

**BRVA LAND USE AND DEVELOPMENT COMMITTEE**  
**Tuesday, August 25, 2020 6:00 P.M.**  
**Northminster Presbyterian Church**

**Present:** Karen Valiquett, Mark Demerly, Kathy Andry, Lynn Levy, Molly Lawless Vance, Tim Oprisu, Chad Fallis, Neal Bennett, Garrett Lawton and Janine Lawton

**Guests:** John Jackson, Alan Hague, Tom Healy, Will Gooden, David Brunner, Jennifer Pyrz and Elizabeth Flynn

Chairwoman Karen Valiquett called the meeting to order at 6:05 p.m., committee introductions were made and guests were asked to introduce themselves.

A motion to approve the minutes of the previous meeting was made by Mark Demerly and seconded by Neal Bennett. Motion passed.

**Meeting Notes: 6302 N. Delaware St., Variance request for a second-story addition to a single-family dwelling with a 12 foot west rear setback. Case #2020-DV1-036. Hearing date: September 1, 2020.**

Karen informed the committee and guests that the first presenter wasn't able to attend due to illness. She advised the committee that a continuance had already been requested on this project and the new hearing date is September 1<sup>st</sup>. She asked if the committee wanted to move forward without a presentation. She read an email from the petitioner's representative stating that she has reached out to a few of the neighbors and they have no objections to the project. Neal commented that he's looked at other houses in that area and they all seem to have the same square footage and footprint. Karen confirmed that the house is already 2-stories and they are simply raising the garage to a height no higher than the existing structure and no wider than the existing footprint. Lynn moved that they support the variance request. Tim seconded. Motion passed unanimously.

**Meeting Notes: 6221 and 6225 Broadway St., Will Gooden from Clark Quinn and David Brunner from Broad Ripple Animal Clinic with a request to rezone from D-4 to C-3 in order to allow for an addition to the clinic building (6225 Broadway). Case #2020-ZON-059. Hearing date: August 27, 2020.**

Karen spoke about the small group meeting, held the prior week, to introduce the project and see if there were any issues. She advised the committee there was some concern that C-3 zoning allowed some uses they didn't feel would be beneficial to that site. There was also a potential issue with the drawing not allowing for a 10-foot setback from the property line.

Will Gooden thanked the chair for the introduction and Mark for catching the potential setback issue on the drawing presented in the previous meeting. He handed out

materials which included the history of the BRAC in the village, the intended uses, the floor plan and pictures of the affected area. He explained the buildings as they currently exist and talked about the proposed addition for the west side of the building running from the corner to the south. He indicated the addition doesn't affect the main entry. He said they filed this as a rezone to a C-3 from a D-4 to accommodate the addition. They have also filed a companion petition for a variance of the setback of the Broadway St. right of way taking it from a 10-foot setback to a 6-foot setback. The addition would add additional exam rooms and will connect the two buildings. Will went over their proposed findings which were also included in the materials. He indicated the design would be in concert with the existing structures. They will remain the same character and style. The height will not exceed the lowest part of the existing animal clinic. He indicated they met with the city planner and she said the staff asked that they maintain the residential nature of the building on the south and they've included that in the findings. With regard to the strict application of the zoning ordinance and the practical difficulties, he said the addition has to be located where it is, in order to work from a medical treatment standpoint. They will also be able to maintain ample parking with this plan.

Lynn asked about the tree in front. He said it would have to go. It was a trade off so they wouldn't have to take out the oak which is a heritage tree.

Chad asked if there were plans for trees to be added back in after construction. Will said they will commit to making the property look nice from a landscaping perspective. They want to be good neighbors.

Mark said he wished they could see the whole plan. He asked for clarification of the distance between the existing examining room walls to the property line. Will confirmed that it's approximately 24 feet. Mark, Karen, Lynn and Will discussed the measurements and weren't able to come up with the 6-foot set back as indicated on the plan. Karen explained that the owner said in the prior meeting that he doesn't have elevations or a final design because he was hesitant to spend the money before the rezoning was approved. She asked if this is something that could be worked out during the final design with the 6-foot parameter. Lynn added that there isn't a guarantee that they'd be able to maintain that set back and still make the rooms functional. Karen said she felt it was important to point out that the committee is concerned that what the owner is wanting to accomplish with the addition, may not fit to the space he's presenting.

Mark commented that per the Envision BR plan, this area is recommended to be zoned C-2 but because that doesn't allow for animals, they are asking for C-3. He added that there are several uses under C-3 they would want to be excluded. Will said he made a list of C-3 uses that they would commit to exclude and they would include this list in a written commitment as part of the rezoning. The excluded uses are: plasma/blood center, check cashing validation, laundromat, outdoor off-premises advertising sign, tattoo parlor and bar/tavern. He said he would send an email to confirm these. Karen asked the committee if they had any uses they would like to add to the list. Lynn asked if the committee granted a rezone, even with the list, what would prevent someone in the future from trying to get a variance of use in the future for one of these uses. Karen said they would have the right to ask for the variance, but they'd have to come through

the committee again to get support. Will added that the commitments would be reduced to writing, as per the order that would be issued and the letter of grant from the land.

Tom Healy asked how the committee feels about the commercial creep in the residential neighborhood. Lynn commented that the house is already being used in a commercial way because the office is there. Karen also pointed out that this area was recommended for commercial use in the Envision BR plan so they're still in line with the intent of that plan. Will added that they looked at several of the parcels around this property and many of them are residential character buildings, but are used for commercial purposes. Tom also asked if the modification of the zoning requires more parking. Will said the off-street on-site parking will be sufficient.

Mark moved to support the C-3 zoning with the exclusion of the uses that Will gave to the committee along with the variance of standards for a 6-foot set back on the property line in lieu of a 10-foot set back. Chad seconded. All members of the committee voted in favor of the motion with the exception of Garrett, who abstained.

Dr. Brunner addressed the committee and thanked them for their support. He confirmed that they are committed to being a good neighbor.

**Meeting Notes: Jennifer Pyrz with IndyGo presented an update on the Red Line charging station at College and 64<sup>th</sup>.**

Jennifer gave a brief summary of her background. She explained that their electric buses aren't holding their charges like they hoped they would. The bus manufacturer is working with them to install bus chargers on the line. Right now, they are doing temporary charging every other route but their temporary northside location had to move. They are hoping to construct the new location soon. She said the old KeyBank site at 64<sup>th</sup> and College came up a couple of months ago. It's smaller and tighter than they would have liked, but it's in the perfect location. They can turn around at 66<sup>th</sup>, charge their buses and then continue south. They just completed their process with NEPA and now they can formally purchase the property. They hope to close within the next 5-10 days. The buses will make their stop at the 66<sup>th</sup> St. station, they will make the U-turn and then turn right at 64<sup>th</sup> St. They'll have to trim down the curve a little bit so they're not coming into the oncoming traffic lane. Then they'll turn into the KeyBank building, drive around the back and on the north side of the building they'll stop and charge. The charging unit is in the ground. There's a charging cabinet behind the building. There will be a transformer on the southwest corner of the site.

Lynn commented that there's a lot of concern about how this is going to impact the area. This backs up to residential on the backside. She added that there's concern about noise and how this will affect the 64<sup>th</sup> and College intersection, which is already always congested. Jennifer said they will have additional people come back before the committee with more details.

Kathy asked if they're already purchasing the property, what will they do if they have much remonstrance from the neighborhood. Jennifer said they could sell it or use it for something else, but hoped that wouldn't be the case. She apologized that this is very

fast moving. She said it is urgent that they get this working because they can't run the heaters on the buses without losing their charge.

Neal asked if public involvement was done as part of their NEPA process. Jennifer said no and that it wasn't required. They intend to do it and the public affairs people are working on it. Because this is part of the Red Line, and it went through NEPA as part of the Red Line, this was a reevaluation on the site. Neal confirmed with Jennifer that they just amended the original EIS document to clarify why the public involvement hadn't occurred yet.

Jennifer and the committee discussed the traffic patterns at 64<sup>th</sup> and College and the problems with making the southbound to westbound turn.

Elizabeth Flynn spoke about the 64<sup>th</sup> St. closure and other problems with other street closures in Broad Ripple. She just wanted to comment on her frustration with another potential project adding to the difficulty in getting around.

Chad asked how long it takes to charge the bus and if the people wait on the bus. Jennifer said it can take 5 to 20 minutes to charge. There could be people on the bus while it's charging.

Mark asked if they will be making a request for a variance of use. Jennifer said she didn't believe they would need one. Mark said they'll need to address how they will use the empty building. Jennifer said they would like to use it as a community space. She suggested something like having the BRVA have their office there. She said it would have to be something that doesn't have a lot of foot traffic.

John Jackson asked Jennifer to make sure they don't forget about the pedestrians in their plans.

Jennifer gave additional information about the expansion of the Red Line and the future of the Purple Line and the Blue Line.

Mark moved to adjourn the meeting. Lynn seconded. Motion passed.

The meeting was adjourned at 7:15 pm.