aforementioned property, (ii) act for and on behalf of the City of Richmond in agreeing or disagreeing with the owners of the property from whom such property must be acquired upon the compensation to be paid therefor, and (iii) to execute the deeds and other documents necessary to complete the acquisition and acceptance of such property provided that all such deeds and other documents first must be approved as to form by the City Attorney or the designee thereof.

§ 3. That in the event the City cannot agree with any owner of such property to be acquired pursuant to this ordinance on the terms of purchase thereof, the City Attorney is authorized to acquire such property by undertaking appropriate condemnation proceedings to exercise the City’s power of eminent domain for the purpose of implementing a Spot Blight Abatement Plan adopted in accordance with section 36-49.1:1 of the Code of Virginia (1950), as amended, for such property.

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

A TRUE COPY:

TESTE:



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 programs 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



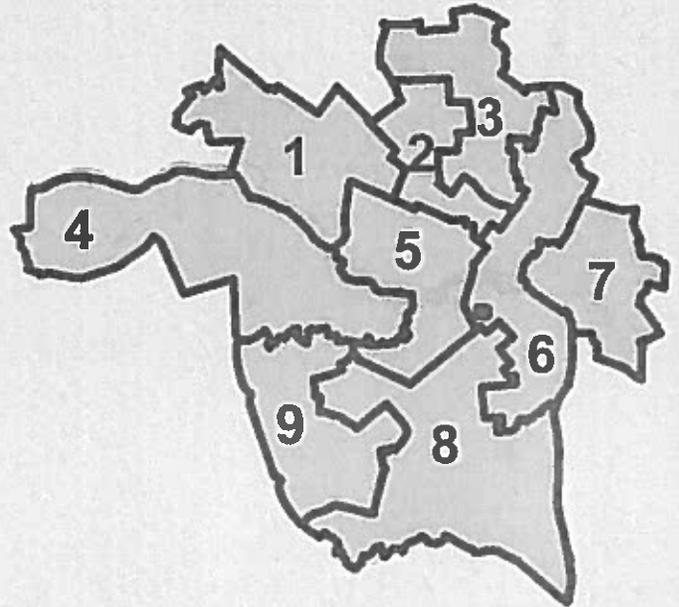
LOCATION: 1201 Porter Street

APPLICANT: Mark A. Olinger

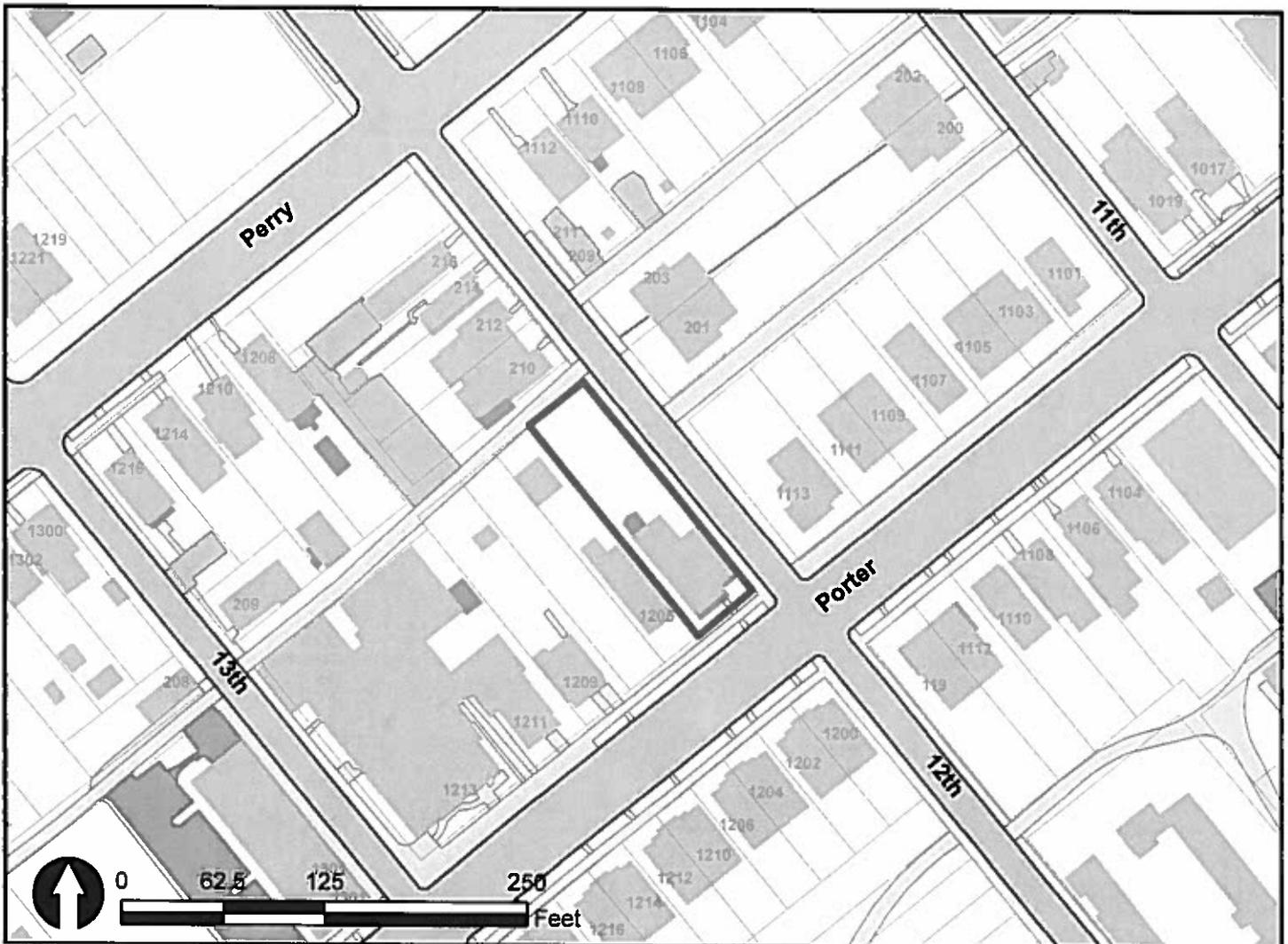
COUNCIL DISTRICT: 6

PROPOSAL: To declare the property located at 1201 Porter Street Richmond VA 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.

*For questions, please contact Mark A. Olinger
at 804-646-6305 or mark.olinger@richmondgov.com*



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1201 Porter Street

9/27/19



1201 Porter Street

9/27/19



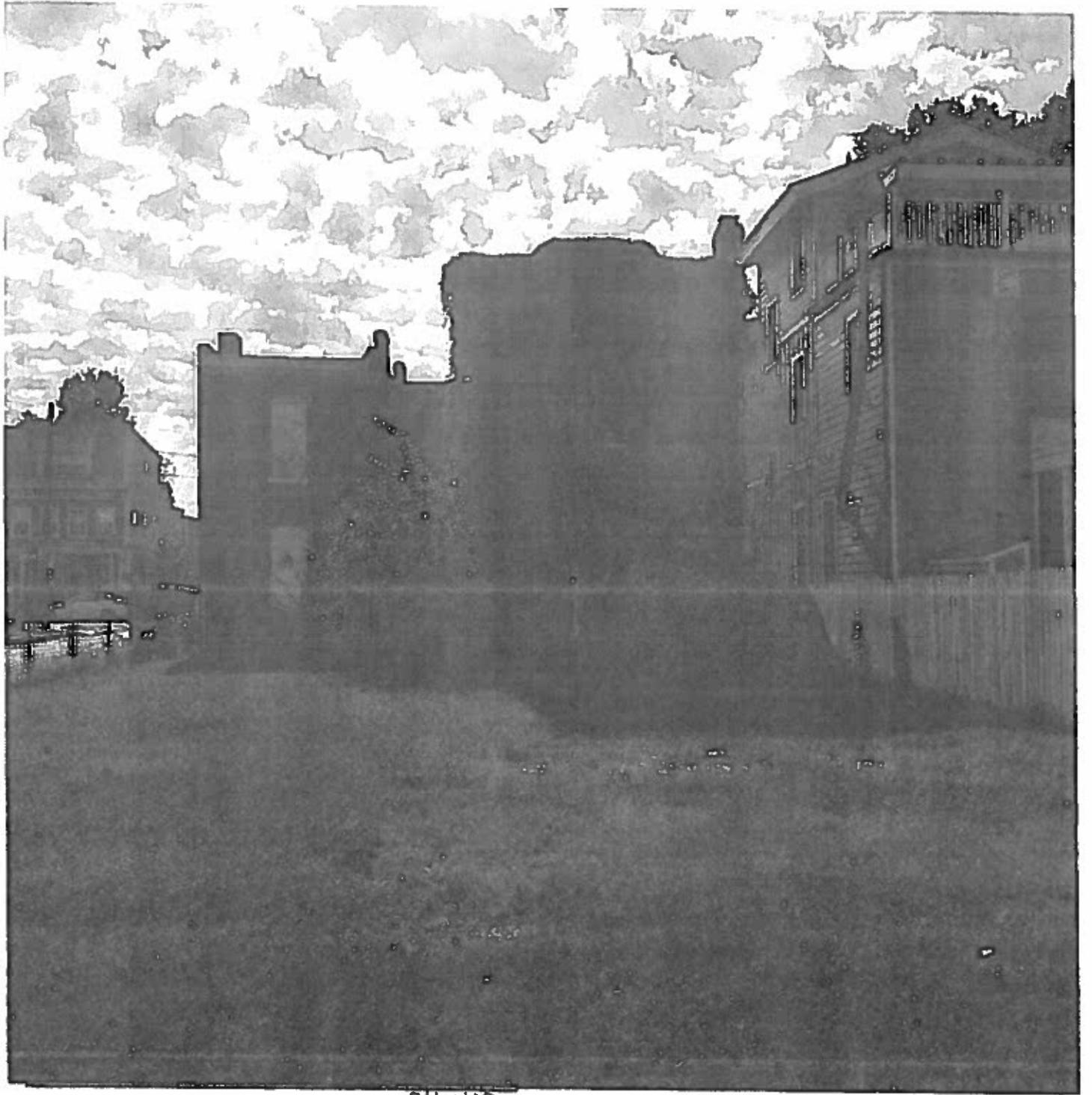
1201 Porter Street

9/27/19



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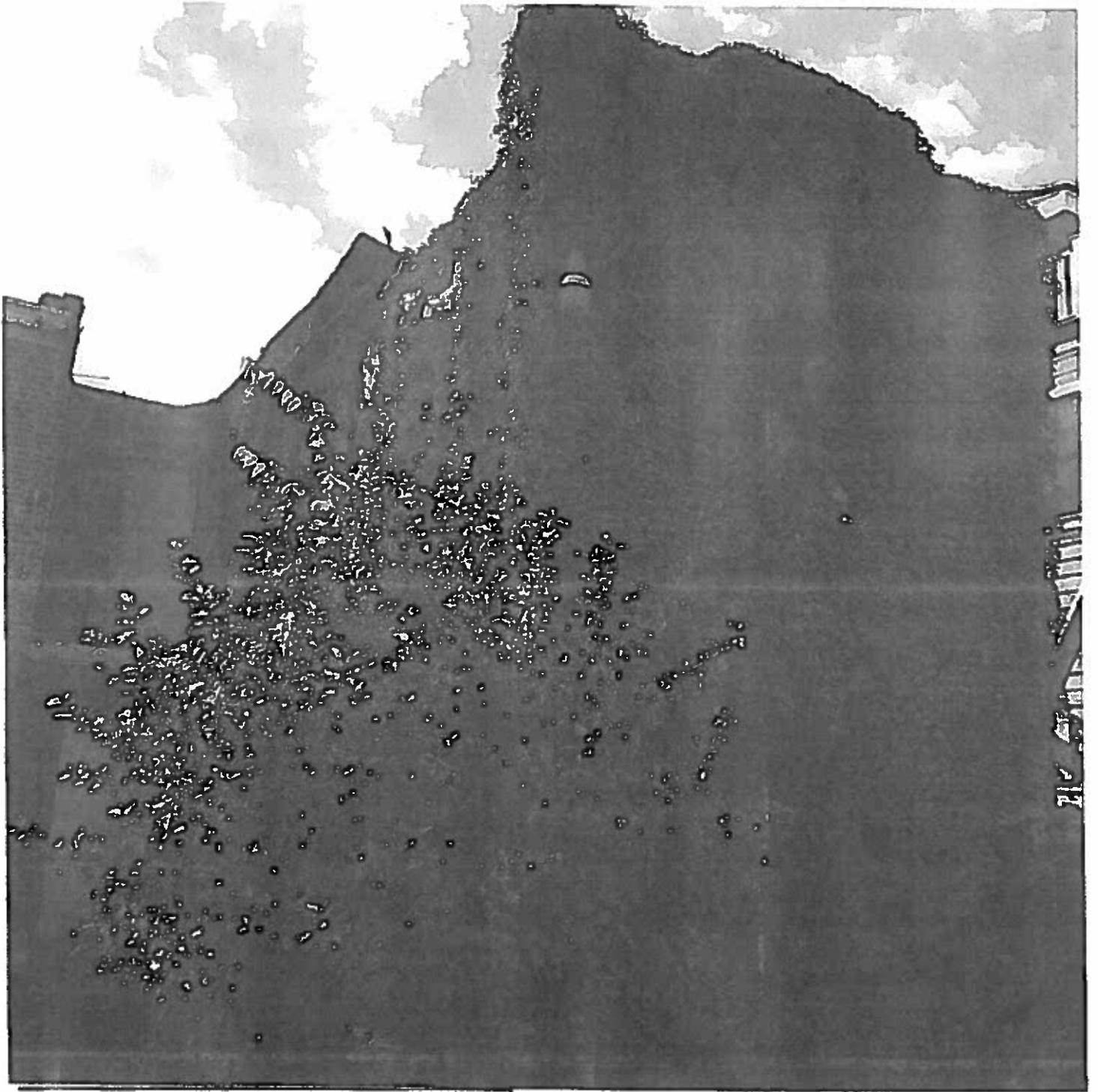
1201 Porter Street

9/27/19



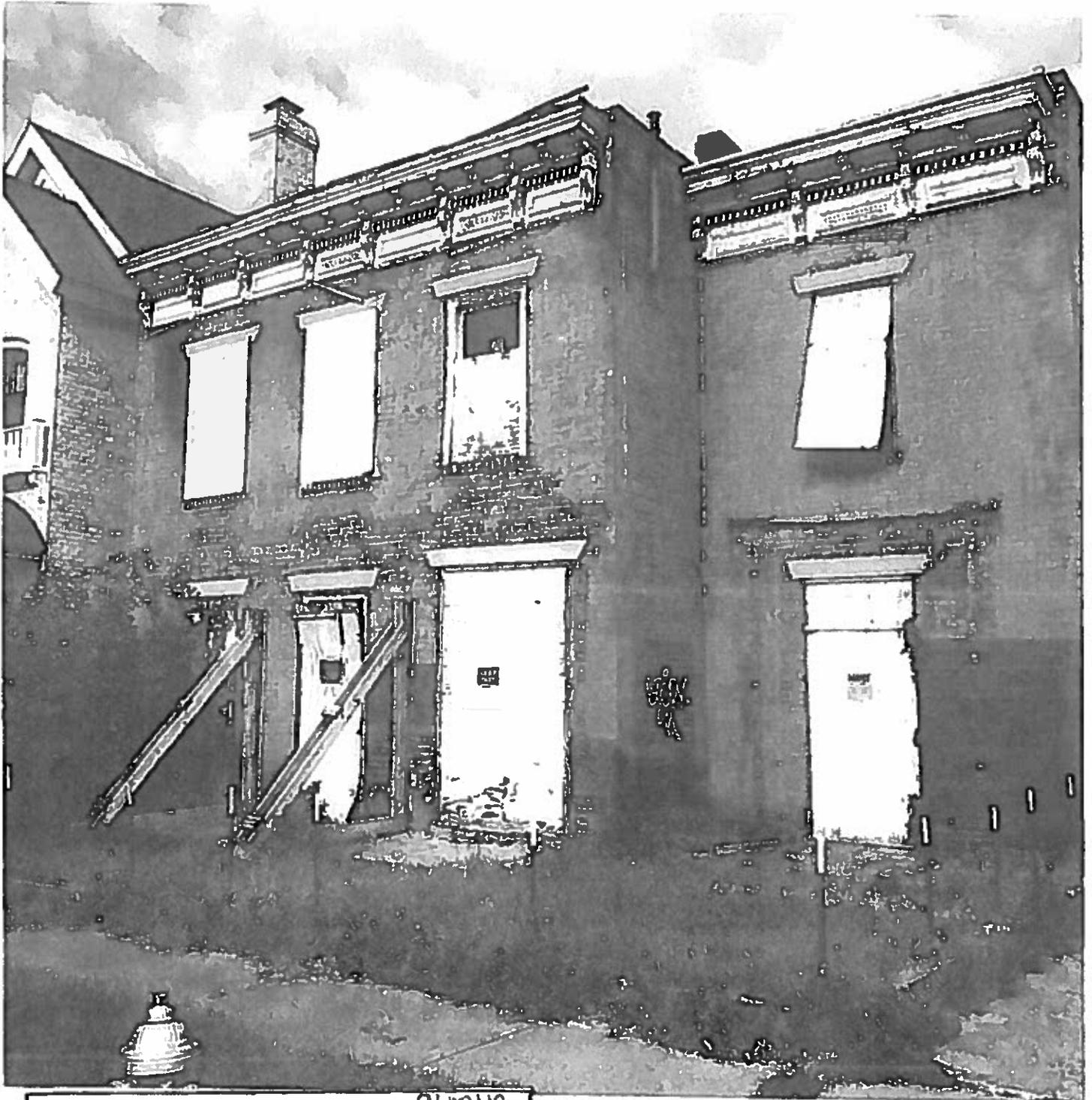
1201 Porter Street

9/27/19

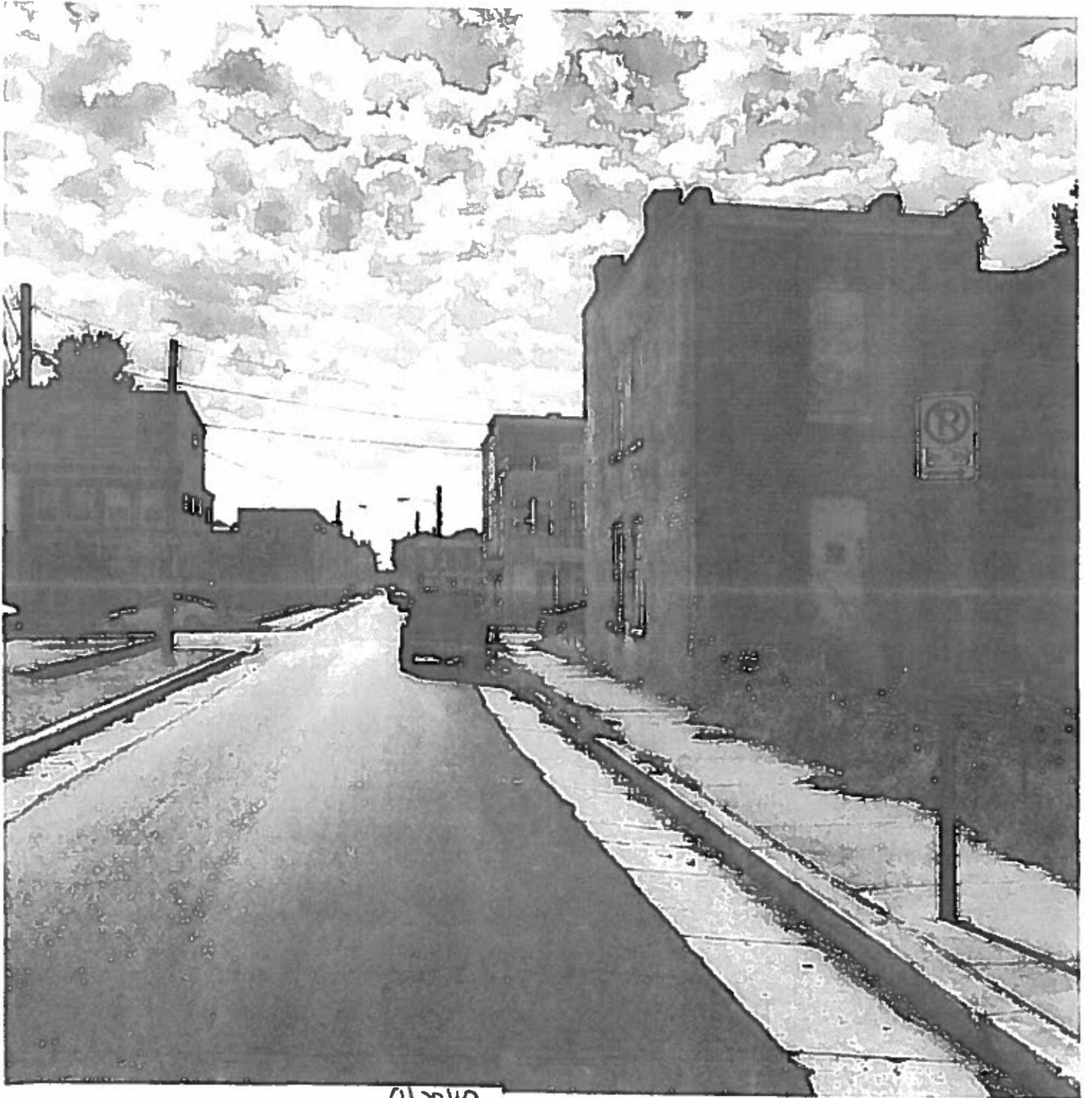


1201 Porter Street

9/27/19



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1201 Porter Street

Photos Taken February 4, 2020

Department of Planning & Development Review
Property Maintenance Code Enforcement

