

Vacant Property Review Committee-1736 and 1738 S. 5th St.
February 10, 2015

VACANT PROPERTY REVIEW COMMITTEE

Room 401, City Hall
Philadelphia, Pennsylvania
Tuesday, February 10, 2015
10:14 a.m.

PRESENT:

SUSIE JARMON, OHCD
MANUELLA COSTA, PHDC
LOWELL THOMAS, PHDC
LINDA MEDLEY, LAW DEPARTMENT
GARRETT O'DWYER, PACDC
DONNA BULLOCK, COUNCIL PRESIDENT'S OFFICE
LISA WALKER, REVENUE DEPARTMENT
EMILY GIORDANO, COMMERCE
AMANDA DAVIS, PIDC
LYNSIE SOLOMON, PUBLIC PROPERTY
JAMETTA JOHNSON, PLANNING COMMISSION
MELVIS DUNBAR, RDA

ALSO PRESENT:

PAULA ADAMS, COUNCILWOMAN BLACKWELL'S OFFICE

STREHLOW & ASSOCIATES, INC.
(215) 504-4622

1 - - -

2 MS. JARMON: Good morning. My name is
3 Susie Jarmon. Going to start the meeting.

4 Want to go to page 3. We have an
5 attorney here for 1736 and 1738 South 5th
6 Street, want to come up for Neighborhood
7 Gardens Trust.

8 (Applicant approaches podium.)

9 MS. JARMON: Good morning, can you state
10 your name for the record, please.

11 MR. DUFFY: Yes. It's Gregory Duffy of
12 the law firm of Duane Morris on behalf of
13 Neighborhood Gardens Trust.

14 MS. JARMON: Can you just speak and let
15 the Committee know exactly what you're going
16 to do? I think you want to take title for
17 another entity?

18 MR. DUFFY: Sure. Absolutely. As I
19 said, I'm representing Neighborhood Gardens
20 Trust which is a 501(c)(3) land trust.
21 Currently owns over 30 community gardens
22 throughout the city. With me is Jenny
23 Greenberg, our executive director. We are
24 here on behalf of Moore Street Community

1 Garden, which is a community garden
2 established in the Dickinson Square West
3 section of South Philly. We are hoping to
4 obtain title from the City to these two
5 city-owned properties, 1736 and 1738 South
6 5th Street.

7 Prior to the community garden, these
8 were derelict abandoned plots with rubble,
9 trash and blight from corner to corner,
10 boundary to boundary. Through the efforts
11 of many of the community gardeners in this
12 neighborhood, three of which are here in the
13 room today, you can wave your hands. Say
14 hi. (Members wave)

15 Through their perseverance, they have
16 created a treasure for this section of the
17 City. It is an organic community garden
18 which provides wonderful fruits and
19 vegetables -- or vegetables and floral
20 gardens for the City and for the community.

21 We are here to take title to preserve
22 this in a neighborhood which is feeling
23 development pressure consistently nowadays
24 and losing its green space. So hopefully,

1 with your help and assistance, we can create
2 a green space that will live many years to
3 come, decades to come. We would like to add
4 that to our trust portfolio.

5 MS. JARMON: Any questions from the
6 Committee?

7 MS. DUNBAR: If they are looking to
8 acquire the properties, are you looking for
9 nominal consideration?

10 MR. DUFFY: Yes, thank you.

11 MS. DUNBAR: Do you have pictures?

12 MR. DUFFY: I do.

13 MS. DUNBAR: You can just pass them up.

14 MR. DUFFY: Thank you. (Sends pictures
15 around to Committee.)

16 What I should have done is bring these
17 "before" pictures, as well.

18 MS. JARMON: Any further questions?
19 Recommendation?

20 MS. DUNBAR: Recommend that we sell the
21 requested lots to Neighborhood Gardens
22 Trust. Is it on behalf of Moore Street
23 Community Gardens? Would that be correct?

24 MR. DUFFY: Neighborhood Gardens Trust

1 will take title. They typically hold the
2 title to the properties on behalf of the
3 gardeners, but it holds title.

4 MS. DUNBAR: I recommend that
5 Neighborhood Gardens Trust be allowed to
6 purchase the properties at nominal
7 consideration.

8 MS. BULLOCK: Second.

9 MS. JARMON: All in favor?

10 - - -

11 (Chorus of Ayes)

12 - - -

13 MS. JARMON: Okay. We'll be in touch.
14 Thank you.

15 First address is 2955 North 8th Street,
16 Ms. Amparo. Want to come up?

17 (Applicant approaches podium.)

18 Hi. Can you state your name for the
19 record.

20 MR. DUFFY: Elaine Amparo.

21 MS. JARMON: Let the Committee know what
22 you're here for.

23 MS. AMPARO: For the house 2955 North
24 8th Street. I basically just want the house

1 to live in it to have a house for my family
2 and I. My dad just got diagnosed with
3 cancer, so basically when he passes, I'll be
4 taking care of my little sister. So, I just
5 want to be able to own my own house to raise
6 her in it. And I'm actually getting evicted
7 at the end of this month, so I am just
8 trying to find somewhere to go.

9 MS. BULLOCK: Madam Chair, what's the
10 condition of this property?

11 MS. JARMON: Actually, the property is
12 not in bad condition because we had the
13 individuals that were occupying the property
14 vacated or moved out back in 2009 because of
15 them already owning the property that they
16 received from the City. They were also
17 offered to purchase the property, but they
18 didn't want to purchase it. So, the
19 property is actually in livable condition.

20 But right now I'm waiting on an
21 appraisal on it. Because we have several
22 applicants, we have to order an appraisal.
23 That is what I'm waiting for. Not sure what
24 the price is on it.

1 MR. O'DWYER: The sale would be at fair
2 market value?

3 MS. JARMON: Yes.

4 MR. THOMAS: Can I ask, you said that --
5 may wish you never said it, but you did.
6 You are about to be evicted. Do you have
7 the money to purchase the property?

8 MS. AMPARO: Yes, I do.

9 MS. DUNBAR: Motion to sell at fair
10 market value.

11 MS. BULLOCK: Second.

12 MS. JARMON: We'll be in touch.

13 MS. DUNBAR: We go to vote.

14 MS. JARMON: All in favor?

15 - - -

16 (Chorus of Ayes)

17 - - -

18 MS. JARMON: Thank you.

19 The next address, 2142 Gould Street.
20 Nichole Joyner.

21 Good morning. Can you go up to the
22 podium please.

23 (Applicant at podium.)

24 MS. JARMON: Hi. Can you state your

1 name for the record.

2 MS. JOYNER: Nichole Joyner.

3 MS. JARMON: Can you let the Committee
4 know what you're here for.

5 MS. JOYNER: I'm here about the vacant
6 lot at 2142 Gould Street, Philadelphia,
7 Pennsylvania 19142.

8 MS. JARMON: Your proposal?

9 MS. JOYNER: My proposal for the land,
10 what do you mean?

11 MS. JARMON: What are you going to do
12 with the land?

13 MS. JOYNER: Oh. I'm trying to start a
14 program Living Life on Life Terms for
15 children or adults. When I say adults,
16 these are men that's coming out of prison.
17 And, you know, they need a transitional type
18 of living to show them that these are the
19 living circumstances that you need.

20 As far as children, being as though I'm
21 a foster parent, you only can get a certain
22 amount of children in your home. So, I
23 would like to make it a respite for children
24 that I can keep.

1 MS. DUNBAR: It would be children and
2 men from --

3 MS. JOYNER: As I go through the
4 process, if I get approved for the adults, I
5 will start there. As I'm going through this
6 process, as I see other land and pieces of
7 land, you know, these are my two avenues.

8 MS. JOHNSON: So, you are going to build
9 a house?

10 MS. JOYNER: Yes, I am.

11 MS. DUNBAR: Are you -- do you currently
12 have the financing that you need to build a
13 house if you get the land, or do you have to
14 raise funds to build a house?

15 MS. JOYNER: Well, I do own a home. I
16 have no loans on the home or anything. So,
17 I definitely I think will be approved for
18 the money. But I have the start up money to
19 get it started. Yes, I do.

20 MS. DUNBAR: Do you have an estimated
21 cost for construction?

22 MS. JOYNER: 40,000.

23 MS. DUNBAR: To build a house?

24 MS. JOYNER: Yeah. For the type of

1 living that I'm trying to do we need at
2 least six rooms. Yes.

3 MS. DUNBAR: Wait a minute. Maybe I'm
4 just a little bit confused.

5 Are you looking to do an expansion on
6 your home, or you looking to build a
7 separate house on this particular lot?

8 MS. JOYNER: A separate house on this
9 particular lot, but my home is the financing
10 part. Being as though I own my home free
11 and clear and talking to my counselor as far
12 as my tax people for the money, I will be
13 abated some money being as though I own and
14 I don't have any loans on the home.

15 I am in the clear for money for this
16 project. As far as the start up money for
17 the project, I have it.

18 MS. BULLOCK: Are you saying you have
19 40,000 now or it's going to cost you 40,000
20 to build?

21 MS. JOYNER: It's going to cost me
22 40,000 to build.

23 MS. JOHNSON: You will need a variance
24 if you do a group home. That's what you're

1 planning?

2 MS. JOYNER: Say it one more time.

3 MS. JOHNSON: You will need a zoning
4 variance. If you are doing a group home
5 where they'll be sharing living quarters,
6 you will have to get a variance.

7 MS. JOYNER: I am just walking through
8 the process.

9 MR. THOMAS: Assuming you get the money
10 to build a home and you also get the zoning
11 variance and everything else, what money do
12 you have to operate the home?

13 MS. JOYNER: Well, I own a company right
14 now which is my cleaning company. And under
15 my umbrella of this -- of my cleaning
16 company, that's my main source of income.
17 But under that, I also sell shoes. I just
18 do a lot of different marketing. So, this
19 would come out of my funds that I earn.

20 MS. JARMON: Any further questions?

21 MR. O'DWYER: Are you operating a
22 nonprofit? Is this being sought for nominal
23 consideration, or are you willing to pay
24 fair market value?

1 MS. JOYNER: Say it one more time, sir.

2 MR. O'DWYER: Do you have a nonprofit
3 and you are trying to get property for
4 nominal consideration?

5 MS. JOYNER: No.

6 MR. O'DWYER: You are willing to pay
7 fair market value, full price for the
8 property?

9 MS. JOYNER: Well, it's not nonprofit.
10 This is profit. But as in looking in 501C's
11 I have found out unless I make over
12 \$10,000 -- you know, I'm just walking
13 through this process -- that it wouldn't be
14 considered a nonprofit. So, I'm just trying
15 to see right now all my business is profit.
16 That's what I really know about profit.

17 MS. DUNBAR: So the answer is, she's
18 looking to purchase the property at fair
19 market value? Are you looking to pay fair
20 market value? Whatever the estimated price
21 comes out to be, are you willing to pay that
22 price?

23 MS. JOYNER: Oh, yes. Yes, I am.

24 MR. O'DWYER: When would you be able to

1 begin construction if you got the property?

2 MS. JOYNER: August.

3 MR. THOMAS: Title to the property would
4 go into the Khalil Foundation.

5 MS. JOYNER: Yes it would.

6 MR. THOMAS: Does that currently exist?

7 MS. JOYNER: Yes, that's my company.

8 MS. JARMON: Any further questions?

9 Recommendation of the Committee? Melvis?

10 MS. DUNBAR: Well, I certainly would be
11 more than happy to make a recommendation
12 that the property be sold at fair market
13 value. However, I have to note that I do
14 have a concern regarding the cost to
15 construct. I am just concerned about that
16 cost. The fact that, I guess, you have an
17 estimate from someone that says they will
18 build for \$40,000 in the City of
19 Philadelphia?

20 MS. JOYNER: That's what they would cap
21 off at, yes.

22 MS. DUNBAR: I am just concerned about
23 what the product would be.

24 MR. THOMAS: All these dates have

1 reverter on it, right?

2 MS. DUNBAR: I'm sorry?

3 MR. THOMAS: All of these for the
4 properties to be transferred have a reverter
5 on it?

6 MS. JARMON: Has one-year restriction,
7 yes, that they have to develop in a year.

8 MS. JOYNER: Excuse me. Did you say one
9 year?

10 MS. JARMON: Yeah. It has a year
11 restriction that you have to develop in a
12 year. If you don't, you can come back
13 before this Committee and ask for extension,
14 but show us what you've done in that time.

15 MS. JOYNER: Okay.

16 MS. BULLOCK: Just to be clear, we would
17 still have the reverter language.

18 MS. DUNBAR: Guess I would make this
19 recommendation to sell the property at fair
20 market value as long as we're clear that it
21 is subject to the one-year reverter.

22 MS. BULLOCK: Second.

23 MS. JARMON: All in favor?

24 - - -

1 (Chorus of Ayes)

2 - - -

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

5 MS. JOYNER: Thank you.

6 MS. JARMON: Next is a side yard, 2731
7 North Fairhill Street and the second page
8 3341 North Uber Street. Two side yards.

9 MS. MEDLEY: Just so we're clear, all of
10 the deeds have the reverter in them. They
11 have at minimum the one-year restriction to
12 develop. All of them have it. Some of them
13 may have some other restrictions about five
14 years and how much you sell for in that
15 time, but they all have the one year.

16 MS. DUNBAR: Okay.

17 MS. JARMON: Thank you.

18 MS. DUNBAR: I just needed the record to
19 show that.

20 MR. O'DWYER: 2731 North Fairhill, did
21 we table that?

22 MS. JARMON: No. That's a side yard
23 along with the 3341 Uber on page 3. I am
24 just waiting for a recommendation.

1 MS. BULLOCK: Recommend that we approve
2 the side yards as Item No. 3.

3 MR. O'DWYER: Second.

4 MS. JARMON: All in favor?

5 - - -

6 (Chorus of Ayes)

7 - - -

8 MS. JARMON: Thank you.

9 The next are Urban Gardens which I can
10 accept.

11 Just wanted to make a note with the 4671
12 to 73 Paul Street, Frankford Group,
13 Frankford CDC is asking for a two-year lease
14 on this lot, so I am going to refer this to
15 the Law Department to prepare the release
16 for the applicant. Thank you.

17 Next addresses are 1232 Hanson, 1418
18 Hanson, 1420 Hanson, 1422 Hanson, 1424
19 Hanson, 1426 Hanson, 1430 South Fallon and
20 1432 South Fallon, Southwest Philadelphia
21 District Services.

22 Michael Ross.

23 MR. ROSS: Yeah, hi.

24 MS. JARMON: Oh.

1 MR. ROSS: My name is Michael Ross. I'm
2 President of Southwest Philadelphia District
3 Services.

4 MS. JARMON: Yes. I received this
5 request right when I was getting ready to
6 finish the agenda and put it on the website.
7 So we really -- I really didn't know what
8 your proposal is. We just invited you here
9 so you can let the Committee know what your
10 proposal is for these lots.

11 MR. ROSS: Okay. We are a nonprofit
12 organization. We've been in existence
13 for -- since 2007. And we are made of men,
14 about 40 to 60 of us, who grew up in the
15 area. I played on Hanson Street and Fallon
16 Street 50 years ago. And we want to create
17 affordable housing for people in the
18 community.

19 MS. JARMON: Any questions from the
20 Committee?

21 MS. DUNBAR: Are you seeking financing
22 from the City of Philadelphia to assist you
23 with this effort?

24 MR. ROSS: We already have our general

1 contractors. We already arranged for
2 financing. We have everything ready to go,
3 just looking for site control.

4 MS. DUNBAR: Are you seeking financing
5 from the City of Philadelphia to assist you
6 in this effort?

7 MR. ROSS: I believe so. Part of that,
8 we're not basically looking for the City of
9 Philadelphia. But we have a number of
10 options, a few banks that have already gave
11 us signed notes -- of promissory notes.

12 MS. DUNBAR: Okay. So, are you looking
13 to pay fair market value for these lots?

14 MR. ROSS: Yes.

15 MS. DUNBAR: Okay. Well then, you know
16 what, I'm going to recommend that we sell
17 them to you at fair market value.

18 MS. BULLOCK: Second.

19 MS. JARMON: All in favor?

20 - - -

21 (Chorus of Ayes)

22 - - -

23 MS. JARMON: Thank you.

24 MR. ROSS: Thank you, everyone. Have a

1 good day.

2 MS. JARMON: 1907 Turner Street. This
3 property was originally to go to Habitat For
4 Humanity as I have on this document, but
5 they are asking that we transfer the
6 property straight to the Redevelopment
7 Authority so that they can put it along with
8 several other properties that they have on
9 Turner Street.

10 MS. DUNBAR: I will abstain. I have to.

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

13 MS. DUNBAR: I can't do it because it's
14 the Redevelopment Authority. Somebody else
15 just jump right in.

16 MS. BULLOCK: I recommend that we
17 approve the transfer to the Redevelopment
18 Authority.

19 MR. O'DWYER: Second.

20 MS. JARMON: All in favor?

21 - - -

22 (Chorus of Ayes)

23 - - -

24 MS. JARMON: Thank you, Donna.

1 MS. DUNBAR: And one abstention.

2 MS. JARMON: All right.

3 Now with Certificate of Completions.

4 The first address is 2365 to 67 East York

5 Street. Joseph Arena or maybe the new

6 applicant, MaQuire.

7 (Applicants approach podium)

8 MS. JARMON: Good morning.

9 MS. MaQuire: Good morning.

10 MS. JARMON: Can you state your name for

11 the record?

12 MS. MaQuire: Samantha MaQuire.

13 MR. CIANCIOTTI: Vincent Cianciotti,

14 C-i-a-n-c-i-o-t-t-i.

15 MS. JARMON: Can you let the Committee

16 know what you're here for? I know you are

17 asking for a release.

18 MS. MaQuire: Sure. We actually

19 purchased the property back in '96 from

20 Joseph Arena which I found out I guess

21 recently that he must have got it from the

22 Redevelopment Authority. We've since

23 developed it for the last 15 years.

24 MR. CIANCIOTTI: Eighteen years,

1 actually.

2 MS. MaQuire: Yeah. This was brought to
3 our attention. We are just here to see if
4 we can have it lifted off the deed.

5 MS. JARMON: Any questions from the
6 Committee?

7 MS. DUNBAR: Motion to provide the
8 requested certificate of completion.

9 MS. BULLOCK: Second.

10 MS. JARMON: All in favor?

11 - - -

12 (Chorus of Ayes)

13 - - -

14 MS. MaQuire: Thank you.

15 MR. CIANCIOTTI: Thank you.

16 MS. JARMON: We will be in touch.

17 1511 and 1513 South Bambrey Street.

18 James Manion? No?

19 (No response.)

20 Okay. We have the attached documents
21 requested. It's an agreement of sale and a
22 letter asking permission to sell. We
23 transferred this property back in 1988.

24 MS. BULLOCK: As a side yard?

1 MS. JARMON: As a side yard, yes, or two
2 side yards.

3 MS. SOLOMON: It would have to be
4 cleaned.

5 MS. JARMON: Yeah, okay.

6 MS. BULLOCK: I recommend we approve the
7 release pending the lots are cleaned and
8 proof is provided to the Chair.

9 MS. DUNBAR: Second.

10 MS. JARMON: All in favor?

11 - - -

12 (Chorus of Ayes)

13 - - -

14 MS. JARMON: Thank you.

15 241 to 243 East Thompson Street. Robert
16 Teppert.

17 MR. WECHTER: Robert was the previous
18 owner. I represented Robert in the sale of
19 the property to Jimmy who was the buyer of
20 the property. The sale already occurred.
21 This lot was a side yard --

22 MS. DUNBAR: He has to state his name.

23 MR. WECHTER: Kurt Wechter.

24 MS. DUNBAR: Are you the Realtor.

1 MR. WECHTER: Yes.

2 MS. JARMON: Okay.

3 MS. BULLOCK: You represented
4 Mr. Tepport when he purchased the lot in
5 1996?

6 MR. WECHTER: No. I represented him
7 when he just sold it recently like a month
8 ago.

9 MS. BULLOCK: To --

10 MR. WECHTER: This Alpha United. That's
11 the company name.

12 MS. BULLOCK: Okay.

13 MS. SOLOMON: This would also have to be
14 cleaned.

15 MS. JARMON: The lot needs to be cleaned
16 before you will receive the release.

17 MR. WECHTER: It is cleared now.

18 MS. JARMON: Oh, when was it cleared?

19 MR. MELASECCA: And it's fenced in. The
20 lot's fenced in.

21 MS. JARMON: Your name?

22 MR. MELASECCA: My name is James
23 Melasecca.

24 MS. JARMON: It was cleaned recently?

1 MR. MELASECCA: Two weeks ago.

2 MS. JARMON: Okay. All right.

3 MS. BULLOCK: I recommend that we
4 approve the release pending proof provided
5 to the Chair that the lot was cleaned. So
6 you can send that in.

7 MR. MELASECCA: I will have pictures
8 today.

9 MS. DUNBAR: Second.

10 MS. JARMON: All in favor?

11 - - -

12 (Chorus of Ayes)

13 - - -

14 MS. JARMON: Thank you. All right.

15 2111 East Dakota Street. Alice
16 Herrmann.

17 (Approaches podium.)

18 MS. JARMON: Good morning.

19 MS. HERRMANN: Good morning.

20 MS. DUNBAR: Good morning.

21 MS. JARMON: Can you state your name for
22 the record?

23 MS. HERRMANN: Rita and Robert Herrmann,
24 H-e-r-r-m-a-n-n.

1 MS. JARMON: Alice was your mother,
2 correct?

3 MS. HERRMANN: His mother, yes.

4 MS. JARMON: All right. And you are
5 here to ask for release on the property?

6 MR. HERRMANN: Correct.

7 MS. JARMON: If I'm not mistaken, I
8 believe this property needs to be cleaned,
9 too.

10 MS. SOLOMON: Yes.

11 MS. JARMON: Going to have to have the
12 lot cleaned before the release is issued.

13 MS. HERRMANN: It is cleaned.

14 MS. JARMON: It was cleaned?

15 MR. HERRMANN: I have pictures.

16 MS. JARMON: You do?

17 MR. HERRMANN: Yes.

18 MS. JARMON: Okay. Thank you.

19 Recommendation of the Committee?

20 MR. THOMAS: Question, who owns the
21 property?

22 MS. HERRMANN: We do.

23 MR. THOMAS: Who is the property
24 entitled to?

1 MR. HERRMANN: My mother.

2 MS. DUNBAR: Still in your mother's
3 name?

4 MR. THOMAS: Has the estate been
5 probated?

6 MS. HERRMANN: Yes. Yes.

7 MS. JARMON: Any further questions?
8 Recommendation?

9 MS. DUNBAR: Recommend that we issue the
10 requested certificate of completion.

11 MS. BULLOCK: Second.

12 MS. JARMON: All in favor?

13 - - -

14 (Chorus of Ayes)

15 - - -

16 MS. JARMON: We will be in touch with
17 you. Take care.

18 MS. HERRMANN: Thank you.

19 MS. JARMON: 1645 Marshall Street,
20 Francisco Vega? No?

21 They are not here, but they are asking
22 for release. And the documents are
23 attached -- it's a letter asking for
24 permission to sell and also an agreement of

1 sale attached.

2 MS. DUNBAR: Do we know if it's cleared?

3 MS. JARMON: Is what clear?

4 MS. DUNBAR: Is it a lot?

5 MS. SOLOMON: It's a lot that needs to
6 be cleaned.

7 MS. DUNBAR: Looks clean to me. It's a
8 fence around it.

9 MS. SOLOMON: Right. It's a little bit
10 overgrown.

11 MS. DUNBAR: It's winter time.

12 MS. JARMON: Yeah. The lot is cleaned.
13 It's attached to the --

14 Any further questions?

15 MS. DUNBAR: Motion to issue the
16 certificate of completion. Based on the
17 picture, the lot appears to be cleaned.

18 MS. BULLOCK: Second.

19 MS. JARMON: All in favor?

20 - - -

21 (Chorus of Ayes)

22 - - -

23 MS. JARMON: Thank you.

24 The last 1324 South Chadwick Street,

1 Neal Rubin.

2 Good morning.

3 (Approaches podium.)

4 MR. RUBIN: Good morning. My name is
5 Neal Rubin, N-e-a-l, last name R-u-b-i-n.

6 I purchased the lot at 1324 South
7 Chadwick Street back on October 14 of 2014.
8 I purchased this lot along with the three
9 lots next to it, which is 1326 and 1330 on
10 Chadwick as well at the same time.

11 Purchased the property at private sale.

12 My intentions are to build. However, I
13 am here to ask for the extension for a
14 one-year restriction. And I believe the
15 restriction currently expires March 25 of
16 this year. Currently, just so you can see I
17 demonstrated to move forward, I had zoning
18 approval permits already issued. The other
19 two lots, the building permits were issued
20 for lots 1328 and 1330.

21 1324 and 1326 I'm waiting for the
22 building permits to be issued. As you can
23 see, I already engaged the architect
24 immediately when I purchased the lots. And

1 moving forward, obtained my building
2 permits. When I am ready, I will build
3 right away.

4 The reason I am asking for the extension
5 is I am currently involved in finishing one
6 house, 90 percent done, and two others I
7 should be done some time in June through
8 August. One I am done them and sold, then I
9 will have full funds to finance the entire
10 project on my own. Again, I am just
11 requesting a one-year extension to the
12 current expiration.

13 MS. JOHNSON: The original restriction
14 was not -- you weren't the original
15 purchaser.

16 MR. RUBIN: No.

17 MS. JOHNSON: The restriction is under
18 the previous owner?

19 MS. JARMON: Right.

20 MS. MEDLEY: It's supposed to transfer
21 with -- it is still on there.

22 Unfortunately, I don't know the intention or
23 not, but they didn't include those
24 restriction in his deed but it still

1 applies.

2 MS. JOHNSON: Even though someone else
3 purchased the lot within the year's period,
4 they sold it and they were allowed to do
5 that without developing it?

6 MS. MEDLEY: Well, allowed to do it --
7 they did it. I wouldn't say they were
8 allowed to do that.

9 MS. JOHNSON: Legally, was that the term
10 of restriction? Was that permissible under
11 the terms of the restriction.

12 MS. MEDLEY: That they can sell it,
13 yest, because there is nothing preventing
14 them from doing that. However, the one-year
15 restriction, are requirement to build or
16 develop upon it still transfers over even
17 though they did not include that in the deed
18 to this.

19 MS. JOHNSON: They sold the property and
20 then gained at a profit. And then
21 essentially --

22 MS. MEDLEY: Because those restrictions
23 weren't in their original deed.

24 MS. BULLOCK: The proper restrictions

1 weren't in there?

2 MS. MEDLEY: No.

3 MS. DUNBAR: You're asking for a
4 one-year extension. However, because of all
5 of the conditions that you just mentioned
6 and I believe we only do six months at a
7 time, I would recommend that we provide a
8 six-month extension. And then you'd have to
9 come back to demonstrate that you have, you
10 know, started the construction. It's well
11 under way. The only thing that's holding
12 you up is just the passage of time.

13 MR. THOMAS: May I make a suggestion.
14 Can we just issue a new restriction?

15 MS. MEDLEY: Yes. That's what I was
16 going to actually suggest that and have him
17 state today on record that he is willing to,
18 and his understanding is subject to the
19 restriction in the original deed from Point
20 Breeze Chadwick. So, you do understand that
21 and you are --

22 MR. RUBIN: Right.

23 MS. MEDLEY: The Law Department will
24 look into how we can transfer those

1 conditions, make it clear because they still
2 apply. We just need to make it clear that
3 may just be a matter of recording document
4 that makes those.

5 MR. RUBIN: Just so I understood, the
6 restriction besides the one year, I guess I
7 have. Once complete the property, I have to
8 come back and get released?

9 MS. BULLOCK: Correct.

10 MS. DUNBAR: Yes.

11 MR. RUBIN: Once I obtain my occupancy,
12 at that point then come back and get
13 released?

14 MS. MEDLEY: No. Since the restriction
15 originally was for a year from there, that's
16 still applies until we, I guess, decide how
17 to either continue that year with the
18 six-month extension or give you another one
19 year full -- one year to develop that.

20 MR. RUBIN: I would like to request the
21 one year again. There's a good chance I
22 will start sooner. But just in case with
23 weather and everything else.

24 MS. BULLOCK: If I should recommend is

1 that we recommend that the Law Department
2 issues a new deed restriction document with
3 the new start date of one year. Should that
4 not be possible, then we grant the six-month
5 extension on the existing timeline.

6 MR. THOMAS: Just a point of
7 clarification. I think what was said is
8 there is more than one restriction on there.

9 Are you familiar with all of the
10 restrictions that are on the original deed?

11 MR. RUBIN: Not really.

12 MS. MEDLEY: Just the two.

13 MS. BULLOCK: The two. He mentioned
14 which is one the timeline to build; and two,
15 you mentioned you have to come back before
16 this Committee to seek a release once -- of
17 the certificate of occupancy.

18 MR. RUBIN: To see --

19 MS. MEDLEY: It's just the one year and
20 then also that whatever they do is in
21 accordance with the -- it's just two. Those
22 two basic ones, then he has to come back
23 here to show us that you completed the
24 project.

1 MS. DUNBAR: In order to clear title.

2 MR. THOMAS: Second the motion.

3 MR. RUBIN: My title company excluded
4 this one because of the restrictions.

5 MS. MEDLEY: I'm sorry. They excluded
6 what?

7 MR. RUBIN: They excluded this one lot
8 for that -- I guess the one part, so they
9 couldn't issue title until I get released
10 which is, I guess, once the house is built
11 which is beyond.

12 MS. BULLOCK: Correct.

13 MS. MEDLEY: Can I ask, were you
14 concerned with this being on there? Or did
15 you think that it would just get resolved?

16 MR. RUBIN: I was told that all I need
17 to do was go and get an extension and that's
18 it. As far as getting released, I am going
19 to build. I'm not concerned about that.

20 MS. MEDLEY: May I ask, who told you
21 that? The seller or --

22 MR. RUBIN: Seller, yes. That would
23 have prevented me -- again, my intentions
24 are, hopefully, I will be able to start

1 September/October. But I would like to
2 again request the one year. Because as you
3 can see with the weather and so forth, right
4 now I'm building other houses. I have
5 built. There have been all kinds of -- I
6 don't want to commit to something -- I
7 definitely will start as soon as possible.
8 Just to have the comfort level.

9 MR. THOMAS: Sorry, you said the seller
10 informed you all you had to do is come down.
11 What's the name of the seller?

12 MS. JOHNSON: Can we add restrictions to
13 our restriction that properties not be sold
14 within a year?

15 MS. MEDLEY: We need to talk about that.

16 MS. JARMON: Yeah.

17 MS. MEDLEY: It's probably something we
18 have to talk about after.

19 MS. DUNBAR: They would have to do
20 something across the board.

21 MS. BULLOCK: That's another policy
22 change.

23 MR. RUBIN: The only, again, restriction
24 is one year and then come back?

1 MS. DUNBAR: Do what you said you're
2 going to do.

3 MR. RUBIN: Come back and show I built
4 this three-story houses and so on. Then I
5 have this occupancy. And that point, then I
6 get released? Is that --

7 MS. MEDLEY: Say that again?

8 MR. RUBIN: Once I receive -- the house
9 is built and I receive the certificate of
10 occupancy, then I come back and get released
11 from the other?

12 MS. MEDLEY: Yes.

13 MR. RUBIN: That's fine.

14 MS. MEDLEY: If we are able to do the
15 one year. If not, you will have to come
16 back in six months and show the progress and
17 then request another extension.

18 MR. RUBIN: In order to go one year now
19 goes to the Law Department? Is that the
20 next --

21 MS. BULLOCK: That's the recommendation.
22 We are going to have the Law Department take
23 a look at that request.

24 My recommendation is as it stands on the

1 table.

2 MR. THOMAS: It's already been seconded.

3 MS. JARMON: All in favor?

4 - - -

5 (Chorus of Ayes)

6 - - -

7 MR. RUBIN: Thank you.

8 MS. JARMON: You're welcome.

9 Meeting adjourned. Thank you.

10 MS. DUNBAR: We need to make a motion to
11 adjourn the meeting and also include the
12 minutes from last month's meeting.

13 MS. JARMON: We need to also add the
14 last month's agenda to the record
15 January 13.

16 MS. BULLOCK: Moved.

17 MR. O'DWYER: Second.

18 MS. JARMON: All in favor?

19 (Chorus of Ayes)

20 - - -

21 (VPRC meeting adjourned at 10:51 a.m.)

22

23

24

C E R T I F I C A T I O N

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.

ANGELA M. KING, RPR
Court Reporter - Notary Public

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Vacant Property Review Committee-1736 and 1738 S. 5th St.
February 10, 2015

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