



Memorandum

To: Hans Ottinot, *City Attorney*
Via: Kennie Hobbs, Jr., *City Manager*
From: Daniel T. Keester-O'Mills, AICP, *Development Services Director*
RE: AKRON INDUSTRIES LLC – 901 NW 31 Avenue
Date: January 16, 2025

The City Commission adopted by Ordinance (210-03-107), which took effect March 29, 2021, an amortization schedule for certain automotive uses operating along Broward Blvd and Martin Luther King Jr Avenue./ NW 31 Avenue that allowed existing uses to continue until March 2026, but thereafter the uses would be prohibited. The property is currently zoned CG (General Commercial) with a land use designation of "Commercial". The property was annexed from Broward County in 2005 following the executed agreement between the City & County. The operator of the business described themselves as a "Tire Repair and Sales," which was not specifically listed in the land development regulations and thus it was categorized as "Automotive Repair." The City adopted an ordinance amortizing "Automotive Uses" along NW 31 Avenue, which took effect March 29, 2021 (Ordinance 210-03-107). The amortization period is coming to an end, and by March 29, 2026 all automotive uses must cease operations.

The record keeping of previous Planning & Zoning Staff members wasn't managed well 2019-2022. Letters were sent out regarding the amortization; I found a copy of a letter signed by Chris Torres (City Planner) regarding the proposed amortization dated November 14, 2019, but there isn't a comprehensive mailing list associated with the letter. Thus, I can't confirm all the recipients. Additionally, the date of the letter is before the ordinance was adopted.

The first letter that was dated with a mailing list was January 30, 2023, signed by Molly Howson. Molly advised that other letters were sent out, but it's my assumption the same draft letter was sent out & each time the date was updated, so copies weren't saved documenting that the letters went out. The two businesses identified on this list (from 2023) was McIntosh Auto Group, LLC & Martin's Auto Repair. After I started (October 2023), we re-evaluated uses on 31st and added the other 4 and have been sending letters out twice a year.

The first documented letter that Akron Industries, LLC received was August 2024. I met and spoke with several people interested in the property over the past 18 months. We also wrote a Zoning Confirmation Letter (24-ZCR-038) confirming that the use was amortized, and shared that with interested parties inquiring about the allowable uses on the property. Recently, we met with an attorney that is contesting the lawful nature of the application of the ordinance to their client.

We are requesting a resolution to provide the property owner with additional time to have 5 years from the date that they received the first letter (August 2029).