



***KINGSOUTEL CROSSING CRA (KSC/CRA) ADVISORY BOARD
HYBRID VIRTUAL AND IN-PERSON MEETING
CITY HALL, MEZZANINE LEVEL – EXAM ROOM 1
THURSDAY, JULY 21, 2022 - 3:30 P.M.***

MEETING MINUTES

Location: The KSC/CRA Advisory Board meeting was held as a hybrid virtual and in-person meeting. The KSC/CRA Advisory Board Members met in person at City Hall, 117 West Duval Street, Mezzanine Level – Exam Room 1.

KSC/CRA Advisory Board Members Present: Chair Kemal Gasper, Vice Chair Russell Jackson, Tony Robbins and Vanessa Cullins Hopkins

KSC/CRA Advisory Board Members Absent: Dr. Mary Jackson and Leola Williams

Staff Present: Kirk Wendland, Executive Director; Karen Nasrallah, Redevelopment Manager; Michelle Stephens, Recording Secretary; Ella Sherrod, Recording Secretary and Wendy Khan, OED Finance and Compliance Manager

Representing the Office of General Counsel: Natalie Frandsen and Sharon Wyskiel

Representing the Office of City Council via Zoom: CW Brenda Priestly Jackson, District 10

Others Present: Ms. Cyndy Trimmer with Driver, McAfee, Hawthorne and Diebenow, PLLC representing the owners of the property/Application L-5674-22C and companion Rezoning Application T-2022-4089

Others Present via ZOOM: Ashley Wolfe, Project Manager and Iryna Kanishcheva, Lead Project Manager with the Cultural Council; Ed Lukacovic, City Planner and Bruce Lewis with the COJ Planning and Development Department; Thomas Ingram with Sodl and Ingram, PLLC representing the owners of the property/Application 2022-0437

I. CALL TO ORDER

Chair K. Gasper called the KingSoutel Crossing CRA Advisory Board Meeting to order at 3:31 p.m. A quorum was confirmed.

II. ACTION ITEMS

APPROVAL OF THE MAY 26, 2022 KINGSOUTEL CROSSING CRA ADVISORY BOARD MEETING MINUTES

Advisory Board Member Cullins Hopkins advised that she was going to abstain from voting on the meeting minutes because she was not present at the May 26, 2022 meeting. It was noted that it is not proper protocol to abstain from voting on meeting minutes because you were not present at a meeting.

Consideration of the May minutes was deferred to the August meeting. Ms. Nasrallah will confirm with OGC the proper protocol for approving meeting minutes.

CONSIDERATION OF APPLICATION L-5674-22C/COMPANION REZONING APPLICATION T-2022-4089

Mr. Ed Lukacovic with the Planning and Development Department provided an overview of Rezoning Application T-2022-4089 requesting to rezone approximately 4.99 acres from Community/General Commercial-2 District (CCG-2) and Residential Medium Density-MH (RMD-MH) to Recreation and Open Space (ROS). He noted that the property is currently being used as a Recreational Vehicle (RV) Park. He advised that the applicant is requesting a Small-Scale revision to the Future Land Use Map series of the 2030 Comprehensive Plan by changing the Future Land Map Use designation from Medium Density Residential (MDR) to Community/General Commercial (CGC) (Application Number L-5674-22C). He added that the applicant is requesting the rezoning to unify the property under a single zoning district to allow a RV Park.

Ms. Cyndy Trimmer with Driver, McAfee, Hawthorne and Diebenow, PLLC representing the owners of the property advised that the properties are sister sites (Sunny Oaks and Sunny Pines). She advised that two years ago the owner purchased the two properties noting that at the time of purchase the property was being used for mobile homes and RVs. She noted that under the City's regulations these two uses are not supposed to be together. Mobile homes are considered Residential Use and Recreational Vehicles (RVs) are considered a commercial use. They are both in a Land Use Zoning Category that allows them both to intermix. The applicant is requesting to unify the property under a single zoning district (CCG-2) to allow the RV Park.

Advisory Board Member Cullins Hopkins asked if the sale of liquor was allowed in the CCG-2 Zoning Category.

Advisory Board Member T. Robbins stated for clarification that the applicant is eliminating mobile homes as the residential use and they will no longer be permitted on the site for the Land Use Plan and the Zoning. He confirmed that the property has been successful as a commercial RV venture. Ms. Trimmer – Agreed.

Advisory Board Member T. Robbins asked how many pads are currently located on the site. Ms. Trimmer did not have the information available. She offered to send the existing site information to Ms. Nasrallah.

Mr. Lukacovic commented that Land Use is a very broad category and within it you have various permitted zoning districts. He believes that Recreation Open Space (ROS) is probably a secondary zoning district permitted. It would be the zoning district that would be more restrictive than what permitted uses are allowed. He commented that he is pretty sure that the sale of alcohol may be not permitted in the Recreation Open Space (ROS) District. He thinks that the zoning is more restrictive than the Land Use Category that it is currently in. So it would be the zoning that would pretty much control the type of uses like the sale of alcohol zoning district.

Councilwoman Priestly Jackson commented that this is the first she is hearing about this particular application adding that she is just listening now because the application will be discussed at the LUZ Committee of which she is assigned to. She added that a large part of her decision making will come from the guidance of the Advisory Board.

Advisory Board Member Cullins Hopkins commented that she does not want to see and does not think that the community wants to see a lot of RV Parks up and down New Kings Road between the Trout River and Edgewood. She commented that she can live with the small parcel of land being discussed today, but she would like to find out the process to limit future RV Parks and designations of ROS in the area going forward.

Advisory Board Member T. Robbins commented that he likes the fact that this represents a down zoning from the CCG-2 adding that there are some uses that are onerous. He commented that the Advisory Board is not the Planning Commission and they are getting into density issues. After looking at the Plan, he noted that the subject property is adjacent to two opportunity sites and he is trying to figure out how a commercial RV Park fits into the Plan adding that he does not think it is totally compatible.

Advisory Board Member T. Robbins commented that it would be helpful and he would feel more comfortable knowing how many pads are currently on the site.

Vice Chair R. Jackson commented that he agrees adding that they want to attract and businesses that are going to take advantage of infrastructure improvements and the type of businesses that will promote sustainable economic development to the area.

Mr. Wendland advised that the Advisory Board needs to make a motion one way or the other.

Advisory Board Member Cullins Hopkins made a motion recommending approval of Application L-5674-22C and companion Rezoning Application T-2022-4089 in this one situation where it appears to be legally permissible with the condition that the KSC/CRA Advisory Board does not want to see RV Parks/Mobile Home Parks in the KSC/CRA area from henceforth.

Councilwoman Priestly Jackson commented that she is concerned when you get into targeting a particular industry and when you say, "no more." She shares in part with some of the concerns that were being shared by Advisory Board Member T. Robbins as it relates to the Plan. She suggested that the Advisory Board articulate that their position is consistent with the Plan or not consistent with the Plan. She furthered added that at the last LUZ meeting, she voted consistent with the Advisory Board on the truck stop legislation noting that one other LUZ Committee Members voted along with her. The action before the body passed 4-2. She was very comfortable voting no because of the robust conversation of the Advisory Board about the Plan. She noted that the conversation today seems to be deviating shortly away from that. You can support it if you want to say the zoning to be consistent and it ties in with your plan or not, but if you just say you approve it and you don't want any more without reference to your plan and how in fact it is going to be problematic and it is going to create a few challenges for her going forward to articulate your vision and further support it.

Ms. Trimmer suggested adding to the motion recommending approval based on the finding of the uniqueness of the site due to the existing operation and the desire to unify the Land Use and Zoning for the site and bring it into compliance with the understanding that it is not establishing precedence for the area.

Mr. Wendland commented and suggested mentioning that they are not recommending something new for the site and that the current use is not contrary to the Plan adding that the site will be cleaned up and more aesthetically pleasing.

Advisory Board Member Cullins Hopkins commented that the current and future proposed Land Use in terms of the RV Park is not contrary to the Plan yet it is not exactly consistent with the high level of aesthetics that we want to pursue in the future and in the 2017 Community Redevelopment Plan, as it relates to the KSC/CRA.

Vice Chair R. Jackson commented that they are essentially expanding the use from a Mobile Home Park and RV Park to RV use only on site. He added that he thinks they are deviating from how they have made decisions in the past.

Advisory Board Member T. Robbins seconded the motion with a friendly amendment that it supports the Plans targeted blight factors of increasing property values and removal of deteriorated site improvements and is a remedy to an existing situation.

Advisory Board Member Cullins Hopkins seconded Advisory Board Member T. Robbins friendly amendment adding that it supports the Plans targeted blight factors increasing property value use and removal of deteriorated site improvements.

Advisory Board Member Cullins Hopkins made a motion recommending approval of Application L-5674-22C and companion Rezoning Application T-2022-4089 with the condition that the KSC/CRA Advisory Board does not want to see RV Parks up and down New Kings Road and that this will be the only RV Park/Mobile Home Park they want to see in the KSC/CRA area from henceforth.

Chair K. Gasper asked what happens if the motion does not pass.

Ms. Trimmer advised that they are currently in an awkward position where they cannot be both and they have to declare if they want to be residential mobile homes or an RV Park. She noted that the applicant is the existing owner and that the operations already exist. The owner had to decide if they were going to file to unify the site under the RV Park use, or file under the residential mobile home use. The owner's desire is to file under the RV Park use. She added that the owner intends to upgrade and improve the aesthetics of the site, but is waiting for the rezoning to be approved.

Chair K. Gasper opened the floor for comments from the public of which there were none.

A MOTION WAS MADE BY ADVISORY BOARD MEMBER T. ROBBINS AND SECONDED BY CHAIR K. GASPER THAT THE KSC/CRA ADVISORY BOARD DENY APPROVAL OF APPLICATION 5693-22C AND COMPANION REZONING APPLICATION 2022-0351, AS PRESENTED BECAUSE THE REQUEST IS NOT COMPATIBLE WITH THE VISION FOR THE AREA OR THE REDEVELOPMENT PLAN SPECIFICALLY THE OLD

KINGS DISTRICT DESCRIPTION AND POTENTIAL PROJECTS THAT ARE BETTER SUITED FOR THE AREA AND DOES NOT MEET THE ADVISORY BOARDS DESIRES FOR THE COMMUNITY. THE MOTION FAILED 2-2-0 (CHAIR K. GASPER AND VICE CHAIR R. JACKSON VOTED IN OPPOSITION OF THE MOTION).

Ms. Nasrallah will prepare a memorandum from the Executive Director to the Director of the Planning Department expressing the Advisory Board's concerns and recommendation for denial of Ordinance T-2022-4089 (Rezoning), and the Application for Land Use Amendment to the Future Land Use Map Series – 2030 Comprehensive Plan, L-5674-22C and request that the Advisory Boards concerns are considered and implemented throughout the regulatory review and development process.

CONSIDERATION OF 2022-0437 APPLICATION FOR REZONING TO PUD (OLD KINGS TRAIL)

Mr. Tom Ingram with Sodl & Ingram, PLLC representing the applicant provided an overview of Ordinance 2022-0437, Application for Rezoning to PUD (Old Kings Trail). The applicant is proposing to develop a site that is about 14.5 acres north of Picket Elementary School. It is currently as a future Land Use Designation under the Comprehensive Plan of Low Density Residential. The current zoning is RR-Acre. The proposal is for a Planned Unit Development or customized zoning to allow for a maximum of 98 townhomes on the site. There is about .21 acres of wetlands on the site that would be impacted. He believes that the proposed project is compatible with the CRA. In the CRA update reflected in the overall umbrella recommendations was a fundamental need to increase the residents in the CRA district to increase the purchasing power in the area and improve the overall market. He noted that this type of development is squarely aimed at medium income households and will provide an opportunity for increased home ownership in the area. We like that it is adjacent to the elementary school. He noted that they received a recommendation for approval from the Planning and Development Department with a condition related to a traffic study which is typically what the city is looking for with the traffic study is turning movements to make sure from an engineering perspective that the right design is done to the entrance and exits of the development.

Advisory Board Member Cullins Hopkins commented that she is concerned with the size of the lots (16 feet of frontage) and the number of homes (98) being on less than 4 acres of land. For comparison she pointed out that Washington Estates, which is a slum ghetto located in District 10 has 19 feet of frontage. She added that the idea of the PUD is good and one that we definitely want to Low Density Residential housing that moderate income people can purchase. She does not recommend approval of the proposed application requesting more details as it relates to the townhomes and how they are going to make an enhancement to the KSC/CRA area.

Councilwoman Priestly Jackson commented that she is in support of the proposed development adding that as a Councilmember she has been focused on neighborhoods within District 10 that are blighted and not habitable like Washington Heights and Calloway Cove. She commented that a lot of neighbors have no recourse but to live there because they are not in a position socially and economically to move anywhere else. She added that they are trying to relocate those neighbors to more suitable housing. The proposed project is brand new development near an elementary school and in a different location. She did not think it was an accurate or a fair comparison for new development in 2022 to be likened to development that came about in the 1960's.

Advisory Board Member T. Robbins asked to confirm that there was not a Land Use Map Amendment associated with the application and they are living within the prescribed density's for LDR and in actuality would be less than 7 acres. They did do a PUD and located the stormwater and open space against Pickett Elementary. Today's market is very challenging. What he calls attainable housing not everyone can have a yard and larger home. He commented that he has seen 16-18 feet as the norm in the current market.

He noted that the Plan does say that this is a valuable location within the Old Kings District for workforce housing and striving businesses.

Chair K. Gasper made a recommendation to approve 2022-0437 Application for Rezoning to PUD (Old Kings Trail). Seconded by Advisory Board Member R. Jackson.

Advisory Board Member Cullins Hopkins commented that she thinks we need more information about exactly what type of housing units are being planned. She is not sure that we have enough information. More detail needed.

Chair K. Gasper opened the floor for comments from the public of which there were none.

A MOTION WAS MADE BY CHAIR K. GASPER AND SECONDED BY VICE CHAIR R. JACKSON RECOMMENDING APPROVAL FOR APPLICATION FOR REZONING ORDINANCE 2022-437 TO LOW DENSITY RESIDENTIAL (LDR). THE MOTION PASSED 3-1-0 (Advisory Board Member Cullins Hopkins voted in opposition of the motion).

Ms. Nasrallah will prepare a memorandum from the Executive Director to the Director of the Planning Department expressing the Advisory Board's concerns and recommendation for denial of both applications and requesting that their concerns be considered and implemented throughout the regulatory review and development process.

III. GENERAL INFORMATION

No general information was discussed.

IV. NEW BUSINESS

CULTURAL COUNCIL ART IN PUBLIC PLACES

Ms. Nasrallah introduced Ashley Wolfe and Iryna Kanishcheva with the Cultural Council. Ms. Wolfe and Ms. Kanishcheva briefly reviewed a PowerPoint presentation of the current progress of the KSC/CRA Public Art Project. Due to time constraints, the Cultural Council's presentation and Advisory Board discussion will be forwarded to the next meeting agenda.

V. OLD BUSINESS

KSC/CRA BUILDING RENOVATION GRANT PROGRAM UPDATE

Ms. Nasrallah advised that due to time constraints, the KSC/CRA Building Renovation Grant Program Update will be forwarded to the next meeting agenda.

VI. PUBLIC COMMENT

There were no comments from the public.

VII. ADJOURNMENT

There being no further business, Chair K. Gasper adjourned the KingSoutel Crossing CRA Advisory Board meeting at 4:57 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.

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