VACANT PROPERTY REVIEW COMMITTEE

Caucus Room, City Hall
Philadelphia, Pennsylvania
Thursday, October 8, 2019
10:00 a.m.

PRESENT:

SUSIE JARMON, OHCD, CHAIRWOMAN
LINDA MEDLEY, Law Department
PHILIP JONES, Law Department
DEB CUNNINGHAM, Public Property
BRIAN KENNEDY, Commerce
ANGEL RODRIGUEZ, Philadelphia Land Bank
O'DWYER O'DWYER, PACDC
CARLOYN PLACKE, LISC
JAMETTA JOHNSON, Planning Commission
MARK DODDS, DHCD
MICHAEL KOONCE
TROY MANDY
WILLIAM NEWCOMB, PRA

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CHAIRWOMAN JARMON:  Good morning.

My name is Susie Jarmon. We're going to get started. I would like to add the Addendum to the agenda. Are there any attorneys in the room?

(No response.)

CHAIRWOMAN JARMON:  All right.

We're going to get started. First items are Urban Garden Agreements. Can I get a recommendation?

MR. KONCE:  Motion to approve.

MR. O'DWYER:  Second.

CHAIRWOMAN JARMON:  All in favor?

(Aye.)

CHAIRWOMAN JARMON:  Any opposed?

(No response.)

CHAIRWOMAN JARMON:  The next item is properties being transferred to Civetta Property Group LLC from the Land Bank. The addresses are 1327 South 27th Street, 2613 Earp, 2616 Earp, 2701 Earp, 2703 Earp, 2714 Earp.
MR. VASSALLO: My name is Bradley Vassallo, Senior Development Specialist. On June 21, 2019, the developer came out as the winning bid in the process. It was a single application. You can see this in the development summary details of the development, and I will answer any questions that you might have.

CHAIRWOMAN JARMON: Are there any questions?

MR. KOONCE: I have a question. What exactly are they going to do with the property? What's the development?

MR. VASSALLO: So the requirements in the RFP, it's 19 parcels. The requirements were 70 percent, not less than 70 percent and were sold at 80 percent of the area's median income. So 70 percent will be sold, so rather 14 of the 19 parcels.
parcels of homes developed will be sold at
$185,000 and the remainder will be sold at
$230,000. And there will be income
restrictions of those 14 properties that
were designated as 80 percent AMI.

CHAIRWOMAN JARMON: Any further
questions?

(No response.)

CHAIRWOMAN JARMON:

Recommendation?

MR. KOONCE: Motion to approve.

MR. O'DWYER: Second.

CHAIRWOMAN JARMON: All in favor?

(Aye.)

CHAIRWOMAN JARMON: Any opposed?

MS. HOWARD: I live on Sears
Street and I need to talk to somebody about
this purchase.

CHAIRWOMAN JARMON: You can come
up to the podium.

(Witness approached podium.)

CHAIRWOMAN JARMON: State your
name for the record.

MS. HOWARD: My name is Leslie A.
Howard. I reside at 2624 Sears Street where I've been living for 30 plus years. There's a sign at 2626 Sears Street for the Philadelphia Land Bank. I've been taking care of that property for 33 years including grooming it.

I was forced to have a tree removed by L&I. We make sure the ground is cut and shoveled. My main concern is if there is some building that starts on that property, how it's going to affect mine. When the abandoned property was there, we took care of that as well and then it was demolished. And in that demolishing of that building, it cost a lot of damage to my house. So I'm really concerned.

And I'm also interested to know if I can continue to maintain that property under I think it's called adverse possession or something since I've been maintaining it all of these years, and it can be proven that I've been maintaining this property so I was interested in that.
I'm not sure of the process, but I'm here today to show my interest. I've been doing some research. I have come up with a pro bono lawyer that I'm going to contacting to see if I can get some help to continue to maintain it.

I've kept it compliant. There were no rules in place that say we couldn't keep it compliant, we couldn't keep up the maintenance or we couldn't store our things there, so I would like to continue in that same capacity that I've been doing and I needed some guidance so I'm here today to see if that's possible and how to go about taking care of that.

MR. RODRIGUEZ: So, ma'am, you're asking for legal advice which this body can't provide you. And the adverse possession case is a legal case. It's the Philadelphia Land Bank. You would have to file and then it would be our attorney talking to your attorney. So we cannot provide you with advice to how to proceed to file a case against us.
MS. HOWARD: I guess what I'm looking for today is the final verdict on whatever that you decide. I noticed it was two dates, today's date and October 23rd so I was looking to see if I had some time to continue my pursuit to see if I can claim it.

MS. CUNNINGHAM: Today is a recommendation by this body to approve this sale -- I'm sorry, to approve Land Bank's sale to the purchaser. That's what it is. It's not anything else.

MS. HOWARD: Okay. I'm sorry I was late. I was in the wrong meeting across the hall. So am I understanding that it has been approved for Philadelphia Land Bank to sell this to --

MR. RODRIGUEZ: It still has to go through a Land Bank Board.

MS. HOWARD: Okay. Thank you for your time.

CHAIRWOMAN JARMON: The next item, 1750 North 31s Street. I was asked to put this on the agenda for Land Bank. I
received no attachments.

MR. RODRIGUEZ: I suggest that we table this.

CHAIRWOMAN JARMON: We're going to table this item. The next item is 2600 West Girard Avenue, ABA Real Estate 2 Limited Partnership.

(Witness approached the podium.)

CHAIRWOMAN JARMON: State your name for the record.

MR. KAPLAN: Andrew Kaplan.

CHAIRWOMAN JARMON: Mr. Kaplan is here asking to be approved to go back to your original proposal.

MR. KAPLAN: The original by-right proposal.

CHAIRWOMAN JARMON: Because he was unable to get zoning.

MS. CUNNINGHAM: So you were here in March. At that point you said that you were going to by-right because you were denied your zoning application and you were going to come back in a month with that proposal. Have you done anything other
than a financing proposal?

MR. KAPLAN: Yes, I have the zoning use permit. I have financing. I have final plans and I'm ready to start construction.

MS. CUNNINGHAM: So just the one permit, no building permit, nothing like that? In the last six months, what have you done?

MR. KAPLAN: I have the zoning use permit. I have construction drawings. I have a financing proposal and I have a construction contract.

MS. CUNNINGHAM: Because you've had this property for over five years.

MR. KAPLAN: Yes. I was working with the community for four years trying to come to something where the community and everybody was happy. We couldn't reach a consensus on a project that worked for everybody. In an effort to move on from this, I have an appeal pending to revisit the ZBA's decision, but I decided to go by-right so I can stop that process and
just build the project as a by-right

MR. O'DWYER: I think the concern
is that you were just in about the exact
same place six months ago, except that
right now you would have already broken
ground.

MS. CUNNINGHAM: That's what you
told us in March, that if we gave you six
months where would you be and you said you
would have broken ground. But you haven't
taken steps to be at that place at this
point in time.

MR. KAPLAN: Six months ago we
were appealing the ZBA's hearing.

MS. CUNNINGHAM: Six months ago we
have minutes that say that you said by this
point you would be breaking ground, and
you're not.

MR. KAPLAN: There must have been
some miscommunication. We were going for a
20-unit project. We have filed and we have
a hearing next week at the Court of Appeals
to appeal the ZBA's hearing and we were
proceeding with that plan.

MR. O'DWYER: Six months ago you told us that it was a 20-unit project and the by-right was 16 and you were denied for the 20, so you were just going to go for the 16 and it just was going to take a floor off and not really impact the architecture and that you would be breaking ground in six months.

MR. KAPLAN: We met with the community and the community wanted us to do the 20-unit plan, so we decided to work with them and do that. The legal cost and time were mounting and we just decided to go back to the 16-unit by-right --

MS. CUNNINGHAM: But you decided that six months ago. We've had this same exact conversation in March.

MR. KAPLAN: When we left here, we were going to do that, and then we met with the community. The community was like don't give up, let's keep pushing. We kept pushing and it didn't go well, so we decided to let that go and come back and
MS. CUNNINGHAM: Right. That's the conversation we had in March. Since then --

MR. KAPLAN: Since then we met with the community. They wanted us --

MS. CUNNINGHAM: You've been meeting with the community for five years.

MR. KAPLAN: I'm done with the community. I have a by-right approval.

MR. KOONCE: I think the first question is what have you been doing for the last six months, what have you done to move the property forward other than meet with the community in the last six months?

MR. KAPLAN: We planned our appeal of the hearing of the ZBA.

MR. KOONCE: Why would you plan your appeal if you were going to build by-right?

MR. KAPLAN: There's a lot of people involved in this process because of how long we were working with the community. So after we met with the
community, we just were going to do by-right. People didn't want us to do that and said keep fighting. So we filed an appeal with the court. And going through that process, we realized it's an uphill battle and it's one project and it's best to go by-right. This is the law. This is what we have to deal with and instead of fighting the process, we decided to go with the process. So it's not a static thing that we have been dealing with. We have been dealing with a lot of people and we're trying to appease everybody and we can't just do that. The easiest way to get this done is by-right without any involvement by anybody. So we met with a bank and we have a proposal. We have final building drawings. We have construction documents and now we have the zoning use permit to go by-right. We didn't have the zoning use permit. There's nothing in the way at this point to stop us from construction.
MR. KOONCE: Susie, what did we settle this property for?

CHAIRWOMAN JARMON: I'm not sure, Mike.

MR. DODDS: When do you expect to break ground?

MR. KAPLAN: As soon as we close on the construction loan, so I'm going to say within 60 days.

MS. MEDLEY: Is that 60 days to close or 60 days to begin?

MR. KAPLAN: To construct.

MS. CUNNINGHAM: Your construction loan is contingent on us extending this for 24 months, and that's not something we can do.

MR. KAPLAN: Well, it's an 18-month bill process with some time built in. I'm assuming we're going to get whatever you can give us and we'll come back and show you the progress --

MR. RODRIGUEZ: What my colleague is stating is your bank is looking for terms that we cannot provide. Ordinance
states we can only do six months.

MR. KAPLAN: No. They said we will be okay if we get the six months in good faith for whatever process you require us to go through.

MR. RODRIGUEZ: So these are not the final documents?

MS. CUNNINGHAM: For the financials --

MR. KAPLAN: This is the proposal.

Once we have approval from you to proceed, we're going to meet with them this week, finalize it, go to the bank, loan documents. We have a flat fee on attorneys' fees and we're going to proceed as we have done with other deals.

MR. KOONCE: Is the issue here that we can only approve him the extension?

MS. MEDLEY: The way that it's been interpreted is we just do it in six-month increments. That's the interpretation.

MR. KOONCE: And there was a time of completion in the deed?
MS. CUNNINGHAM: One year.

MS. MEDLEY: Yes, they're to do it within one year unless they get approval for extended time, which we've been doing in six months.

MS. CUNNINGHAM: Did we do all of those extensions or did he not come back?

MR. KOONCE: He came back in March of 2018 and we tabled this and then it wasn't until a year later --

MS. CUNNINGHAM: so you've never gotten an extension?

CHAIRWOMAN JARMON: No, he's never gotten it in writing.

MS. CUNNINGHAM: I'm sorry. I don't think you're going to follow through. It's been five years and you haven't done really much of anything other than talk to people.

MR. KAPLAN: I've been doing this for 25 years. I've never not built a project when I said I'm going to build it. I'm on record saying this project will be built. We will start with construction as
soon as we have --

MS. CUNNINGHAM: But you also agreed to have it done in a year. That was the deed restriction. That was the condition and you didn't. You didn't come back for the extension.

MR. KAPLAN: I own the other properties next to it so that's why --

MS. CUNNINGHAM: So this was nominal?

MR. KAPLAN: What's that?

MS. CUNNINGHAM: Was this a nominal conveyance to you?

MR. KAPLAN: I don't know what that means.

MS. CUNNINGHAM: How much did you pay for the property?

MR. KAPLAN: I don't remember.

MS. CUNNINGHAM: Did you pay anything for the property?

CHAIRWOMAN JARMON: He did. I'm not sure what it was. It might have been $20,000 something.

MR. DODDS: The last sales date in
2014 says $14,962.

MS. CUNNINGHAM: So $15,000-ish.

MR. RODRIGUEZ: Do you have a zoning use permit?

MR. KAPLAN: Yes.

MR. RODRIGUEZ: Have you provided that to Ms. Jarmon?

MR. KAPLAN: No. I would be happy to.

MR. RODRIGUEZ: Do you have a funding proposal?

MR. KAPLAN: Yes.

MR. RODRIGUEZ: So I guess the real question is do we give him 30 days.

MS. MEDLEY: I would suggest this Committee possibly considers three months.

He said that they can start within 60 days, so if they came back in three months and they haven't started --

MR. RODRIGUEZ: My suggestion is 30 days to make sure that he has executed the funding, and you have your zoning permit and your funding and your building permit or have you applied for your
building permit?

MR. KAPLAN:  No.

MR. RODRIGUEZ:  When do you plan on applying for the building permit?

MR. KAPLAN:  After this meeting.

MR. RODRIGUEZ:  Which could take up to six weeks.

MR. KAPLAN:  Give or take. It has taken six weeks at times.

MS. CUNNINGHAM:  I feel like we should do less time and monitor your progress if we're going to do this, that you come back in 30 days and at that time we decide if you need to come back in another 30 days and another 30 days. These six-month extensions aren't being utilized.

MR. RODRIGUEZ:  In 30 days we will be able to see if you executed your funding and whether you applied for your building permit.

MS. CUNNINGHAM:  Yes.

MS. MEDLEY:  Again, I suggest giving him three months because if he's saying he can get the building permit,
close on the loan and break ground within 60 days, a 90-day extension with that extra 30 days, we will be able to see if any of that will be done.

MR. RODRIGUEZ: But his last extension --

CHAIRWOMAN JARMON: He never got it.

MR. RODRIGUEZ: And he did none of that and came up with --

MR. KAPLAN: That's not true. We didn't do nothing. We went back to the community. Look, I've been doing this a long time. I'm trying to do the right thing here and I've been working with the community for years, way longer than I'm ever done on a project and it's just not working. So please don't say I have done nothing in six months.

MR. RODRIGUEZ: I apologize for that. But what you said that you would be doing and what you're doing --

MR. KAPLAN: That's --

MR. RODRIGUEZ: I didn't tell you
to say I have a shovel in the ground, did
I?

MR. KAPLAN: That was the plan
leaving here.

MR. RODRIGUEZ: So that's my
point. So all we have is a written record
of what you said. Did I put those words in
your mouth?

MR. KAPLAN: I'm telling you what
happened.

MR. RODRIGUEZ: So you're saying
what you can do in a certain amount of time
and that was in six months. I'm asking for
real delivery with this.

MR. KAPLAN: I will give you real
delivery.

MR. RODRIGUEZ: After this meeting
you said I will apply for the building
permit, did you not? That's what I heard
you say. Did you not say that?

MR. KAPLAN: That is what I said.

MR. RODRIGUEZ: So that means --

MR. KAPLAN: But life happens in
the meantime and I --
MR. RODRIGUEZ: So then I can't
trust that you're going to go right after
this.

MR. KAPLAN: No, this is it. I'm
not going backwards anymore. I didn't have
this. I didn't have --

MR. RODRIGUEZ: I feel really
mistrusted right now.

MR. KAPLAN: You don't have to
feel like that --

MS. MEDLEY: What I understood him
to say, he was speaking about whether or
not he said that the last time he was here,
not that he just said it this minute. So I
think at this point there should be a
recommendation.

CHAIRWOMAN JARMON: Can I get a
recommendation?

MS. CUNNINGHAM: I'm going to
recommend that you come back in 60 days
with your financing in place and the
building permit at least in process. I
think that's splitting it down the middle.
It's not 30 and it's not 90, but 60 days
because that's how long you said it will be until you get your funding in place. At that point, if you have all of those things, we can entertain a six-month extension.

MR. KENNEDY: I second that.

CHAIRWOMAN JARMON: All in favor?

(Aye.)

MR. KOONCE: I think you should understand that if you don't have that in 60 days, there's going to be some thought to taking the property back.

MR. KAPLAN: Understood.

CHAIRWOMAN JARMON: I'm going back to 1755 North 31st Street, the property to be transferred to Land Bank.

MR. RODRIGUEZ: I just want to apologize to the Committee for not having the fact sheet. The reason for the transfer to the City and to the Land Bank, that property is for a proposed RFP in the future and we're trying to consolidate ownership into a single ownership.

We can provide a fact sheet to the
Committee after this meeting. But the idea being -- all the homes north and south of it are owned by the Philadelphia Redevelopment Authority. The Land Bank will be issuing an RFP for this property.

MS. CUNNINGHAM: Motion to recommend conveyance for the Land Bank.

MR. O'DWYER: I second that.

CHAIRWOMAN JARMON: All in favor?

(Aye.)

CHAIRWOMAN JARMON: Any opposed?

(No response.)

CHAIRWOMAN JARMON: Next item is 1500 Dickinson Street. The attachments are there. We transferred this back in 2000 to Word of Deliverance Fellowship. I have the agreement of sale and a picture.

MR. KENNEDY: There was a violation on the property and we were figuring out what it was for. Do you know if that's been addressed?

CHAIRWOMAN JARMON: I wouldn't know that.

MS. CUNNINGHAM: They have a sign
by the entrance on times for church

CHAIRWOMAN JARMON: Can I get a recommendation and we can check on this violation?

MR. KENNEDY: Can you repeat that?

CHAIRWOMAN JARMON: Recommendation and we can check on the violation before the certificate is issued.

MR. RODRIGUEZ: I recommend we approve pursuant to verifying that the violation is dealt with or satisfied.

MR. O'DWYER: Second.

CHAIRWOMAN JARMON: All in favor?

(Aye.)

CHAIRWOMAN JARMON: Any opposed?

(No response.)

CHAIRWOMAN JARMON: Next item is 1847 Sepviva Street. It was transferred as a side yard. This is a concrete fence. The inspector was unable to take a picture.

MS. CUNNINGHAM: We can ask you them to send you pictures because when I looked at the aerial view, it's kind of a
mess back there.

CHAIRWOMAN JARMON: So it needs to be cleaned.

MR. RODRIGUEZ: So the concrete wall is like 8 feet tall.

CHAIRWOMAN JARMON: They're going to tear that down, I'm sure.

MR. KENNEDY: There's a tax balance on the property as well as on the adjacent property. In total it comes to about $2900.

MS. CUNNINGHAM: So all of those will have to be satisfied prior.

MR. O'DWYER: I will recommend Certificate of Completion contingent upon the lot has been cleaned and that all liens and tax balances will be settled.

MR. RODRIGUEZ: Second.

CHAIRWOMAN JARMON: All in favor?

(Aye.)

CHAIRWOMAN JARMON: Any opposed?

(No response.)

CHAIRWOMAN JARMON: 1724 North Bouvier Street. This property was
transferred back in 1981. They're selling it.

MR. NEWCOMB: I will also note it was transferred in 2000 so it's a second deed as well as a mortgage for $8,000 issued in 2005.

CHAIRWOMAN JARMON: I think I referred them to RDA to get that straight.

MS. CUNNINGHAM: The original 1981 conveyance, that property was subsequently condemned by PRA. We can still get a release for those restrictions, but then there are additional PRA restrictions after the condemnation that will also need to be released.

CHAIRWOMAN JARMON: Recommendation?

MS. CUNNINGHAM: Move that we issue for a Certificate for Completion and recommend the Commissioner release the restrictions contingent upon payment of PRA's mortgage.

MR. KOONCE: Second.

CHAIRWOMAN JARMON: All in favor?
(Aye.)

CHAIRWOMAN JARMON: Any opposed?

(No response.)

CHAIRWOMAN JARMON: 2215, 2217 Palethorpe.

(Witness approached the podium.)

CHAIRWOMAN JARMON: State your name for the record.

MS. BROWN: Iris Brown.

CHAIRWOMAN JARMON: You're the current owner?

MS. BROWN: No. I'm representing my family. That was our mother's property.

CHAIRWOMAN JARMON: And these were transferred as side yards. I emailed someone to tell them they need to clean these lots. I think one was cleaned and not the other.

MS. BROWN: Yes, there was one that needs to be cleaned with the tree and the debris. And you have the updated photo, right?

CHAIRWOMAN JARMON: Yes.

MS. CUNNINGHAM: I will make the
motion to issue the Certificate of Completion and recommend the state release the restrictions contingent upon payment of all municipal liens and encumbrances and cleaning of both lots.

MR. RODRIGUEZ: Second.

CHAIRWOMAN JARMON: All in favor?

(Aye.)

CHAIRWOMAN JARMON: Any opposed?

(No response.)

CHAIRWOMAN JARMON: Thank you.

261 East Haines? This property is still occupied by Ms. Phyllis Saunders and she wants the restriction lifted to sell.

MR. O'DWYER: What was it when it was sold?

CHAIRWOMAN JARMON: It was a single family dwelling back in '86. Can I get a recommendation?

MR. RODRIGUEZ: I recommend we provide a release predicated on paying all municipal liens and obligations.

MR. O'DWYER: Second.

CHAIRWOMAN JARMON: All in favor?
(Aye.)

CHAIRWOMAN JARMON: Any opposed?

(No response.)

CHAIRWOMAN JARMON: 1727 Lambert, Jacqueline and Damani.

(Witness approached the podium.)

CHAIRWOMAN JARMON: State your name for the record.

MR. HAMLET-DOUGHERTY: My name is Damani Hamlet-Dougherty.

MR. RODRIGUEZ: Is this a side yard?

CHAIRWOMAN JARMON: It was a side yard.

MS. HAMLET-DOUGHERTY: Yes, I had an Urban Garden Agreement in 2011. I've maintained it. I worked with the City of Philadelphia to plant three trees on the side and I'm trying to take the next step and purchase it from the City.

CHAIRWOMAN JARMON: It was May 2014.

MS. CUNNINGHAM: Yes, but the purchase-money mortgage will have to be
1 satisfied.
2
3 MR. HAMLET-DOUGHERTY: I understand. It's a little bit of a balance. I'm not sure of the exact amount.
4 MS. CUNNINGHAM: And it's kind of a mess.
5
6 MR. HAMLET-DOUGHERTY: It was recently cleared up. I have images of it.
7 I emailed them as well. I maintained both lots right next to it.
8
9 MR. RODRIGUEZ: I move we provide the release provided that the money will be satisfied and photographic evidence submitted to the Chair.
10
11 MR. KOONCE: Who resides next door to the lot?
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13 MR. HAMLET-DOUGHERTY: 1725 is my property. I lived there for about five or six years.
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15 MR. KOONCE: Where do you live now?
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17 MR. HAMLET-DOUGHERTY: I moved to Hawthorne. I'm a schoolteacher.
18
19 MR. KOONCE: When you applied for
it, did you get the rental license, correct?

MR. HAMLET-DOUGHERTY: Yes.

MR. KOONCE: When?

MR. HAMLET-DOUGHERTY: That's a part -- I had to get the activities license.

MR. KOONCE: What I'm getting at is have you lived here?

MR. HAMLET-DOUGHERTY: I lived there for six or seven years and recently moved and got married. I maintained both the lots.

MS. CUNNINGHAM: When did you move?

MR. HAMLET-DOUGHERTY: About two years ago so I have a tenant.

MS. CUNNINGHAM: So one of your restrictions in your deed was not to rent the property within five years.

MR. HAMLET-DOUGHERTY: No, I'm not renting that property. I got the Urban Garden Agreement because I maintained the property for years.
MS. CUNNINGHAM: Oh, okay.

MR. KOONCE: So you maintained the property?

MR. HAMLET-DOUGHERTY: Yes, I purchased the lot next door and 1729 together and recently to be honest, developers coming in and taking all the lots. They're building a whole bunch of single family homes and they keep calling me every day to get the lots.

MR. KOONCE: You also own the lot next door, right?

MR. HAMLET-DOUGHERTY: Yes, I got it sheriff's sale and it was worse than 1727. I won the sheriff's sale and I'm trying to fulfill what I'm trying to do with 1727. I'm not a big developer. I'm just a schoolteacher to see what I can do with these lots.

MS. CUNNINGHAM: So there was already a motion.

MR. KOONCE: I will second.

CHAIRWOMAN JARMON: All in favor?

(Aye.)
CHAIRWOMAN JARMON: Any opposed?
(No response.)
CHAIRWOMAN JARMON: 1934 Darien.
This was transferred as a side yard. They are selling their house along with the lot.
Can I get a recommendation?

MR. KENNEDY: We are concerned that it appears that the structure and the fence on the lot straddles an alley on an adjacent property on a different ownership.
I was hoping the person would be here to testify.

CHAIRWOMAN JARMON: I'm sorry.
What did you say?

MR. KENNEDY: So the --

MR. RODRIGUEZ: The fence is encroaching on another person's property.

CHAIRWOMAN JARMON: Okay.

MR. KOONCE: Are you saying encroaching on -- the free use of the alley by others?

MR. KENNEDY: The alley as well as a couple of feet into the lot on the other side of the alley.
MR. KOONCE: It seems like half of the neighborhood doesn't say anything about it.

CHAIRWOMAN JARMON: Recommendation?

MR. KOONCE: Is there parking on it as well?

MR. KENNEDY: Yes. I was going to defer to people of the Committee as far as their recommendation on that since I'm not familiar with the practice.

MS. CUNNINGHAM: It's difficult to issue a Certificate of Completion when they haven't actually completed it. The time has lapsed, but what they were supposed to do is exactly what they were doing.

MS. PLACKE: What were they supposed to do?

MS. CUNNINGHAM: Develop and maintain and occupy in accordance with applicable law basically is what it says.

CHAIRWOMAN JARMON: It was to maintain and keep clean.

MS. JOHNSON: As a side yard?
CHAIRWOMAN JARMON: As a side

yard.

MS. CUNNINGHAM: It's not our

place to violate them. It's L&I's place so

whether they continue their use on

encroaching on somebody else's property,

it's not really up to us. It's up to those

people. I would recommend we issue a

Certificate of Completion and ask them to

clean it up and remove the fence from the

alley.

MR. RODRIGUEZ: They definitely

need to remove the fence because they're

encroaching.

MS. MEDLEY: I get the fence is

encroaching on someone else's property

which I think it would think it's the

responsibility of that person. Now, if the

fence isn't to code or I don't know if L&I

can do. Maybe have L&I go out there and

figure out if that needs to be violated. I

don't know what we get out of having them

take down the fence.

MR. RODRIGUEZ: Because they are
encroaching on someone's land. If you put
in there you're implying that we're
conveying something, that's not ours to
convey.

MS. CUNNINGHAM: Well, the
conveyance has already happened.

MS. MEDLEY: I'm concerned with
what is the City's interest in --

MR. RODRIGUEZ: The City's
interest is not to promote behavior that
violate the code. It's supposed to be a
lawful use. That is not a lawful use.

MR. KOONCE: Didn't you indicate
there's a fence crossing the alley?

MR. KENNEDY: Yes.

MR. KOONCE: So everyone should
have access and you can't get out of the
back because of the fence.

MS. MEDLEY: So that's different
than on someone else's property.

MR. RODRIGUEZ: Either one is not
appropriate.

MS. JOHNSON: What is it
encroaching?
MR. RODRIGUEZ: Encroaching is not appropriate nor is encroaching across a public way or onto somebody else's property.

MS. MEDLEY: I will just tell you that the right-of-way is more of the City's interest than encroaching on the other person's property. That's for them to do it.

MR. DODDS: Maybe the owner can come to the next meeting and we can ask the owner about these issues and whether or not they agree to solve them before we issue this.

MS. MEDLEY: But I think in this case if this fence is encroaching on the right-of-way then, yes, that's the City's interest and that should be removed.

MR. KENNEDY: The alleyway is before the person's property so if you remove one --

MS. CUNNINGHAM: Okay. So what's the recommendation now? So we recommend an issue a Certificate of Completion and
recommend a release of the reversionary interest contingent upon removing the fence.

MR. RODRIGUEZ: I second that.

CHAIRWOMAN JARMON: All in favor?

(Aye.)

CHAIRWOMAN JARMON: Any opposed?

(No response.)

CHAIRWOMAN JARMON: Next item 2122 North 17th Street?

(Witness approached the podium.)

CHAIRWOMAN JARMON: Good morning.

State your name for the record.

MR. RAMON: Jim Ramon.

CHAIRWOMAN JARMON: And you're the current owners?

MR. RAMON: Yes.

CHAIRWOMAN JARMON: And we have a Certificate of Occupancy here. Can I get a recommendation?

MS. CUNNINGHAM: Motion to approve Certificate of Completion and to recommend release of the reversionary interest.

MR. RODRIGUEZ: Second.
CHAIRWOMAN JARMON: All in favor?

(Aye.)

CHAIRWOMAN JARMON: Any opposed?

(No response.)

CHAIRWOMAN JARMON: Thank you.

1250 North Hollywood?

(Witness approached the podium.)

CHAIRWOMAN JARMON: Good morning.

MS. SHELBY: Good morning.

CHAIRWOMAN JARMON: State your name for the record.

MS. SHELBY: Lauren Shelby.

CHAIRWOMAN JARMON: And you're the current owner of this lot?

MS. SHELBY: Yes, I am.

MS. CUNNINGHAM: Is that your vehicle parked on the lot?

MS. SHELBY: Yes.

MS. CUNNINGHAM: Do you realize the parcel is not zoned for parking?

MS. SHELBY: I did not know that.

MS. CUNNINGHAM: Was there a curb cut in the sidewalk? Do you go up over the sidewalk onto a parcel and you didn't
realize you weren't supposed to be parked there?

MS. SHELBY: No, I did not. The prior owners parked there. I've been gardening on it recently, but I was trying to sell it.

CHAIRWOMAN JARMON: So the person that's purchasing is building on there?

MS. SHELBY: Yes, supposedly. I'm assuming.

CHAIRWOMAN JARMON: Is that Vinnie?

MS. SHELBY: Yes.

MS. CUNNINGHAM: When did you purchase?

MS. SHELBY: 2015.

MS. CUNNINGHAM: So you purchased it a year after we gave it to somebody else as a side yard?

MS. SHELBY: Yes, a neighbor sold it to me.

MS. CUNNINGHAM: Along with the restriction in the deed that they weren't supposed to sell to you within five years
of them getting it.

CHAIRWOMAN JARMON: No, they purchased this from us.

MS. CUNNINGHAM: There were only two restrictions in the deed?

CHAIRWOMAN JARMON: Right. In 2014 they purchased this and the adjacent lot. They weren't given to them.

MS. CUNNINGHAM: Okay.

MR. RODRIGUEZ: So they purchased them and said they were just going to maintain the property?

CHAIRWOMAN JARMON: Yes, they weren't building.

MR. RODRIGUEZ: So there was no obligation?

CHAIRWOMAN JARMON: No, it wasn't to develop.

MS. CUNNINGHAM: So a motion to issue a Certificate of Completion and recommend release of the reversionary interest contingent upon moving the car and cleaning up the lot.

MS. SHELBY: It's pretty clean
right now. I garden on it.

MS. CUNNINGHAM: So we would need a photographic evidence of that.

MR. O'DWYER: I second.

CHAIRWOMAN JARMON: All in favor?

(Aye.)

CHAIRWOMAN JARMON: Any opposed?

(No response.)

MS. CUNNINGHAM: You can send that to the Chair.

MS. SHELBY: Okay.

CHAIRWOMAN JARMON: 743 West Schiller?

(Witness approached the podium.)

CHAIRWOMAN JARMON: This property was transferred in 2014. It has the mortgage against the title. If I'm remembering, you're not selling. You just wanted to pay off the mortgage?

MS. CRUZ: Yes.

CHAIRWOMAN JARMON: I think I emailed you to clean the lot. Has it been cleaned?

MS. CRUZ: Oh, yes, it's clean.
MR. KOONCE: How tall is your fence?

MS. CRUZ: Six feet or about my height.

CHAIRWOMAN JARMON: Recommendation?

MS. CUNNINGHAM: Do you have a delinquent tax balance on this property of $1,346?

MS. CRUZ: No, everything is paid.

MS. CUNNINGHAM: Okay. That's all I need to know.

MR. O'DWYER: Is this a self-advertising mortgage on this?

CHAIRWOMAN JARMON: Yes.

MR. O'DWYER: So you know if you don't pay for the mortgage off right now, it will keep going down, so if you're not planning on selling it.

MS. CRUZ: If I don't pay, it goes down?

MS. CUNNINGHAM: It goes down each year like 10 percent.

CHAIRWOMAN JARMON: Each year it
depreciates. So in 10 years it will be
off.

MS. CRUZ: Okay. I'd like to pay
it off.

MS. CUNNINGHAM: You don't need
our recommendation to pay the mortgage or
are you asking for --

CHAIRWOMAN JARMON: She's asking
to get the restriction off the deed.

MS. CUNNINGHAM: Okay. So motion
to issue a Certificate of Completion and
recommend release of the reversionary
interest contingent upon cleaning the lot
and photographic proof to the Chair.

CHAIRWOMAN JARMON: And pay off
the balance of the mortgage.

MS. CUNNINGHAM: And paying off
the balance of the mortgage. Thank you.

CHAIRWOMAN JARMON: All in favor?

(Aye.)

CHAIRWOMAN JARMON: Any opposed?

(No response.)

CHAIRWOMAN JARMON: Thank you.

2215 North 33rd Street? I don't think this
applicant is here.

   She's a senior citizen. She just
3 wanted the restriction off the deed. She's
4 trying to get her paperwork in order. We
5 transferred this back in 1987 as a single
6 family dwelling.

   MR. RODRIGUEZ: I recommend we
8 provide a release predicated that the
9 municipal obligations have been met.

   MR. O'DWYER: I second that.

   CHAIRWOMAN JARMON: All in favor?
12   (Aye.)

   CHAIRWOMAN JARMON: Any opposed?
14   (No response.)

   CHAIRWOMAN JARMON: 3327 Amber?
16 This guy came in the office the other day.
17 He was trying to get -- there was a
18 demolition lien against the title which I'm
19 working with the Law Department to clear
20 off the title because he's not responsible
21 for that, and he's also selling the lot.
22 It has the five-year restriction
23 and this was settled in 2005. Can I get a
24 recommendation?
MS. CUNNINGHAM: Their car is parked behind that fence.

CHAIRWOMAN JARMON: Okay.

MS. CUNNINGHAM: So move to issue a Certificate of Completion and recommend to remove the reversionary interest contingent upon removing the cars and any liens and encumbrances with the exception of the demolition. That needs to be resolved prior to sale.

MR. KENNEDY: Second.

CHAIRWOMAN JARMON: All in favor?

(Aye.)

CHAIRWOMAN JARMON: Any opposed?

(No response.)

CHAIRWOMAN JARMON: Next item 2050 North 2nd Street? This property was transferred back in 1998. It's a fenced lot with a side yard. Can I get a recommendation?

MR. KOONCE: It looks like the fence goes all the way back to the house of the side. So my question is, is that fence crossing the alley?
CHAIRWOMAN JARMON: I don't think so but I will have Bill go back out and check. Can I get a recommendation?

MS. CUNNINGHAM: Certificate of Completion I recommend with the reversionary interest contingent upon cleaning up the lot and verifying the fence does not encroach into the alley.

MR. RODRIGUEZ: I'm looking at that. The fence does not encroach the parcel. It goes up to the rear of property.

MR. Koonce: Second.

CHAIRWOMAN JARMON: All in favor?

(Aye.)

CHAIRWOMAN JARMON: Any opposed?

(No response.)

CHAIRWOMAN JARMON: On to the Addendum. I have two Urban Garden Agreements. Can I get a recommendation?

MR. Koonce: Motion to approve.

MR. O'DWYER: Second.

CHAIRWOMAN JARMON: All in favor?

(Aye.)
CHAIRWOMAN JARMON: Any opposed?

(No response.)

CHAIRWOMAN JARMON: 2109 East Arizona? That's a three-story property in the process of selling. Can I get a recommendation?

MR. KOONCE: Motion to approve subject to payment of any encumbrances or municipal obligations.

MS. CUNNINGHAM: Second.

CHAIRWOMAN JARMON: All in favor?

(Aye.)

CHAIRWOMAN JARMON: Any opposed?

(No response.)

CHAIRWOMAN JARMON: It's another item. The applicant called regarding the restrictions on the deed. We transferred this back in 1992, 1517 West Belfield Avenue. Asking that the restrictions be removed. He's not selling the property. Recommendation?

MS. CUNNINGHAM: So motion to issue a Certificate of Completion and release the reversionary interest
contingent upon payment of any and all
municipal liens and encumbrances.

MR. O'DWYER: Second.

CHAIRWOMAN JARMON: All in favor?

(Aye.)

CHAIRWOMAN JARMON: Any opposed?

(No response.)

CHAIRWOMAN JARMON: Next item is
the 2139 North 30th Street. The applicant
lives out of town. We transferred this
back in 1980.

MR. O'DWYER: Recommend to issue a
Certificate of Completion.

MS. CUNNINGHAM: I will just make
a blanket motion that all of the items on
the agenda are contingent upon payment of
any municipal liens or encumbrances.

MR. KOONCE: Second.

CHAIRWOMAN JARMON: All in favor?

(Aye.)

CHAIRWOMAN JARMON: Any opposed?

(No response.)

CHAIRWOMAN JARMON: 3218 Latona
Street?
(Witness approached the podium.)

CHAIRWOMAN JARMON: I'm waiting on another picture from you?

MR. KIZIROGLOU: Yes.

CHAIRWOMAN JARMON: He's going to send me another picture of the inside being cleaned on this Latona Street. State your name for the record.

MR. KIZIROGLOU: Bob Kiziroglou.

CHAIRWOMAN JARMON: And you're here to ask that this restriction be lifted from this deed from 2003. Any questions?

MS. CUNNINGHAM: So you purchased this from Ms. Taylor?

MR. KIZIROGLOU: No, we're representing Ms. Taylor. She's disabled. Her son takes care of her.

CHAIRWOMAN JARMON: And I received an email from her regarding this. Can I get a recommendation?

MS. JOHNSON: Have you talked to her?

CHAIRWOMAN JARMON: I talked to her and she sent me an email.
MR. DODDS: What was the original transfer?

CHAIRWOMAN JARMON: A side yard.

Recommendation?

MS. CUNNINGHAM: Do you know if this sale is outside of a title agency; is that correct?

CHAIRWOMAN JARMON: No, it's a title.

MR. KIZIROGLOU: No. The title is involved with the sale and they were the ones that identified it and told us that there's a restriction.

MS. CUNNINGHAM: Okay. So a motion to recommend release of the reversionary interest and issue a Certificate of Completion.

MR. O'DWYER: Second.

CHAIRWOMAN JARMON: All in favor?

(Aye.)

CHAIRWOMAN JARMON: Any opposed?

(No response.)

CHAIRWOMAN JARMON: Next item is 618 McKean.
Witness approached the podium.

CHAIRWOMAN JARMON: State your name for the record.

MR. THOMPSON: Morning. James Thompson.

CHAIRWOMAN JARMON: And the property is owned by your relative?

MR. THOMPSON: Yes, my parents.

CHAIRWOMAN JARMON: Can I get a recommendation?

MR. RODRIGUEZ: Are you selling the property?

MR. THOMPSON: Yes, sir.

MS. CUNNINGHAM: So motion to issue a Certificate of Completion and recommend release of the reversionary interest contingent upon any municipal liens and encumbrances.

MR. DODDS: I second.

CHAIRWOMAN JARMON: All in favor?

(Aye.)

CHAIRWOMAN JARMON: Any opposed?

(No response.)

CHAIRWOMAN JARMON: Thank you.
Next item is 2435 Mascher.

This applicant for the 618 McKean, he was wondering if the release can be done as soon as possible because he already had settlement scheduled. So probably not today. Just give us a couple of days because three people have to sign off on it. When do you have settlement scheduled?

MR. THOMPSON: Settlement is scheduled Thursday.

CHAIRWOMAN JARMON: It was Thursday or it is Thursday?

MR. THOMPSON: It was for the 2nd, but now it's this Thursday.

CHAIRWOMAN JARMON: All right.

Thank you.

(Witness approached the podium.)

CHAIRWOMAN JARMON: State your name for the record.

MR. AVALOS: Jorge Avalos.

CHAIRWOMAN JARMON: And you received this lot back in 2001?

MR. AVALOS: Yes.

CHAIRWOMAN JARMON: Any questions
from the Committee? Recommendation?

MR. RODRIGUEZ: Is this more than one parcel?

CHAIRWOMAN JARMON: Is it just one lot or two?

MR. AVALOS: Just one.

MS. CUNNINGHAM: It looks nice.

Motion to issue the Certificate of Completion and recommend release of the restrictions contingent upon payment of any liens and encumbrances.

MR. KOONCE: I second.

CHAIRWOMAN JARMON: All in favor?

(Aye.)

CHAIRWOMAN JARMON: Any opposed?

(No response.)

CHAIRWOMAN JARMON: Thank you.

3428 North 22nd Street? This property is still occupied by the owner. And they want the restriction removed. We settled this in '92 as a single family dwelling if I'm not mistaken.

MS. JOHNSON: Recommend that we issue a Certificate of Completion.
MS. CUNNINGHAM: I second.

CHAIRWOMAN JARMON: All in favor?

(Aye.)

CHAIRWOMAN JARMON: Any opposed?

(No response.)

CHAIRWOMAN JARMON: The last item is 5107, 9, 11, 13, 21, 23, 25 Market Street.

MR. RODRIGUEZ: So this property has been before this Committee previously. There have been amendments to the project.

(Witness approached the podium.)

MR. VASSALLO: Again, Bradley Vassallo and I'm here with Mark Schwartz who is the project manager on this and with 51 Market Owner LLC, who will be the recipient of these properties should they be approved. I'll just highlight some of the changes and Mark can answer any questions you might have.

So essentially, the developer at a certain point decided that it would be prudent to require the privately owned property to have a more complete
development. So, in fact, the previous
development was 28 units and now including
the now privately owned properties, it
increased to 54 units including the other
properties. It includes a mix of 36
one-bedroom units, 12 studio units and 6
two-bedroom units and approximately 9,000
square feet of retail space to occupy those
spaces. And the developer has shown
capacity to cover the full $11.2 million
total development cost. So if you have any
questions, I'll be happy to answer.

MR. RODRIGUEZ: So this is a
significant change in what was presented.

MS. CUNNINGHAM: What was the
original plan?

MR. RODRIGUEZ: It was 36 units.

MR. VASSALLO: As proposed in the
original application, it was 34 one-bedroom
units. We had asked that there be a more
diverse unit mix and it was changed and
included two-bedrooms and we came back for
the name change. And in that time they had
the opportunity to acquire the privately
owned properties.

MR. O'DWYER: So are we asked to sign off on the project overall or the disposition of the first sign-off or another name change --

MR. RODRIGUEZ: The issue is that there's a significant change in scope so it's more units on the lot. At the time that this was approved, they did not own the adjacent privately held parcels and now they have title and they have changed the plans and increased the number of the unit size, so he felt he would bring it back.

MS. CUNNINGHAM: So all of these are City properties and this was a result of an RFP and that's a proposal --

MR. VASSALLO: Correct.

MR. RODRIGUEZ: They've acquired privately held parcels.

MR. VASSALLO: As I understand it, this was an amendment of that disposition of proposal.

MR. DODDS: Is it by-right to new proposal?
MR. SCHWARTZ: Yes.

MR. DODDS: Is there an affordability component?

MR. SCHWARTZ: Yes, moderate income. So I believe 50 percent.

MR. VASSALLO: We added that initial proposal so we will have 10 percent of moderate income.

MR. KOONCE: So is that 10 percent on the entire project?

MR. RODRIGUEZ: He's asking for affordability, so the 10 percent is on the new proposal, correct?

MS. PLACKE: So 10 percent of the 36?

MR. VASSALLO: No, of the 54. And affordability is not a requirement, but that is an additional benefit of the project.

MR. RODRIGUEZ: So there will be handicapped accessible units as well?

MR. VASSALLO: Yes, that's the plan.

MS. CUNNINGHAM: These are condos?
MR. VASSALLO: Rentals,
apartments.

MS. CUNNINGHAM: So this was a
public lien bid opportunity. I think that
the only change is the change in scope and
they're increasing the number and utilizing
some of their own privately held lots for
it. So I'm not sure there's any real --

MR. O'DWYER: So we're asked to
approve the amended scope?

MR. RODRIGUEZ: Correct.

MS. CUNNINGHAM: Motion to approve
the amended scope.

MR. O'DWYER: Second.

CHAIRWOMAN JARMON: All in favor?

(Aye.)

CHAIRWOMAN JARMON: I'd like to
add last month's minutes September 9th to
the agenda. Thank you. Motion to accept
the minutes?

MR. RODRIGUEZ: So moved.

MR. KOONCE: Second.

CHAIRWOMAN JARMON: All in favor?

(Aye.)
CHAIRWOMAN JARMON: Any opposed?

(No response.)

CHAIRWOMAN JARMON: Thanks.

(Whereupon the meeting concluded at 11:10 a.m.)
CERTIFICATION

I, hereby certify that the proceedings and evidence noted are contained fully and accurately in the stenographic notes taken by me in the foregoing matter, and this is a correct transcript of the same.

______________________________
Court Reporter - Notary Public

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Vacant Property Review Committee  
October 8, 2019

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