VACANT PROPERTY REVIEW COMMITTEE

Room 401, Caucus Room
Philadelphia, Pennsylvania
Tuesday, May 10, 2016
10:08 a.m.

PRESENT:

SUSIE JARMON, OHCD
MANUELLA COSTA, PHDC
JEREMY GRADWOHL, COUNCIL PRESIDENT'S OFFICE
ANDREW FRISHKOFF, LISC
REBECCA SWANSON, L&I
LINDA MEDLEY, LAW DEPARTMENT
DAMARIUS WALKER, LAW DEPARTMENT
LISA WALKER, REVENUE DEPARTMENT
GARRETT O'DWYER, PACDC
AMANDA DAVIS, PIDC
KEVIN HUNTER, COMMERCE
MELISSA LONG, OHCD
JAMETTA JOHNSON, PLANNING COMMISSION
MELVIS DUNBAR, RDA

ALSO PRESENT:

PAULA ADAMS, COUNCILWOMAN BLACKWELL'S OFFICE
MS. JARMON: Good morning, everyone. My name is Susie Jarmon. We are going to get started with the meeting.

Are there any attorneys in the room?

You want to come up?

I would like to add an addendum to the agenda. Can I get a recommendation?

MS. DUNBAR: Motion.

MR. GRADWOHL: Second.

MS. JARMON: All in favor?

(Chorus of Ayes)

MS. JARMON: The first item actually is on the addendum. The address is 235 Lyceum Avenue.

Can you state your name for the record?

MR. TEITELMAN: Good morning. My name is Andrew Teitelman. And I represent the owner of this property 235-247 Lyceum Associates, LP.

With me today is the managing member of that entity, I should say the managing member of the general partner. His name is Victor. We are
here today about the property located at 235-247 Lyceum. Property since been subdivided and a common driveway. I have several exhibits we would like to hand to the Board. The first exhibit I would like to hand to the Board is a plot plan showing the original lot prior to the subdivision and then the way the lot is subdivided today.

MS. JARMON: Out of these addresses, we only transferred one property to the --

MR. TEITELMAN: Actually, the original 1982 transfer was for the entire non-subdivided parcel. This is how it's been subdivided today. It's the same parcel but now there is five separate lots.

MS. JOHNSON: But it was never developed?

MR. TEITELMAN: That depends on the definition of developed. True that nothing has been built there. But for the last few years, my client has been engaged in obtaining the permits. And it's fully permitted now for a construction of five townhomes, so construction can start tomorrow.
But we are here today to talk about the deed restriction that's been placed on the property when it was originally conveyed to Mr. De Leo back in 1982 or '92. I have the deed over here.

MS. JARMON: It was '92.

MR. TEITELMAN: So, we are here to get relief from that restriction. Preferably have it removed entirely. But if not, we would like to get an extension that would match the expiration of the permits as they may be extended to their natural debt. The property is currently being sold, and that's what brought us here today.

I have the deed of subdivision as well for the Board. And so the Board can see the plans that have been approved by the City for construction. We have the architects drawings. They're unfortunately somewhat small, but you can still get an idea what the property will look like and what the elevation will be.

MS. JARMON: Okay. Any questions from the Committee?

MS. DUNBAR: I have a question. In regards to the subdivision the five parcels, are
you intending to have five properties built that
would be sold individually?

MR. TEITELMAN: Yes. They're going to
be five single family residences, townhouse
styles. It will be party walls between the
residences to end units obviously. And they will
have a common driveway which unfortunately when
gets around, be able to show that to you what it
will look like. It's going to be five single
family residences.

MS. DUNBAR: All right. What type of
harm, if any, would be caused by extending the
restriction at least until the properties are
built until --

MR. TEITELMAN: Actually, to the
contrary. Not only will there be no harm by
extending it. But given that this is in limbo
since 1992 and Members of the Board had contact
with my office with concerns of overgrowth on the
property, that would all be eliminated.

This could actually be improvement not
only to the property but to the neighborhood by
extending this and allowing the already improved
development to be completed by the new buyer, the
Board would be doing a favor to the entire neighborhood.

MS. DUNBAR: Okay.

MS. JARMON: Any further questions? Recommendation?

MS. DUNBAR: I would make a motion that we extend the restriction against the properties until each of the five properties are sold. So, I guess it could be released as each property is sold.

MS. JARMON: Well, we only -- if I'm not mistaken because I only have 235 on here which is the original transfer was from us, so the other addresses they did after we transferred title to them. So, they included our one address with the rest of the addresses.

MS. DUNBAR: But I think what he said was 235 was the original address. And then they subdivided it, so it's still that same -- I guess the legal description would still be the same as what was originally.

MS. JARMON: Is that what it was?

MR. TEITELMAN: Yes. The diagram is out there. Plot plan showing the pre-subdivision and
post subdivision. The outer boundaries are identical.

MR. VICTOR: Was two properties. Only one property have the City --

MR. TEITELMAN: No, you're right.

MS. JARMON: That's what I'm saying. That's what I thought. It was only one property. It was just the one address that came from the City, and then you added other addresses and did the subdivision.

MR. TEITELMAN: Yes, that is correct. There is one part of an aggregated parcel that had the restrictions on it.

MS. JARMON: Right.

MR. TEITELMAN: However, we are still asking for the same relief that the restrictions be extended at the time the bill be extended to the point which the permit would expire as they remain with extended by law. It's still the same relief. He is correct, there is only one of the parcel, the original three parcels, that is subject to the restriction.

MS. JARMON: Okay.

MS. DUNBAR: I would like to amend my
motion to have it just address 235 Lyceum Avenue.

MS. COSTA: Second that.

MS. JARMON: All in favor?

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(Chorus of Ayes)

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MS. JARMON: Thank you.

Any other attorneys want to come up?

(Applicant approaches podium.)

Good morning. Can you state your name for the record.

MS. FETTERMAN: Good morning. My name is Susan Fetterman. And I'm the attorney for John DiGregorio who is the President of the Interior Creations Inc. The address is 1726 North Waterloo Street. And this property is being sold as part of a portfolio of nine properties that comprises his business.

This property was acquired in 2010 and was used exclusively for parking, but there is a reverter in the deed. And we're here to request that that be released so that he can sell all nine properties as a portfolio.

MS. JARMON: I think the correct address
is 1724 Waterloo is the address.

MS. FETTERMAN: Sorry.

MS. JARMON: Okay. The address is 1724 Waterloo which is on the addendum.

MS. FETTERMAN: Yeah. It's 1724.

MS. JARMON: Any questions?

MS. JOHNSON: What were the terms of the original restriction? What was it to be used for?

MS. FETTERMAN: The original restriction was for it to be developed into low income housing, but that was never the intention when it was acquired. When it was acquired, was used as a vacant lot. Mr. DiGregorio used it for parking for business. It's a very small lot. And it's one of nine in the vicinity that he owns. He acquired them gradually as he built his business. And now he's selling them all because he's moving his business to a different location in the city.

MR O'DWYER: If the property was acquired for low income housing, was it given a reduced value?

MS. FETTERMAN: The purchase price was $11,000, but the intention was never to develop
it into low income housing. Mr. DiGregorio is a
furniture and fixture maker for business and
restaurants, so he's not a developer.

MR. GRADWOHL: So, what was the original
proposal for which he received the lot? It was a
private lot transfer?

MS. JARMON: No. It was a sale for the
$11,000.

MS. FETTERMAN: I mean, there's a deed
that has a reverter in it for the purpose of
developing it into low income housing, but that
was never the intention. It's my understanding
that before 2010, that this reverter stopped
being used. But for some reason it's in this
deed.

MS. JARMON: We actually stopped in
2008.

MS. FETTERMAN: I don't know why it's in
this deed because he's not a developer. He was
never going to do that. And it's always been
there for as long as he's aware of, a parking
lot.

MS. JARMON: We took the restriction out
of the deed on sales property back in 2008. For
some reason, this was --

MR O'DWYER: Just a mistake?

MS. JARMON: -- included in there.

MR. GRADWOHL: I move that we release

the reversionary interest in the deed.

MS. DUNBAR: Second.

MS. JARMON: All in favor?

- - -

(Chorus of Ayes)

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MS. JARMON: Thank you.

Any other attorneys?

Okay. We're going to get started.

6203 Market Street, Dan Achek.

(Applicant approaches podium.)

Can you state your name for the record?

MR. ACHEK: Dan Achek.

MS. JARMON: You are here to purchase

the 62 --

MR. ACHEK: 6203 Market Street.

MS. JARMON: We have your proposal as

business expansion.

MR. ACHEK: That's correct.

MR. GRADWOHL: Can you be more specific
about your proposal?

MR. ACHEK: About what?

MR. GRADWOHL: About your proposal.

MS. JARMON: The properties that you own.

MR. ACHEK: It's a basically 6209 and 6207 Market Street. We turn 6209 into a daycare. We felt there was a need for larger space, so we purchased the building next door which is 6207. And would expand the entire daycare to be the major center. But we found there is a need for outdoor playground. We don't have, so we obtaining the lot next door to make it. They currently is vacant lot.

MS. JARMON: You said a daycare?

MR. ACHEK: Playground for the daycare for the business next door.

MS. JARMON: His business is going to be the daycare.

MR. ACHEK: That is correct. We build 6209 currently a daycare.

MS. JARMON: It is going to be a daycare.

MS. DUNBAR: Who owns 6205.
MR. ACHEK: We are in the process of obtaining that lot. It's abandoned. Tax delinquent, so it's going to sales. Combine the two lots as a playground.

MS. JARMON: Any further questions? Recommendation?

MR O'DWYER: Motion to sell at Lama value.

MR. GRADWOHL: Second.

MS. JARMON: All in favor?

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(Chorus of Ayes)

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MS. JARMON: Thank you. We will be in touch.

Next item, 2819 North Orianna Street,

Jose Lebron.

(Applicant approaches podium.)

Good morning. Can you state your name for the record.

MR. LEBRON: Good morning. Jose Lebron.

MS. JARMON: You are here to purchase 2819 North Orianna Street. What is your proposal?
MR. LEBRON: Yes, ma'am. The previous owner over 20 years, I bought it like last year. And we just got trees. We just, we want to put it all together. I own 2815, 2817 and 2821. And I just want to put it all together.

MS. JARMON: He owns 2815, 17 and 21.

MR. LEBRON: Yes, ma'am.

MS. JOHNSON: Which are all vacant lots.

MR. LEBRON: Yes.

MS. JOHNSON: You are going to use a garden, but you don't live on this block.

MR. LEBRON: I live on the house right in the middle. Like, my backyard go to the gardens.

MS. DUNBAR: You are willing to purchase the property?

MR. LEBRON: Yes, ma'am.

MS. DUNBAR: Motion to sell.

MR. GRADWOHL: Second.

MS. JARMON: All in favor?

(Chorus of Ayes)

MS. JARMON: Thank you.
Next two items, 1804 East Oakdale and 1830 East Oakdale, Metro LLC.

(Applicant approaches podium.)

Good morning. State your name.

MR. SHKLousky: Good morning. My name is Steve Shklousky of Metro Impact. I am here in reference to 1804 and 1830 East Oakdale. They are city-owned vacant lots since the '80s. They are roughly 750 square feet. It's a pretty small RSA-5 zoning. And they are 13 feet wide or 13 feet narrow.

So I own the adjacent lots. And I would like to buy these and develop them simultaneously, market rate single family and by right.

MS. DUNBAR: When you say you own the adjacent lots, can you identify the adjacent lots because these are not right next to each other.

MR. SHKLousky: Yeah. 1806 I own. I own 1830 -- 1828 is Oakdale.

MS. JARMON: Any further questions?

MS. DUNBAR: Motion to sell.

MR O'DWYER: Second.

MS. JARMON: All in favor?
(Chorus of Ayes)

MS. JARMON: Thank you.

Next item 2939 North Fairhill, Ernesto Baez.

(Applicant approaches podium.)

Good morning. State your name.

MR. BAEZ: Good morning, everyone. My name is Ernesto Baez. I'm here to make a purchase of the property at 2939 North Fairhill Street. I like to possibly make a garden and build a shed, if it's possible, to store my DJ equipment.

MS. JARMON: To store?

MR. BAEZ: DJ equipment.

MS. JARMON: Any questions?

MR. HUNTER: What is it to store?

MS. JARMON: To store DJ equipment. To store DJ equipment. Stereo equipment.

MR. HUNTER: Say your proposal is a garden?

MS. JARMON: A garden and build a shed.

MR. HUNTER: The garden would be on the
property as well as the shed?

MR. BAEZ: Yes. It's going to be.

MS. JARMON: Any further questions?

You have a representative from the Councilwoman's district?

MR. DELGADO: Good morning, Chairwoman and Committees Members. Councilwoman actually supports the proposal for the sale. We already talked to Mr. Baez about enclosing it, make a garden and working with the shed being on there. We already explained how we want everything kept nicely and in one spot, so we're going to support the sale.

Andre Delgado, representative for Councilwoman Sanchez.

MS. JARMON: Thank you.

MS. DUNBAR: Motion.

MR. GRADWOHL: Second.

MS. JARMON: All in favor?

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(Chorus of Ayes)

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MS. JARMON: Thank you.

The next item was on the agenda last
year -- last month. And there was a question about us transferring this lot to the individual as a side yard. I ordered an appraisal on this lot. So when the appraisal comes back, that's when the adjacent owner is going to have to pay. I know that Mr. Hunter had made -- had some questions last month.

So any recommendations?

MR. HUNTER: Can we hold this until we get the appraisal number back before we move to transfer it?

MS. JARMON: And the reason we are holding it?

MR. HUNTER: I just don't feel comfortable transferring it before we know how much we're paying for it.

MS. JARMON: We can approve contingent upon. I think he is willing to pay whatever the appraisal is. Once we get the appraisal, the price is not going to change. So, I mean, you want to make a recommendation that we come back?

MS. DUNBAR: Can we make it subject to so it would be approved subject to the appraised value which Ms. Jarmon just stated the person is
willing to pay whatever the price is? So, we make it subject to that, and then you don't have to come back and he doesn't have to come back either.

MS. JARMON: Well, he's not going to come back because it's a side yard. It's not that the applicant is required to come back.

MS. DUNBAR: He's going to pay for whatever the value of the side yard is.

MS. JARMON: Yeah, he has to.

MS. DUNBAR: It won't be transferred until it's finalized.

MR. HUNTER: It's my understanding there is other potential issues on the site from the City.

MS. JARMON: Well, if I'm not mistaken, was January of last year when we had a direct sale requested from a Councilperson. If there is two or three applicants on our system and we receive the support letter from a Councilperson, we were told to order an appraisal. That's why we're ordering the appraisal because there are other applicants interested.

MR. HUNTER: I understand. Because
there are other applicants in the City that's
also interested in property, that we wait till we
get the appraisal back.

MR O'DWYER: What do you mean the City
is interested in the property?

MS. DUNBAR: They already have it.

MR. HUNTER: There is potential --

MR. GRADWOHL: Say that again?

MR. HUNTER: There is potential to use
it for a different purpose, possibly affordable
housing.

MR. GRADWOHL: But we do know it's a
very small lot, right?

MR. HUNTER: Yeah. Multiple lots on the
street.

MR. GRADWOHL: They are not adjacent.

MS. JOHNSON: This is an adjacent area
he's requesting.

MR. GRADWOHL: Theoretically, he's
eligible through the side yard program which is
why -- one thing if they already paid for it.
But I don't understand why we would hold it if
they agree to pay for it.

MS. LONG: What's the size of the lot?
MS. JARMON: I don't know off the top of my head, but it's small.

MR. GRADWOHL: It's like less than 600 square feet.

MS. JOHNSON: Appraisal is the adjacent owner.

MS. JARMON: Why I don't understand is if he's willing to pay, are we going to bring it back next month if he's willing to pay and proceed? We hold it up another month in order to put it through City Council or whomever with the process. And that's the policy. Can I get a recommendation?

MR. GRADWOHL: I move we transfer the property to the applicant at fair market value established by the appraisal that was ordered.

MS. JARMON: You made a motion that we transferred contingent upon us getting the appraisal and the applicant that he's willing to accept the price.

That was your motion?

MS. DUNBAR: Yes.

MR. GRADWOHL: I second that.

MS. JARMON: All in favor?
(Chorus of Ayes)

MS. JARMON: The next item is Urban Garden Agreements which I can accept.

Now we have the Certificate of Completion.

The first address is 1707 South 20th Street, Ms. Riley.

(Applicant approaches podium.)

State your name for the record.

MR. ROBERTS: Good morning. My name is John Roberts. I'm the owner of 1707 South 20th Street. And I wish to sell the lot.

MS. JARMON: This was your grandmother's lot?

MR. ROBERTS: That's correct, ma'am.

MS. JARMON: We have a picture. And it's cleaned, taken care of, fenced. Can I get a recommendation?

MS. DUNBAR: Motion to issue the certificate of completion.

MR O'DWYER: Second.

MS. JARMON: All in favor.
(Chorus of Ayes)

MS. JARMON: 2115 Wharton Street, Betty McFadden.

(Applicant approaches podium.)

MS. MCFADDEN: Good morning. My name is Betty McFadden. I'm the owner of 2115 Wharton Street. I'd like to sell my property in order to move closer to family.

MS. JARMON: We transferred this to you back in 1997. And you're just here to get the restrictions lifted off the deed that was on there back then.

Are there any questions from the Committee?

MS. LONG: What was they -- did they do what they said?

MS. JARMON: Was a single family dwelling.

MR O'DWYER: It's still habitable?

MS. JARMON: Yes.

MR O'DWYER: Motion to release the restrictions.
MS. DUNBAR: Second.

MS. JARMON: All in favor?

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(Chorus of Ayes)

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MS. JARMON: Thank you. We will be in touch.

The next item, 1248 North Hollywood Street, Donte Harris. I think he has transferred title to --

(Applicant approaches podium.)

Can you state your name?

MR. VINEY: My name is Vince Viney.

MS. JARMON: Mr. Viney purchased this property in October for $21,000 from previous owner.

Are there any questions?

MS. DUNBAR: What was he proposing to do?

MR. VINEY: There is actually already currently a new construction three-story home on the property.

MS. JARMON: It's done already?

MR. VINEY: It's done.
MS. JARMON: Oh, wow.

MS. DUNBAR: This must be the wrong picture. This is vacant lot.

MS. JARMON: When was it done, last week?

MR. VINEY: About four months. It's actually on the market the house already.

MS. JARMON: Can I get certificate of occupancy when you get a chance?

MR. VINEY: I don't think we have the sale yet, but we should get it shortly.

MS. JARMON: Okay. Can I get a recommendation contingent upon us receiving the certificate of occupancy.

MR. O'DWYER: I move we issue certificate of completion contingent upon receipt of cert of occupancy.

MS. COSTA: Second.

MS. JARMON: All in favor.

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(Chorus of Ayes)

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MS. JARMON: Okay. Thank you.

1806 Francis Street, Arnold and Barbara
(Applicant approaches podium.)

      MS. DORT:  Good morning.

      MS. JARMON:  Good morning. State your
names for the record.

      MS. DORT:  I'm Barbara Dort. This is my
husband Arnold Dort.

      MS. JARMON:  Hey. You're asking
permission -- are you trying to sell this?

      MS. DORT:  Yes. We want the release.

      MS. JARMON:  Asking for a release to
sell the property. We transferred this back in
1998 to the Dorts.

      Are there any questions?

      MR O'DWYER:  Motion to issue certificate
of completion.

      MR. GRADWOHL:  Second.

      MS. JARMON:  All in favor?

      - - -

      (Chorus of Ayes)

      - - -

      MS. JARMON:  Thank you. We will be in
touch.

      The next item is 1931 East Cumberland
and 2428 Frankford Avenue, New Kensington CDC.

(Applicant approaches podium.)

MS. SALTZMAN: Good morning. I'm Sandy Saltzman, Executive Director for New Kensington CDC.

MR. MCCaulley: I'm Ed McCaulley, Real Estate Development Associate to Kensington CDC.

MS. JARMON: I understand that you guys are trying to get a -- you want to use this for collateral.

MS. SALTZMAN: For a project that we are doing. It's a 51 unit low income deal at Somerset Street. And we are doing a portion of the building for our offices, and we need it to take out a loan from the credit union to do this. And so, we were using a portion of these properties as collateral for that.

MR. GRADWOHL: I have seen in 2009 when you initially acquired it. I just wondering if you can confirm what your proposal was then. I see there was Mr. Claighorn at VPRC stating the lots will be cleaned and fenced with split rails with the -- in the immediate term, where in the future it would be developed into mixed income
project affordable and market rate housing.

MS. SALTZMAN: Right. At this point, it's still just being used as green space. The property on Frankford Avenue is actually being used as a hops garden for the Philadelphia Brewing Company which is across the street from here. And the property on Cumberland Street is just green space.

However, they are starting to do development on that lot. And I understand that there was some dirt some -- on the lot and now there's a dumpster there for the contractor that's doing the development down the street.

MR. GRADWOHL: But they have not been developed?

MS. SALTZMAN: No.

MR. GRADWOHL: Okay. I have concerns about releasing the reversionary interest on the City's behalf. I have them because frankly nothing was completed where a certificate of completion would be warranted. For this reason, I am going to move that we table this item until there can be further discussions between New Kensington CDC and the City as to how we can
fulfill the requirements within the reversionary interest.

MR O'DWYER: I mean, I would be concerned about anything that would delay moving forward of the Mills Project that is very much in the City's interest. If VPRC transferred that property to them last year, you guys received low income housing tax credits to move toward.

MS. SALTZMAN: We have. We are getting ready to move to closing in the next Friday. We have also received money from the RDA to do substantial stabilization of the project. And once the project work was completed as of January.

MR O'DWYER: I would have a lot of concerns about holding up multi-million dollar project for two lots.

MR. GRADWOHL: But this is for the commercial component of that. This was financing. That they were to use these lots, was that part of your performa that you submitted to the City?

MS. SALTZMAN: Yes. This is for us to take out the loan with the credit union so that
we can do the fit-out of the offices. New Kensington CDC is moving its offices into the basement of the or project. We need to be able to do the fit-out of the Vanilla -- they are calling it the Vanilla Box so that that project can move ahead. And our contractor would also be doing fit-out of the Vanilla Box. We need to have the funding in place to be able to do that whole project.

MR. GRADWOHL: Right.

MS. SALTZMAN: This is the one last piece.

MR. GRADWOHL: I get that. As soon as the City releases the reversionary interest, there is nothing that would hold New Kensington CDC to actually develop the mixed-income affordable and market rate housing that was proposed there. That's my concern.

MR. FRISHKOFF: So I guess if I could maybe make -- I hear what you're saying. I would make the argument that a unit development corporation is rarely in a position to develop without public support. And the public City of Philadelphia and the District Councilperson
basically put all available resources in and
basically asked New Kensington to put aside its
other development project so this project could
proceed.

I would argue if we were talking private
developer in the market rate environment I would
be more sympathetic to holding to our guns. But
in this case the City is basically directing New
Kensington to proceed with the larger project and
put other projects on hold.

MR O'DWYER: I am sympathetic to
releasing reversionary interest prematurely.
However, the longstanding work of New Kensington
CDC does speak for itself. They have done tons
of development in that neighborhood. This isn't
like some fly by night person that we don't know
whether we will able to hold them accountable.

MR. GRADWOHL: I get that. It's just --
I don't see where they have completed -- I don't
see where they actually completed the
requirements to have this.

MS. SALTZMAN: We actually put in for
this land for green space. And we have
completed -- we have been keeping all of the
space green. We have been keeping it clean. We have the Philadelphia Brewing Company using the one parcel as a hops garden, which is something that has not been done in the City of Philadelphia before. So, I think that we have completed what we said we would do with this land.

MS. DUNBAR: I have a question. So you mentioned about getting the loan from the credit union. Do you have papers from the credit union to say that they are ready to proceed with the closing as long as you have the necessary approvals?

MS. SALTZMAN: We do. I didn't bring them with me. But we do have those papers from the credit union.

MS. MEDLEY: I think -- I don't know if that would kind of help with your concern and some of the other concerns. I don't know, would the credit union accept a subordination agreement from the City?

MS. SALTZMAN: That I don't know. I mean, we were just putting the land up as collateral for the time being. And hopefully, it
wouldn't even have to be used as collateral for long because we are in the process of trying to get some additional grants.

MS. MEDLEY: I know.

MS. SALTZMAN: In order to proceed to get to closing, we needed to do this.

MS. LONG: When is the closing?

MS. SALTZMAN: It's either going to be this Friday or next Friday. It all depends now on the City transferring the property to us. It's all ready to go. It just has some liens against the property that the City had to remove.

MS. JARMON: Linda, you had a question?

MS. MEDLEY: We have done that before. Usually, it was for financing. But I guess this is similar to using it as collateral. Perhaps the credit union will accept the subordination from the City so that could, you know, the concerns -- I understand what you're saying about the concerns that nothing has been done according to what the original on when the property was transferred, what they said will happen.

A subordination agreement would allow you to still use the property. But it would keep
the City, if you don't do anything with it after, keep the City's interest. Because I think the other concern is even if you said it could be a short time with the property would be used as collateral, what would happen afterwards? When you developed it, what would happen?

MS. SALTZMAN: Obviously, at some point, I mean, the neighborhood is very hot right now. So, at some point it will get developed.

MS. MEDLEY: I'm hearing the "at some point" is the concern?

MR. GRADWOHL: Right.

MR. HUNTER: I have a question as to why -- this is something that we have issued certificates of completion on lots that have not been developed before and not actually met the restriction of the deed. I'm not clear as to why we're holding up, you said, something the City supported. And that they need this to actually get financing for the project.

MS. LONG: In the short period of time.

MR. GRADWOHL: Because it was transferred at nominal consideration to CDC.

That's the main concern. How would the
subordination agreement idea -- is it something
where you can potentially reach out to your
lender, see if that could work and we do
electronic vote.

    MS. SALTZMAN: Certainly.

MR. GRADWOHL: I'm sorry?

    MS. SALTZMAN: Yes. Certainly.

    MS. LONG: But then I would add if they
aren't able to get it, I would make a motion that
we issue the certificate of completion. We do
don't want to hold up a multi-million dollar
project that has substantial city support. And
we did ask this group to do it. And I think that
New Kensington CDC, we have a good faith that
they are going to do what they said that they
were going to do.

    So I would just add that if they are not
able to get -- not accept the subordination
agreement, that we agree to issue the certificate
of completion so that they can get their
financing and close and not jeopardize the tax
credits.

    MR O'DWYER: If the lender is willing to
accept the subordination agreement, what's the
turnaround time on getting that done by the law
department? I mean, they are closing on Friday.
That's a few days. Think the Law Department can
do that?

MS. MEDLEY: Yes.

MS. JARMON: Okay. Can I get a
recommendation?

MR. FRISHKOFF: So I think if I can, I
think the motion is to ask New Kensington to seek
approval from their lender for City's
subordination. But if they can document that is
unfeasible, the motion is to allow for reversion
for the certificate to allow them to proceed.

MS. DUNBAR: Second.

MS. LONG: That is correct.

MS. JARMON: All in favor?

(Chorus of Ayes)

MS. SALTZMAN: Thank you.

MS. JARMON: You can get that to me as
soon as possible.

1324 Chadwick Street, Point Breeze,
Chadwick Properties, LLC.
I think there is an attached certificate of occupancy for this property if I'm not mistaken.

MR O'DWYER: Yeah.

MS. JARMON: Can I get a recommendation on this?

MR O'DWYER: Move we issue a certificate of completion.

MR. FRISHKOFF: Second.

MS. JARMON: All in favor?

(Chorus of Ayes)

MS. JARMON: 1323 South Colorado, Perry Gregin.

(Applicant approaches podium.)

Good morning.

MS. WASHINGTON: Good morning. Wanda Washington, part owner of 1323 South Colorado Street. And we are asking for a release of right of reverter on the property. We have all the building permits. We actually started construction. And we are waiting to get financing so we can get release.
MS. JARMON: Any questions from the Committee?

MS. DUNBAR: I would recommend the same as what we just did in terms of the subordination agreement because you've not completed what, I guess, you had proposed to do which is to build.

MS. WASHINGTON: Yes. We are building a three-story family home.

MS. DUNBAR: So once you have the certificate of occupancy, it would be easier to issue the certificate of completion.

MS. WASHINGTON: We cannot get a construction loan unless we have the release.

MS. LONG: Can I ask a quick question? What was the transfer? Was it fair market value or was it?

MS. JARMON: I'm thinking it was a side yard. Was it?

MS. WASHINGTON: It was a lot.

MS. JARMON: It was a side yard to the property?

MS. WASHINGTON: I don't believe it was. When we purchased it, we just purchased it as standalone lot.

MS. WASHINGTON: We actually purchased it in 2015.

MS. JARMON: Oh, from someone else.

MS. WASHINGTON: Yes.

MS. JARMON: Okay. We transferred it out in '99, and then they purchased it from the current owner in 2015. I'm thinking it was a side yard back then in '99.

Any further questions?

MS. DUNBAR: Motion to issue the certificate of completion.

MR. GRADWOHL: Second.

MS. DUNBAR: To the new owner.

MS. JARMON: All in favor?

- - -

(Chorus of Ayes)

- - -

MS. JARMON: We will be in touch. Thank you.

214 South 46th Street, National Solutions.

(Applicant approaches podium.)
Good morning.

MR. DAVIS: How is everyone? My name is Michael Davis. And I am the owner of Natural Solutions Builders. I am trying to get the release of the restrictions to sell the property for the same thing I paid for.

MS. JOHNSON: When was the sale?

MS. JARMON: We just transferred this last year September. And I think he was unable to get the financing to do the development. Is that what --

MR. DAVIS: Yes.

MS. JARMON: He's transferring it basically for what he got it from us.

MR. DAVIS: Yeah.

MR O'DWYER: We transferred the -- are we transferring the restrictions to the new owner?

MS. JARMON: We should.

MS. MEDLEY: Yes. We should.

MS. JARMON: We will be transferring the restrictions from your deed to the new owner, and you need to make them aware of that, that they have to develop in a year.
MR. DAVIS: Okay.

MS. MEDLEY: What he's going to get actually is a motion -- consent to sell in extension of time for development. And you would be required to put the conditions that are in your deed to the deed of the new seller. And they will have a year to develop it.

MR. DAVIS: Okay. Thank you.

MR O'DWYER: I move that we do a consent to sell and extend the restrictions to the new owner and extend the development period for one year from the date of close.

MS. DUNBAR: Second.

MS. JARMON: All in favor?

(Chorus of Ayes)

MS. JARMON: Thank you.

The next items are properties on Bouvier Street, Jesse Simon. The reason I put these on because he's doing development on all of these properties on Bouvier Street. And instead of us bringing him back as he does them, he's going to send me the certificate of occupancies so that we
can do the releases because he's doing them rapidly.

(Applicant approaches podium.)

MR. SIMON: Good morning. Jesse Fuchs Simon, here in 1300 Bouvier. I saw you all lost month. After the last meeting, we settled the first two homes of this development successfully. The rest of the project is well under way. I stopped by on my way over here to take some pictures as of this morning. I wasn't able -- I wanted to make sure I was here on time that I took -- you can pass these, couple of these around.

And we currently have seven homes under contract, about to put the eighth under contract. And today I am here to seek a -- to seek the removal of the reverter clause for the remainder of the properties contingent upon my providing Ms. Jarmon with the certificate of occupancy. So that when we do sell the homes, I do not have to make them coordinate the dates of settlement with the monthly meeting here before the committee.

A lot of the -- almost every one of the home buyers for these homes are first-time home
buyers. And they have tight windows within their mortgage commitment. It's particularly difficult last month to have the schedule and coordinate the completions, construction, get the CO and settling contingent upon the date of me coming to this meeting each month. I was hope to show you the project and get that approved ahead of time to provide the CO and get the release accordingly.

MS. DUNBAR: I like to make a motion that we approve the issuance of the certificates of completion subject to the developer providing the necessary evidence of a certificate of occupancy for each of the properties. I want to make it clear that none should be provided unless the certificate of occupancy has been submitted.

MR O'DWYER: Second.

MS. JARMON: All in favor?

- - -

(Chorus of Ayes)

- - -

MS. JARMON: Thank you.

The next item is 2853 North Howard Street, David Lastra. He's not here. Going to
table this until June.

Next 2523 South 2nd Street, Robert and Catherine Kimrey?

(No applicant present.)

No?

We will table until next month.

You're here for a six-month extension on those properties. For some reason it wasn't -- my staff didn't put it on this agenda. I'm trying to see if I can get an approval. He's asking for additional six-month extension -- is it three lots that you have?

Can you come up and speak to the Committee and let the Committee know your name and the reason you're here.

(Applicant approaches podium.)

MR. WHITEHEAD: Good morning. My name is Kevin Whitehead, Global Community Solutions. I am here to request additional six months extension on the development of 3428, 3430, and 3219 Filbert Street. 3430, and 3428 is Brandywine Street. I'm sorry.

MS. JARMON: Can you let the Committee know why you haven't started this development
MR. WHITEHEAD: We are actually -- we currently have our variances and zoning in place for 3428 and 3430 Brandywine Street. And right now we are just awaiting the building permits.

Once we receive them, we can break ground immediately.

MS. JARMON: Any questions from the Committee?

MR. GRADWOHL: Move we grant the six-month extensions.

MS. COSTA: Second.

MS. JARMON: All in favor?

- - -

(Chorus of Ayes)

- - -

MS. JARMON: Thank you.

Anyone else here?

AUDIENCE MEMBER: Yes. Was here last month.

MS. JARMON: For what address?

AUDIENCE MEMBER: 1712 Titan Street.

MS. JARMON: We approved it last month, but I think it needed to be cleaned.
AUDIENCE MEMBER: Yeah. I had pictures, so I made some pictures.

MS. JARMON: You don't have to speak, sir. We already approved this last month. I just needed the pictures. He's already cleaned the lots off. We will get certificate to you.

Anybody else?

You here for a property?

AUDIENCE MEMBER: Yes.

MS. JARMON: What address?

AUDIENCE MEMBER: 2815 North --

MS. JARMON: That's not on the agenda. It was a property looked like a church. We were going back and forth to figure out whether you were going to be able to develop it.

AUDIENCE MEMBER: Yes. Whoever I spoke with instructed me to come and instructed me to come today.

MS. JARMON: I need to apologize to you because we need to talk about that building. We need to know that you do have the financing because the building looked like it could fall down in two seconds. I need to talk to you.

MR. GRADWOHL: I will.
MS. JARMON: Okay. Council President's Districts Jeremy will speak to you about that.

MR. SIMON: Sorry. One more thing I forgot to mention. I just wanted to clarify in the email to Ms. Jarmon, part of my overall proposal for developing the block included one lot. It's 1346 South Bouvier. Actually, rather than receiving a CO on the lot, I'm going to be expanding the community garden that's located on that block. And so, we're going to be improving the garden, expanding the fence around it and working with the local, the Neighborhood Garden Trust to further enhance the green space of the lot.

So when we do, that's going to be transferred this fall, excuse me, this summer to the Neighborhood Gardens Trust. And we will be expanding the size of the garden over the summer. I just wanted to clarify for everyone that I will not be getting a CO on that one particular property because obviously we're not building -- we're not building anything on there but rather we are expanding neighborhood garden, which is the Bouvier Community Garden located next door on
the three lots next door to that lot.

Just wanted to make sure everyone was okay with that. If you had any questions, I would answer them at this time.

MR O’DWYER: We need to amend the motion.

MS. DUNBAR: Yeah. So, I will amend my motion to say that the lot -- what’s the address?

MR. SIMON: 1346 South Bouvier Street.

MS. DUNBAR: -- 1346 South Bouvier Street would be -- you would have to provide evidence that the green space that you mentioned has been done, and we would just issue a certificate of completion based on that.

MR. SIMON: I will do so. And I will provide that and transfer to the Neighborhood Gardens Trust to Ms. Jarmon.

MS. DUNBAR: Yes.

MS. JARMON: Okay. Thank you.

The meeting has been adjourned.

(VPRC Meeting adjourned at 10:59 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 that this is a correct transcript of the same.

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ANGELA M. KING, RPR
Court Reporter – Notary Public

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