



**RENEW ARLINGTON CRA ADVISORY BOARD
ZOOM VIRTUAL MEETING (NO PHYSICAL LOCATION)
WEDNESDAY, OCTOBER 13, 2021 – 3:30 P.M.**

MEETING MINUTES

Location: The RA/CRA Advisory Board meeting was held as a Zoom virtual meeting (no physical location) because there were no action items for the agenda.

RA/CRA Advisory Board Members Present via Zoom: Advisory Board Chair Matt Tuohy; Advisory Board Vice-Chair Stephen Matchett; Advisory Board Members Randy Goodwin; DeDee Harper, Bandele Onasanya; Monty Selim; Raj Adhikari and Ramsey Salem

RA/CRA Advisory Board Members Not Present: Advisory Board Member Danyuell Newkirk

Staff Present: Kirk Wendland, OED Executive Director; Karen Nasrallah, Redevelopment OED Staff; Brian Wheeler, OED staff and Michelle Stephens, Recording Secretary

Representing the Office of General Counsel: Susan Grandin

Representing City Council: Chet Aikens, ECA on behalf of Councilwoman J. Morgan, Councilmember Ron Salem, AL-2 and Nikki Evans, ECA for CM Ron Salem

Zoom Participants: Steve Starke with Holstar, LLC representing John's Automotive and John Warren, Jr. with John's Automotive

I. CALL TO ORDER

Chair M. Tuohy called the meeting to order at approximately 3:31 p.m.

II. ACTION ITEMS

There were no action items on the agenda.

III. GENERAL INFORMATION

UPDATE BETHELITE PROPERTY

Ms. Nasrallah provided an update on the Bethelite property. She advised that over the past few months Code Enforcement has been working with Councilwoman Morgan on the Bethelite property. Code Enforcement came to the realization that the current property owners who are

out of Miami are not going to do anything on their own despite the fact that there have been a lot of developers interested in purchasing the property. The property owners raise the price or as they get close to a contract, they change the terms of the deal or back out.

Ms. Nasrallah advised that Code Enforcement scheduled the Bethelite property to be considered by the Special Magistrate on September 14, 2021, and they asked her to attend. She commented that the Code Enforcement Officer did an outstanding job in his presentation to the Special Magistrate with the history of code violations, date of inspections on the property, pictures of the property in its current state and further explained that the property owners have been non-compliant in any attempt to make corrections or respond to Code Enforcement directives. She added that the property owners or a representative for the owners were not present at the Special Magistrate Hearing. The Special Magistrate ordered a \$250 rolling fine for each individual structure, which translates into approximately \$3,250 daily.

Ms. Nasrallah advised that once the Office of General Counsel signs the order and the order is recorded with the court, the property owners have time to appeal. They may appeal and if they do there will be a series of hearings that staff can attend and speak to the Special Magistrate about our experiences with the owners. At that time, we will want support from the neighborhood as well regarding their thoughts about Bethelite in its current state. The adjacent property owners will most likely attend and speak to the issues that the abandoned property has caused with homelessness, vagrants, drug dealing, drug use. etc. that all takes place on the Bethelite property. Ms. Nasrallah advised she will keep the Advisory Board posted regarding the progress of the issue.

Vice-Chair S. Matchett asked Ms. Nasrallah how long the case has been going on. Ms. Nasrallah replied that they have liens on the property dating back to December 3, 2018.

Vice-Chair S. Matchett commented that he noticed the façade has fallen down. Ms. Nasrallah replied that someone hit the wall about a year and a half ago and it has never been repaired.

Ms. Nasrallah noted that Code Enforcement has posted the orange condemned signs on the property and the signs have been removed repeatedly.

Chair Tuohy commented that it was interesting that they have gotten away with it for so long. Ms. Nasrallah replied that they can because when they get to the point where action is taken, they sell the property to one of their partners and they change the name and the process starts all over again. That is where Code Enforcement gets really frustrated.

Chair Tuohy asked if there were any safeguards in the process now that it has been before the Special Magistrate to prevent this from happening again. Ms. Nasrallah replied that she does not think the property owners can sell the property and change the name during the Special

Magistrate process. She noted that there are also outstanding taxes and nuisance liens owed on the property of which are both overdue. She noted that two parcels have outstanding tax debt. One parcel is approximately 18 acres and the amount due is \$50,300.01. The amount due on the other parcel is \$16,932. She added that there are liens on each parcel of approximately \$35,000 each.

UPDATE MANDATORY COMPLIANCE GRANT PROGRAM

Mr. Wheeler reviewed and provided an update on the Mandatory Compliance Grant Program.

The four projects below are moving into the construction phase. They comply in terms of the building and site plan. It is expected that the Merrill Rd. McDonalds will come back for signage compliance as well as fencing and Idea Academy will come back for fencing.

- American Plumbing
- College Town
- Idea Academy
- Merrill Rd. McDonald's

The three projects below have gone through or are currently going through the RADR review process.

- John's Automotive on Arlington Rd. Project has moved to 10-set, but there are issues that need to be resolved.
- Smart Tire on University
- Chantry Chiropractic near the roundabout on University

Mr. Wheeler briefly reviewed the RADR process.

Mr. Wheeler noted that they have ran into an issue with the John's Automotive project. They are going to need an Administrative Deviation (AD) or a change to the ordinance because the placement of the building is within ten feet of the right of way line, which is what the code and the overlay require. However, there is an obscure section in the City Code that requires the corner site distance that is described as being twenty-five feet back along each corner in a 45 degree angle, which is in direct conflict with our building placement requirements.

Mr. Wheeler commented that the RADR Team suggested the applicant submit an Administrative Deviation (AD). He added that there have been discussions with Councilwoman Morgan about potentially doing an amendment to the overall City Ordinance to allow for the FDOT standard that everybody uses and is the gold standard.

Mr. Steve Starke with Holstar, LLC representing John's Automotive commented that they met with Councilwoman Morgan yesterday and she talked about introducing legislation regarding setbacks, but it seems like it is going to be a longer process in terms of introducing legislation. He added that Councilwoman Morgan is trying to set up a meeting with Chris LeDew and Bill Killingsworth on Monday to see if we can alleviate the need for an Administrative Deviation noting that it cost \$2,000 to file for an AD.

Mr. Wheeler commented that from conversations he has had with Mr. Killingsworth, he is in support of using the FDOT site distance and would like to have the change made to the ordinance; however, it appears to be a longer term solution than current solution, which is an Administrative Deviation.

Mr. Wendland commented that OED staff would like to attend the meeting Mr. Aikens is working on scheduling for Monday and ask him to notify OED regarding details of the meeting when they are scheduled.

Mr. Wheeler continued with his presentation advising that there are several projects going through the RADR Team and several additional projects in the pipeline that have had some pre application meetings with RADR and FDOT, but they have not made any actual submittals.

Mr. Starke commented that they have a concern with John's Automotive and the window requirement of 60% on the building. He added that may be appropriate for an office building setting, but not so much for an automotive shop.

Mr. Wheeler advised that there is a limit on how high the windows can be. He commented that John's Automotive is unique and they will require an Administrative Deviation regarding windows. He added that multiple things can be combined into one request for an Administrative Deviation, if there are particular sections of the code that cannot be met and there is a hardship, you meet the requirements for an AD than those can be included.

Mr. Wheeler replied that the 60% windows and the height of the windows is set in the Arlington Overlay, he is not sure about DT, Southbank, Northbank, Soutel or some of the other CRA areas although he is sure they have some kind of standard.

Chair Tuohy advised that he had to leave the meeting at 4:00 p.m. and turned the meeting over to Vice-chair Matchett.

Ms. Grandin asked if anyone has asked Mr. Killingsworth how he would interpret the requirements of building form and finishing materials adding that new commercial and mixed-used buildings shall have large display windows on the ground floor. She commented that he is the one to ask because he is the interpreter of the Zoning Code.

Vice-Chair Matchett asked if it may be appropriate regarding administrative fees and if it is a RA CRA induced hardship and the project has the blessing of the RADR Team if it would be appropriate to waive administrative fees on the Arlington properties to get them through the regulatory process. Mr. Wendland responded that he is not the expert, but does not believe we have that ability.

Vice-Chair Matchett referencing what Mr. Wheeler mentioned about there being some properties in the RA CRA area that are going to need Administrative Deviations commenting that he is not sure if it is appropriate to ask them to pay the AD fees.

Mr. Wendland commented that there was extensive conversation a year and a half to two years ago when setting up the program about Administrative Deviations and discussion if the CRA should absorb the \$2,000 fee for requests for an Administrative Deviation(s). The concern back then was that there were no risks if projects were going to have several deviations for the CRA to absorb that cost in addition to what it's providing by way of the program. There were pros and cons to both sides. We ended up on the side of that the CRA will not absorb the cost for Administrative Deviations and that the owner has to absorb the cost.

IV. NEW BUSINESS

Vice-Chair Matchett commented that the Norman Studios project is located within the RA CRA on Arlington Road. He advised that they are trying to buy the old church building in the back to unify the entire parcel all being historic landmark now. They are going to be into a lot of stuff over the next few years and wondered if there was anything in the CRA Plan that may assist Norman Studios.

Ms. Nasrallah responded that she thinks there is an excerpt in the Plan that speaks to historic landmarks, but that currently there is not a tool for them to use. She offered to look at the Plan and get back to Vice-Chair Matchett.

Mr. Wendland advised that Norman Studios would need to contact the OED and provide specifics as to what all they are looking at. He noted that over the next several years we will definitely see a lot of positive impacts from the RA MCGP. He added that costs for the program are unquestionably higher for the program than anticipated noting that we are utilizing the majority of the TIFF dollars towards the program over the next several years. If it is a taxable entity, we could do a REV Grant noting that Norman Studies is tax exempt. For a nontaxable entity it is going to be tough to come up and take a big chunk of money out of the CRA budget that then would not go to the MCGP. Having said that, they can certainly come in and talk to us and give us some ideas and specifics about what they are looking to do.

V. OLD BUSINESS

No old business was discussed.

VI. PUBLIC COMMENTS

There were no comments from the public.

VII. ADJOURNMENT

There being no further business, Vice-Chair Matchett adjourned the RA/CRA Advisory Board Meeting at approximately 4:17 p.m.

The written minutes for this meeting are only an overview of what was discussed. For verbatim comments of this meeting, an audio file of the meeting is available in its entirety and is available upon request. Please contact Karen Nasrallah at (904) 255-5449, or by email at karenn@coj.net.