

BRVA LAND USE AND DEVELOPMENT COMMITTEE MEETING MINUTES

June 27th, 2023, 6:00 P.M.

**Northminster Presbyterian Church
1660 Kessler Blvd. E. Drive**

Present: Garrett Lawton, Andrew Baldwin, Karen Valiquett, Chad Fallis, Matt Hornyak, Bo Boroski, Brian Gamache, Josh Mazur, Daisy Winkler, Mark Demerly, John Jackson, Sam Rogers, Jordan Dillon and Kristen Kraus

Guests: Eric Gershman, Chris Welsh, Lynn Levy, Tom Healy, Alan Hague, Becky Edel, Christ Johnston, Anthony Bellamy, Clarke Kahlo

Karen Valiquett, LUD Chairwoman, called the meeting to order at 6:03pm. She explained the objectives of the Land Use & Development Committee and the committee members were introduced.

Karen asked if there is a motion to approve the minutes from the prior March 28th, 2023 meeting. Sam made a motion to approve, Mark seconded. The minutes were approved.

Gershman Partners Project Update - Eric Gershman, from G.P. Developers, appearing to present an update on their Broad Ripple projects including, Madera (65th and Ferguson Street) and Versa (6220 Guilford Ave - Former Kroger).

Eric Gershman introduced himself. He said he has updates on quite a few fronts. They own the Books N Brews Building, which is now available and could be a long term redevelopment play, depends on the office development. They could look for temporary tenants in the meantime; any type of office or artist studio. It's probably not going to be a big investment for a restaurant. They had some conversations with Broad Ripple Brew Pub, who were anxious or worried about the parking they have there (12 spots). Madera demo'd that, so they are having a discussion of what they do in the meantime before they go into construction.

Secondly, Eric spoke about Madera, their office building. They've had a lot of good conversations and have a couple of tenants that are ready to sign. Recent announcements and happenings around Broad Ripple haven't helped, obviously, so they've had some people reconsider or choose to regroup. It's high end office, \$37-\$38 a foot. They own the property and are prepared to go into construction. They've already demolished the previous buildings on the lot. They're working with fencing companies and marketing companies to try to secure the site in the meantime. They'll reach out to the BRVA for any thoughts, advice or ideas they have around that. They understand that dirt is going around and people are parking there, which is not their intent to do that. They are going to try to secure the site and are getting budgets on that. This would be a one year build when they start and anticipate starting this Fall, but it's really tenant driven at this point.

Microvote, the tenant has moved out and relocated to Zionsville. All amicable, she wanted to move there with her business. They are inside the building, doing selected demo. They've had a lot of interest from tenants. It's about 3,000 square feet per floor, only one user. No tenant lined up yet but they're trying to make some changes there, even on the outside. To the extent they have to come back to the committee, they're happy to do that. They will show any plans to change the appearance of it. They currently have 27 parking spaces.

Versa is under construction. They met with Kilroy's building owner today. The wall and timing and construction, they're upset for a variety of reasons. They are a twenty month build from start and just had their groundbreaking a month ago. They're on schedule, no delays. They're not ready to put the art program together but they plan to do so and have a budget ready to go. They have places in mind and meeting with artists. They will update down the road.

If anyone needs anything, they're on site every day, feel free to hop in there. 3,500 square feet of retail is available. They've had some good interest and are in a position to make a deal. It sits high up behind Jimmy Johns. They will have ample amount of outdoor seating. They worked with the city on the alley, all the way up to Broad Ripple Avenue. It's a work in progress, waiting on drainage and final grades on Broad Ripple Avenue. Most of the stuff that comes up in emails is that it's a tight site with a lot of construction going on.

Karen - Do you have to do any street closures?

Eric - Yes there will be when we put in parking and curb all the sidewalks. Timing is a little bit up in the air with the city and what they're doing. Coordination has not been great with the city. They aren't ignoring us, just not super up to date on everything with the Avenue. They're going to be done in the Fall, hopefully.

Jordan - The project manager on site has told me he refuses to be here next year, so I think that's a good thing. I will add to that, I know there was a closure just last week and into this week, a right away closure that they weren't aware of. So I would encourage Milhaus that when you get those to let me know. We just want to make sure we're coordinating it.

Mark - There's been a lot of pavement moving about. I assume that the city has notified you or notified Milhaus.

Eric - That I don't know.

Jordan - Are you talking about closer to Broad Ripple Avenue?

Mark - No, I'm talking about 62nd Street.

Jordan - So by their site?

Mark - In between Guilford and Winthrop, South of the condos.

Jordan - I know that the city still has work to do on that street, so I don't think that they're done yet there.

Mark - On 62nd Street?

Jordan - On Guilford.

Mark - Yes I know. I'm just saying that 62nd Street has had some major changes due to the construction traffic and the loads.

Jordan - Ok, I think we'll take this back...

Eric - There's multiple meetings that need to take place. One we need to share our schedule with Jordan. We recognize that it's a complicated tight site.

Mark - Are you doing a crane in the middle or to the side?

Eric - Crane is going to be on the southwest quadrant of the site.

Mark - So not in the street, not Guilford then?

Eric - Not in the street. It's on site, but yeah no, not in the street. So we did have our meetings with Kilroy's today and with surrounding properties to the West. Hubbard and Cravens had requested a meeting.

Karen - Any questions for Eric from the committee?

John - On the 64th & 65th site, it's been dry and with recent rain there's mud everywhere, up and down 64th and 65th. Are we putting erosion fencing up to prevent the discharge of storm water?

Eric - Yes, they are looking at the options right now. Whatever short term delay to try to not do damage. When people don't park on there, the mud won't be on the street. So we're looking at all proper precautions. We're not trying to make this a parking lot. We thought we were going to be under construction a bit sooner than we were. We hope that putting the fence there will get people off, stop the dust and the dirt and also stop the tracking of the mud.

John - We've got to stop it from getting into the sewers because once it gets in the sewers that they just cleaned, well, no we're sitting in flood water again.

Eric - Understood.

Karen - I know you said you're working securing the site. It's definitely a village wide endeavor, with some of the issues we've been having in the evenings or what not. I'm not sure if that site has been an issue.

Jordan - I've talked to them directly whenever we've had any comments, so that right now is not of a concern for us.

Eric - For the record, Jordan's doing her thing and there's a lot of steak holders involved. We are in front of the City, the Mayor. We're all in on it, leading the the charge. We're as active as you can be as far as that's...

Josh - Do you guys have an idea on timeline for Madera?

Eric - To be honest, we need half of the building leased. We have a tenant who is waffling currently. So timing is somewhat unknown. It's a year of construction once they begin.

Josh - Did you guys change from heavy timber? That's personal curiosity.

Eric - No, it's the old construction. Five stories. Parking is secured. Property to the South has been acquired. Mostly positive, other than just some bumps along the way.

Andrew - No questions, just thanks for the updates, it's nice to have developer updates after the presentation approval. Appreciate the transparency and communication.

Eric - Yeah, we're happy to show you anything you want. There's a lot of real estate activity going on. ULI is doing a big on location tour, we're hosting at Books N Brews. It's oversold, there will be 150 real estate professionals touring around. I recently did a large presentation on

the Midtown redevelopment at ULI Toronto. So there's a lot of focus on this, which is good and complicated.

Karen - Does anyone in the public have any questions or comments for Eric?

Alan Hague - You said the property you acquired to the south. Who owns that property?

Eric - Yeah the office in the old Sangrita space? Yeah, someone else bought it, moved an office and I think they changed users out. It's now Nando's I think.

Lynn Levy - Quick question about the fencing. Is there an intent, in addition to trying to contain the site for security reasons, not just a chainlink fence to look at but something more pleasant to see?

Eric - Yeah. At the minimum, we'd like to market it and put renderings up. But we're also open to getting creative.

Tom Healy - Your two projects, Microvote and Madera, the southmost lot. You agreed to make that available for public parking.

Eric - South of Madera? The intent, yes, it's not off subject.

Tom - And given the recent focus on small parking lots and some of the problems we've been having. Have you given any thought to the kind of security you might want in there?

Eric - We haven't yet, but we'll do whatever is in the best interest. We're not in the business of building parking lots and monitoring it. Security wise, there's cameras everywhere.

Tom - Same goes for Microvote lot?

Eric - Yeah, Microvote we have cameras and also Audiochuck is a pretty unique user. They use the parking lot at all times of the day/night. Work twenty hours a day in there and take their security for their employees seriously.

Tom - Is this your leasing agent for Microvote?

Eric - No, we'll do that ourselves. Yeah there's a sign up there now.

Karen - Any other questions? Karen introduced Tom Healy's presentation, next on the agenda.

Tom Healy Presentation - Mr. Healy, Managing Editor of Midtown Indy Magazine, appearing to address the following with the Land Use and Development Committee: (1) General observations about the Land Use and Development Committee's leverage, (2) Request for an update on Envision Broad Ripple 2.0, and (3) Suggestions of continuing education opportunities for the Land Use and Development Committee.

Tom - I've got a few points that I certainly would like to make. I'll introduce myself as I don't know everybody here. My background, I've been a business owner in Broad Ripple for 40 years, this November will be our 40th anniversary. I've been engaged with the Broad Ripple Village Association and I filled out a term from somebody who had resigned and was elected twice, so I served seven years before director. I also served ten years on the Land Use

Development Committee. And during that period of my service, I was involved in a lot of big deals...the parking garage, Coil, Broad Ripple Avenue repaving, Riverwalk, Cornell redesign, reverse angle parking, things like that. I'm very involved in Midtown TIFF discussions. I was also very involved in the Envision Broad Ripple multi-year process to come up with a plan. During this period, a lot of stuff has happened. I just want to say that I understand the work you're doing and I so appreciate the volunteer service you're giving to the community, because I know it's a pretty thankless task. I still have scars from some of the projects I've worked on, but that's just how it goes. The fact of the matter is the decisions you all make last for a generation, so it's a heavy load to carry as volunteers who hold careers, personal lives perhaps. So I just want to say thank you for doing this. It's really important. It's important for a variety of reasons, in part because Broad Ripple Village Association is a membership organization. So it really only represents the interests of its members, with a few exceptions. And this is one of them, Land Use Development, where you make it available for the public to come and speak and weigh in on initiatives, things like that. Even though your vote is sort of important and represents the larger community, it has no legal have to if you will. People can proceed whether you support them or not, believe me, I know that. But also with infrastructure, the BRVA I know has endeavored to very involved infrastructure projects, sometimes with greater success than others. And that's up to whatever the administration that's on the 25th floor and the people appointed. Oh and sort of public green spaces, things like that. Monon, Riverwalk, these kind of public infrastructure projects. The Family Center at Broad Ripple Park, things like that. The BRVA has an outsized influence in these areas and I think that's important to recognize. Because, while you have greater influence, than perhaps you realize it's not much of an influence as some of the hater on social media suggest, when you're responsible for everything, the bars being open late, people loitering, it's just not your deal, it's not. And you look at the kind of projects that have been supported over the years, reflecting the Envision Broad Ripple project, they've really enhanced the village in really significant ways the community said they wanted to see. They wanted more people to live in the Village so that their commute is an elevator and then walking on the street. They don't necessarily need to have a car to enjoy and when their friends come to visit, they can park in their parking garage or wherever and they can walk into Broad Ripple. Then having wider sidewalks, a nice Canal walkway and walkway to the park. All of these things are the kinds of community infrastructure that the community has said for years, they want to make Broad Ripple more walkable. Back to the 70s, constant theme, make Broad Ripple more walkable. And as you've noticed, as projects get improved, or proposed and then approved, there can be recommendations that improve walkability, improve the ability to navigate the community without necessarily being in the car. And I think this is probably the most important things that you all do. What I've noticed in my attending meetings and making comments, is a I'll frame it as humility. And I appreciate that but also as sort of a timidity to be assertive on the things that the community has said they wanted for decades, and the community is pinning their hopes on you that you all will reflect that in the decisions you make. And I'm not here to relitigate particular projects that I may have remonstrated against. But we have to say that now given the increased focus on small parking lots, and the kind of challenges they present, not because the owners are bad people or they're not doing the right thing by developing Broad Ripple, that location and security are super important. And I'd like to invite you to be aggressive on these proposals for small parking lots, and insist that there are some sort of safety mechanisms in place I order to get the BRVA support for a zoning variance or for whatever proposal they've got. Similarly, I think it's also possible to use the leverage you do have in this forum to get additional concessions. But you can specify the kind of uses you don't want to see at a particular project. I think there is a possibility to go a little deeper. And I'll just say it, I think anyone that wants to put a high capacity bar or tavern in Broad Ripple, we've got that covered. Now if someone wants to come in and put a family restaurant in, or adult sort of dining, that's another kind of tenant. But get the developer to commit to that up front. That they're not going to try to put a bar or a tavern or if they do, they have to come back for a variance. I just think that given what we're seeing around here and the problems that over the years we've seen around Broad Ripple. For awhile

it was everybody wanted to get a liquor license. And for awhile everybody want to have a bank with a drive through window. We've seen what's happened with the ebbs and flows of the real estate world. And I think, again, given the kind of scrutiny that we're getting right now, I think it's important that we take this opportunity that you have to work with IMPD, Mayor's Office, ENS, and come up with a really solid Good Neighbor Agreement. Because you can't enforce a Good Neighbor Agreement, we tried, we wrote a really good one for Kilroy's when they came here. And for ten year they've operated, I think responsibly overall. But it really took a knock down, drag out fight to get to that place with them to have a custom Good Neighbor Agreement that would get them to operate correctly, and they have. I think that's a precedent that you can use now. Before they get the variance, before they get the liquor license, put a really solid Good Neighbor agreement in place.

Bo - Mr. Healy, can I ask you a question? You just made a comment that the Committee has displayed some timidity. Can you provide an example of what you mean by that?

Tom - I would point to some of these bigger projects, but specifically with the two parking lots. Again, I don't want to relitigate these but I just felt that it was...

Bo - I'm just trying to understand, because you've got so much history here. Are you saying that there's an uptick in crime and various activities on these two locations?

Tom - No.

Bo - I'm just trying to understand your perspective.

Tom - IMPD is saying that small parking lots that are unattended and not closed off are proving to be problematic. IMPD is now going around talking to various bar owners that have closed. But no.

Karen - What I'm hearing you say is that, as the Land Use Development Committee. Well two things, one is that we shouldn't be afraid more aggressively to get what the Village wants. And number two as part of the Good Neighbor Agreement, as part of that leverage, we are working on updating the Good Neighbor Agreement. So I think some of these things are moving along the initiative.

Bo - We agree overwhelmingly the importance of a Good Neighbor Agreement.

Tom - We support development. We're not anti-development. You wouldn't be on this Committee if you were. So I don't think there's any need to preface with any remarks you make with a developer. I get it, this is rough. They do this for a living, they've been doing it for decades, they've got their proformas. I've heard it all. Promise, promise, promise. We're still waiting for Buckingham to put in an art piece that they agreed to put in with a commitment, 14 years ago. We have no leverage. And Brad Chambers is the kind of guy where if he wants it done, he gets it done. They clearly didn't. I also know that during the course of negotiations of the former MacNamera site, when the community was really saying how important it was to keep a neighborhood street, he wanted to put a retail establishment on the corner at the Monon. And I think he probably still does, or his company still does. We insisted on some setbacks, we insisted on parallel parking on 61st Street and got all that stuff. And by saying so, he's got a great complex that is 98% full. It's a great complex. So the fact that the BRVA can push back or take a strong firm stance, it's all they've got for Envision Broad Ripple, which is still valid and we've accomplished many of the goals outlined. My next point, because you all have this Good Neighbor Agreement, I want you to be aware of the request that Midtown Indianapolis has made of IMPD along with the support of the Marion County Prosecutor and John Bart, to get data on the number and types of Liquor Licenses in Broad Ripple, the fire

Marshall occupancy for each of those and how that data compares to every other entertainment district in the city. The idea being, if we have that data it gives Broad Ripple and the community some leverage. We're hoping that when we get that data, we want to share it in a public forum, that's why the prosecutor and Counselor Bart are interested in being a part of that. Similarly, Midtown is working closely with the Department of Metropolitan Development on some properties along College Ave and 42nd Street and in a recent interaction with the Land Use Development Committee from the Meridian Kessler, it became clear that there was not complete comprehension of what Transit Oriented Development is or what the overlay is and how it functions. And so the city and the Department of Metropolitan Development has offered to provide in service training or continuing education to MKNA's Land Use and Development Committee. We said we'd like to talk to Broad Ripple and some other neighborhoods that are having some development pressure. A joint session where the city could present on that.

Karen - I'm just wondering if that's something just for the Committee or something that's open to the public? Because the public could benefit as well, I think on a neighborhood level of understanding of what that is is also important.

Tom - DMD original offer was just to do one for the Land Use Committee and if perhaps the public would be interested as well, sure I think DMD would be open to that. There are other options for continuing education. The Marion Prosecutor's Office has something called CPTED (Crime Prevention Through Environmental Design). Mostly for residential but also commercial. Finally, I'd like to know if there's any movement on Envision Broad Ripple 2.0?

Karen - There is some movement, although we're not calling it 2.0 because we're not redoing it. Like you said, the foundation is there and is still good. Right now we're going to update the new city's guidelines.

Tom - Public to make a comment.

Karen - Any final comments from the committee

Meeting was adjourned at 6:49pm.