

BRVA LAND USE AND DEVELOPMENT COMMITTEE MEETING MINUTES
Tuesday, January 26, 2021 6:00 P.M.
Via Zoom

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

Guests: (List attached)

Chairperson Karen Valiquett called the meeting to order at 6:05 p.m. and committee introductions were made.

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

Meeting Notes: 6250 College Ave. – Kelly Mulder with Keystone Group presented on the Purdue Polytechnic High School/mixed use project.

The building is a 5-story structure on the old Chase lots, just south of the parking garage. They are proposing an approximate 33,000 sq ft. Purdue Polytechnic High School on the first three levels of the building. This concept came about because PPHS is rapidly growing and they want to keep them in Broad Ripple. Their target goal would be to open at this location for the 2022/2023 school year. PPHS would have a dedicated entry off of College. Levels four and five would be apartments that would also extend north over the garage and would include 69 units with a mix of studio and 1-, 2- and 3-bedroom units. Rents would be comparable to The Coil, River House and IronWorks The residents will have their own entry and lobby space. There will be a small parking area in the back that will provide 17 new spaces in the development. There is a small loading/unloading zone on College, in front of the building, that they will extend to eliminate trucks blocking the alley in the back.

After concerns about student pick up and drop off were expressed in the previous meeting, they are looking at using the third level of the parking garage for that purpose. They can stack approximately 14 cars waiting for drop-off and pick-up on that level, which occurs over a period of one hour both in the mornings and afternoons. Cars entering and exiting the garage within 15 minutes aren't charged for parking. There is also some short-term parking on the first level. Regarding parking, the development needs 37 new spaces for the apartments and approximately 68 spaces for the school. They are providing 17 in the lot behind the school. There are 348 spaces in the garage. During the day, 20 spaces are dedicated to Enterprise, 12 spaces for monthly parkers and an average of 19 spaces for public parking during the day. If all of those spaces plus 90 for the building were being used, that's 141 spaces. There would still be 207 spaces for public use. During the evening, they would only need 37 spaces for the apartments, 12 spaces for monthly parkers, 20 spaces for Enterprise and on average 76 nightly public parking for a total of 145 spaces. There would be 203 spaces available in the evening, for the public.

They will continue working with Dr. Brunner and others on the needs for the loading and unloading and some of the other issues that are happening in the alley such as speed of traffic and condition of the alley. Kelly read the commitments they've made to Dr. Brunner (copy attached).

They are asking for rezoning to MU-2. All the uses of the building are allowed under this zoning. They are seeking a variance for the height restriction of 35 feet to approximately 65 feet and they're seeking a variance of the front yard five-foot minimum setback so they can align with the rest of the building. He talked about the materials and design elements of the building as he walked through his presentation materials.

Questions and Comments from the committee:

Karen: Is there an issue with the school being within so many feet of a bar? A: They have a signed letter from the school giving them a waiver from the constraints that are out there.

Lynn: How do you intend to deal with the southside of the parking garage on the ground level that looks out to the open space? Also, how will you deal with the connection or the separation of the two buildings all the way up on what is currently the southside of the parking garage and leased area underneath? A: On the south property line, they are 5 feet from the property line so there is a little bit of buffer. There are windows down there to keep it bright and open. At the front ground level, they pulled the gap in between the two buildings, back to allow some of the windows to go around the corner to maintain the glass. They will also use some green walls or whatever they can do to make it look as good as possible.

Mark: How many parking spaces are you committing to the Dan Jacobs project during the daytime? A: They have a letter with him for up to 80. They still have to finalize an agreement with him, but they do want to make that happen. Even if all of their daytime numbers listed are filled, there's still a capacity of 207 spaces so there's still quite a bit available for the public.

Mark: Does PPHS have evening events? A: There is no set schedule for evening events at this time.

Mark: You've done some good things in trying to integrate the apartment building on top of the garage. Along Westfield, is there any way to put the brick up on one level onto the apartment building so it feels more integrated? Also, on the east side maybe there is some way to break the material there so you don't get that linear aspect and a brick color change on the PPHS building would be supported. Could you also talk about the building materials? A: They have some constraints on how much weight they can carry up there. They may be able to go a little higher with the brick, but they haven't gotten into that with the structural engineers yet. They have to see how far they can pull that brick up. Materials were discussed. The brick color choice on PPHS was made because there was so much going on with the front elevation, they just decided to bring the same color over.

John: We're looking at 600 to 1000 people using the parking garage during the day and exiting onto Broad Ripple Avenue with a stoplight that's been touchy. He is looking for a commitment to look at a traffic study to get the light fixed. Also, the sidewalk is uniform across there so you can't tell that there's an entrance and exit out of the parking garage. He would like to see it get replaced with brick or colored pavement so you can identify it's an entrance and exit.

Molly: With so many people coming into the garage for drop off, to prevent a traffic jam, is there any way to do something else besides having to stop and get a ticket? She does like the idea of everyone having to go to the top.

Adam: Have you presented the third floor drop off idea to PPHS? Can we get a commitment from you and PPHS that they won't pick-up and drop-off on College and that all pick-ups and drop-offs will be done on the third floor? Also, will you commit to creating an easier way to get into the garage without having to stop for a ticket? A: Yes, they have discussed this with PPHS. They would probably have someone there at busy times to let the cars through for pick-up and drop-off. They will need to ask PPHS about the commitments but that shouldn't be a problem. They will also make a commitment to have some sort of identifier for the entrance and exit from the garage. They would also commit to do a traffic study to see if this increases traffic and how that impacts the light.

Adam: If PPHS doesn't abide by their commitment with regard to the drop-off and pick-up on College, what will you do as their landlord? Will it be a clause in their lease? A: They could contemplate putting it into their lease. They've been great tenants so far. They are excited to have the third-floor option. Scott Bess from PPHS commented that they've dealt with this type of pick-up and drop-off before at Circle Center Mall. It worked well

then and this is much a simpler process. The parents will do what they ask them to. Kelly clarified the area on College called the loading zone is strictly for truck loading and unloading.

Kathy: With all of the additional trash from the apartments and the school, how will you accommodate the trash pick-up? A: The trash pick-up is on the alley side where the 17 parking spaces are.

Karen: Who are the 17 parking spaces in the back reserved for? A: Possibly teachers, a leasing agent or visitors.

Karen asked for public comments.

Dr. David Brunner/Broad Ripple Animal Clinic: He is concerned about drop-off on Westfield because that area can easily back up. He wants to know who is going to patrol that. Currently, the trash cans already get pulled into the alley and the trucks will block the alley for sometimes 15 minutes. The cans are stored underneath and get individually rolled out and emptied. With all of the extra trash, how will you handle all of that trash and where will the dumpsters go exactly? A: They make larger containers that roll out and still go overhead. For the Westfield drop-off question, there is an option to turn off of Westfield into the garage for short-term parking.

Dr. David Brunner: He still has concerns that people will start cutting through his parking lot when Westfield backs up. Will that be patrolled? He wants to know how many trash cans will be rolled out into the alley and blocking traffic into their parking lot and his? A: They manage trash all the time in big urban projects and will be able to make this work. They will talk with PPHS about their staff members going outside to help direct traffic for pick-up and drop-off.

Mark: Commented that PPHS, as a tenant needs to police this situation. He talked about a retractable trash compacter that can be used and suggested Keystone look into a more efficient trash system.

Tom Healy: He likes the activated space on the corner. He asked if Enterprise and the IMPD substation are going away. A: They will remain there.

Mark moved to support the project with the three stipulations Kelly read earlier and also with the commitment that PPHS not drop-off on College, Westfield or the alleyway but would be restricted to the third level of the garage for drop-off. Also, Keystone will look into a vehicular and pedestrian traffic study that would address the traffic light that John stated and will provide some means of signaling or visual for the entrance and exit of the parking garage. Finally, Keystone will come back with the final materials used along Westfield. He supports the rezoning and variances.

Adam: He would like to have all of the commitments in writing for the committee to review before he would vote on the project.

Neal agreed with Adam. He also agrees with Mark's commitments including the three they promised to the veterinary clinic, but he would like to see them all in writing so he can look through the actual language.

Karen noted a motion was made, but not seconded until the commitments can be reviewed in writing. They should be able to vote on this prior to the next public meeting.

Kelly Mulder asked if they could get a firm date for the vote, perhaps sooner rather than later. Karen said they could commit to vote within three or four days of receiving the final commitments from them.

Karen asked for the hearing date. A: They don't have that.

Kathy expressed concern that they didn't address the issues with the trash.

Members discussed the traffic study and confirmed that there is a lot to uncover on this project. They will commit to making sure Keystone doesn't miss their hearing deadline, but they need time to carefully deliberate.

Meeting Notes: 6220 Carrollton Ave. – David Kingen representing Cairo Sands, LLC requesting a variance of development standards to provide for a bar within 50 feet of a dwelling district, with a rooftop deck with nine-foot front setback, with a zero-foot rear transitional yard without landscaping, and with seven parking spaces and with a bike rack in the front yard (100-foot separation, eight-foot alley transitional yard with landscaping, 10-foot front yard and 18 parking spaces required).

David Kingen introduced Schyler Sullivan, who was presenting. Schyler introduced the owners of The Egyptian, Sunny and Preet Singh and the architect, Diane Brenner.

Schyler walked through the presentation. The new location is directly next to a D5 district. They are requesting a variance to locate the hookah bar and restaurant 54 feet from the D5 protected district to the west, when 100 feet is required. They also requesting a variance to reduce the rear transitional yard from 10 feet to zero feet, reduce the required onsite parking to 8 parking spaces, when 18 are required and allow for a front yard bike rack to be located which is not permitted. The lot directly north of the property is free most of the week with some paid on Fridays and Saturdays. The bike rack next to the public sidewalk would allow for bikes to be stored in the front yard. He pointed out the angled parking that's currently at the site. The rooftop area seating is proposed for a maximum of 50 patrons on top of the roof at the same time. Sunny is proposing to setback the northside fencing area and install some type of built-in seating or patio lounge seating and perhaps an awning. They are proposing a dumpster enclosure and screening area which would be setback a minimum of 10 feet from the alleyway. They also propose 2 regular parking spaces and a handicap space with bumper stops installed, to allow for the stair area. Wheelchair access would be around the building and down the parking lot to the front door. Sunny confirmed they've been at the old location for 15 years. They want to take the deteriorating building at 6220 Carrollton and spruce it up and put it to good use. Schyler explained the existing landuse map has this area as commercial retail, however the proposed landuse map would show that it is for urban mixed-use and explained what that means. David talked about the proximity to the D5 area. The building is 54 feet from the rear to the point where the D5 zoning starts, but the Lincolnshire located there isn't zoned properly. Because of the zoning district applied to that area, they need a variance for this project.

Questions and comments from the committee:

Karen: Have you talked with any of the adjacent neighbors and do they have any thoughts on this? A: They just started distributing letters to the neighbors but they will be working with them as much as possible. The neighbors are all businesses except the Lincolnshire.

Mark: Can you talk about your business plan and would you be agreeable to limitations for things that might become a nuisance at night? A: They currently have a patio area. They don't do any live music outside. They've never had any noise complaints. It's a lounge so people are there to relax and talk. There's no dancing or getting loud.

Mark: Would you be willing to make a commitment regarding the noise as part of the agreement? Is the parking part of the variance you are requesting. A: Sunny said they can commit to no loud speakers or music being played on the deck. Schyler said they are trying to mitigate the parking requirement with the bike rack and the parking lot to the north.

Mark: You will need to get a commitment from the parking lot to the north as part of that.

Sunny added that currently they have no parking. This parking would be an improvement. They've never had a problem with parking at their current site. David said they are using the public spaces that are contiguous to the property as part of the 8-space count. He also pointed out the close proximity to the RedLine station and they haven't taken that reduction but they could get back to the committee with that reduction.

Karen: Is there a way to use the back door for the ADA spot? A: They have a back door they would be happy to allow anyone who wants to have access through there to use it.

Tim: What would the hours of operation be? Is there a curb cut for wheelchair access? A: They open around noon and close around 2am. On Fridays and Saturdays, they are open a bit longer. Schyler pointed out the wheelchair access.

Chad: What is your current square footage compared to the square footage of the new site? A: The main dining floor would be almost exactly the same. The addition is the deck upstairs.

Karen: Would deliveries be out in the back lot? A: They will use the rear door for deliveries.

Neal: Businesses on that road use the alley system as well as Carrollton for deliveries.

Lynn: We might want to get a formal commitment that they would only have deliveries in the rear if that's important to us. A: They will be happy to try to avoid deliveries on Carrollton.

Karen asked for questions and comments from the public.

Tom Healy: He would also like to see a commitment for the deliveries in the back. He thinks it looks like a good use of space.

Chad moved to support the request with commitments for deliveries in the back and no music on the rooftop deck.

Sunny asked if would be possible to have an instrumental, low volume playlist up there. It would be at low decibel levels. Neal said they should consider hours for the music. Kent Springer confirmed we have a Good Neighbor Agreement that we should enter into with them if we don't have one on file.

Karen clarified the motion would be to support the request for variances with a commitment for deliveries in the back and the signing of the Good Neighbor Agreement. Neal seconded. Motion passed unanimously.

Meeting Notes: 6108 Carvel Ave., Brett Davis and Chris Mulloy with Buckingham with a presentation for a new project on this parcel.

Brett said they want to redevelop an existing property that they already own. It's currently multi-family and they want to do another multi-family project at this site. The site is 1.41 acres at the corner of 61st and Carvel. They back up to the Monon Trail. Just to the south is Monon Place, a project they developed several years ago. This property is currently zoned C-1 and the current building doesn't allow for multi-family. They are looking to kick off a rezone process. They want more density on this site. They are proposing a 4 story multi-family product that sits on top of a parking podium. He walked through the design elements in the presentation materials. The main entrance would be at the corner of 61st and Carvel with a secondary entrance on the Monon Trail. They are proposing 186 units: 18 studios with about 530 sq ft., 147 one-bedrooms with about 725 sq. ft., and 23 two-bedroom units with about 1026 sq. ft. They are proposing 174 off street parking spaces. They are looking to do a Planned Unit Development District (DP) which will take 3-4 months working with the city, BRVA and neighbors to develop what the standards are. The presentation is in no way the final project. They envision having a linear park along the Monon Trail with seating, lots of green space, art and the retention of as many existing trees as they can.

Questions and comments from the committee:

Lynn: Any effort they can make to screen the parking garage to make a more pleasant experience for that heavily traveled section of the Monon would be appreciated. Also, locating the trash on the corner of the intersection where the Monon crosses the street is an unfortunate choice. A: They can look at moving the trash to another location. It would be completely screened but they would look at changes to that.

Chad: There's little about this project that he likes. He likes how the current product has so much green space and such large trees. He doesn't care for the idea of losing so many trees and greenspace in the proposed development. Also, he's sure the new units will rent for much more than the current units rent for and he thinks they need to be mindful of having a diverse, affordable community and room for people who can't afford the rent in these to still have a place to live and be part of the community. He appreciates the nod to the Monon with the art and new smaller trees, but looking at exposed concrete and some screening to a parking garage doesn't excite him. A: There are things they can do to engage the Monon more and break up the façade and help hide the garage more. The rents will not match what is currently there, but they are trying to be conscientious of what those rents are and they are currently defining what those rents can be. They aren't looking for this property to be at the top of the market and are targeting a minimum of 20% of the units to be below 80% of AMI.

Mark: He is happy that they are looking at setting aside a certain portion of units for the workforce.

Kathy: There's so much rental property going up in Broad Ripple and with little thought to home ownership. She would like to see more done to encourage ownership.

John: He likes that this dresses up the Monon Trail. He also likes that they are providing more parking spaces than there have now. He commented on changes he'd like to see to make the building look less boxy. A: They've been focusing on design inhouse and now it's time to get the architect underway and start playing with the façade.

Adam asked Mark if the committee has asked Keystone to commit to workforce housing as well. Mark said they didn't bring it up at that time, but because these aren't TIF projects, it would just be a request. It may be something they should reach back out to do.

Adam: Why are they trying to go for the Planned Unit Development District? A: In their conversation with city planning, they decided this was is a unique spot. There's a lot of multi-family around. It's a pretty tight site. They don't fit in to a CS type district which is what River House and the Coil did recently because they don't plan on putting any mixed-use here. It's a unique opportunity to collaborate with everyone to set what variances and other things would be needed.

Adam: Is this just for this site? Do you own the site to the north? A: No, it would be specific to just this site. They don't own the site to the north.

Garrett: As a frequent Monon user, he just wants to emphasize that he thinks the community would appreciate keeping as many of the existing, older trees as possible. He feels going forward, the committee should be mindful of the rents when considering new developments.

Karen asked for comments from the public.

Tom Healy: If they could carry on the way the project to the south treated the Monon they'd have the experience of living in the trees. It's a wonderful space for the Monon users and the residents. He expressed concern with the dog run right next to the Monon, creating an opportunity for bad behavior from some motorists. He talked about taking care of the commitment of an art installation that was to go on the northwest corner of the property to the south. A: They have the art piece sitting in a garage. They haven't been able to get the permit to get it installed. Anything anyone from the BRVA could do to help would be appreciated. Mark asked him to send what they've done and he'll see what he can do to help.

Brett said they'll make the recommended adjustments and try to get back in front of the committee at the next meeting.

Meeting Notes: 1040 Broad Ripple Ave., Misha Rabinowitch and Todd Morris with a presentation for an eight-unit townhome development proposed for this parcel.

Misha began by saying they haven't filed anything on this project yet. They are looking for feedback from the committee at this time. He introduced Todd Morris. The property is zoned C-5. It's actually part of the entire site. They would be subdividing a parcel of this site and rezoning it. They haven't talked with the planning staff yet. It may be a CS or DP to accommodate the existing commercial use and adding the residential use. Todd talked about the eight-unit townhome project called River Bank. Their plan is to tear down the Chef JJ building. They will be eating in to the parking lot a bit as well. It's a bigger footprint than what's currently there. The trail currently dead ends at the property but they will continue the trail along the river's edge so that will be public access. He walked through the presentation materials. Parking is in the rear and the front entrances are along the riverside. He discussed the materials used on the exterior. They will keep the cut through between Riviera Drive and Broad Ripple Avenue and talked about measures to slow the traffic down in that cut through.

Lynn: How does someone get around to the front of the building? A: There is a path that is connected to the Monon that goes all along River House, all the way to the roundabout and down. They could add a small sidewalk along the side of the building on both sides.

Karen: Giving some hard thought to the site and the cars and pedestrians and their interaction will be necessary. This is a strange location with everything else there.

Lynn: A lot of thought needs to be given to traffic calming, circulation and how they will make this safer.

Tom: The traffic pattern is the most challenging component to this site. They are constantly thinking about it.

Chad: Agrees with previous committee members comments about ownership opportunities. He also agrees with Lynn's suggestions about adding a sidewalk on both sides.

Mark: Do you have control of the whole site now? A: No, they only have control of what you see in the presentation. Andy Wolf, who owns the entire site, has been on board since they brought the idea to him.

Mark: So, you would be limited to the footprint of the townhouses? A: Correct. We would have out to the parking and both access points.

John: Trying to get emergency personnel to the front door without blocking everybody will be an issue that needs to be looked at.

Mark: Have you considered dividing the building into two? A: They looked at that but as they started to lay it out this is makes the most sense.

Neal: He has a concern about the riverbank itself. That's an outside bend of the White River. Consideration should be made to looking into the stream stability there and making sure that the project's runoff and stormwater controls don't exacerbate potential erosion to the riverbank from above. The vegetation needs to be completely redone with this project. They'll need DNR approval for a construction of floodway permit. As much as he likes the concept, he has some pretty big problems with what it could do to the river itself without having those questions answered. A: They will have to do some studies of the effect of this project on the riverbank. They don't think that it will. They feel they are far enough away from the river. They are off the river about the same distance as the original building.

Neal: Where are you taking your stormwater? A: I can't answer that.

Neal: With a new development, you will have new requirements. There are a few things he would need to see before he could support the project.

Karen: Is it your intent to cut down any of the trees for this? A: No

Garrett: If you haven't already spoken with Joshua John, our point person on the Riverwalk project, he might have some insight on the ways your development ties in to what's proposed in the future. A: I will do so

Kent: To the question about the emergency vehicles, the Reserves are just like this and emergency vehicles have to go around to the front of the door. He doesn't see any need to divide the building.

Neal: If the trail is built to the standards that the city will require, emergency vehicles will actually be allowed to drive on the trail.

Questions and comments from the public:

Tom Healy: The Riverwalk project will take some support to help make that happen. Would you be including the construction of that in your project budget? A: Absolutely. The path that's on the site plan, they will put in. It will dead end again just like when they did the path for River House.

Karen: What's your proposed timeline moving forward? A: They have some zoning work to do on their end. But hopefully they can be back before the committee in 30 days to ask for a vote.

Mark moved to adjourn the meeting. The motion was seconded. Motion passed. Meeting was adjourned at 8:43pm.

January 26, 2021 Land Use & Development Committee Meeting Guests:

Jessica Simpson
Becky Erdel
Janet Beck
Tom Healy
Mitch French
John Flynn
Lynn Dimond
Natalie VanDongen
Andrew Baldwin
Mitch Ostrowski
Keith Potts
Jordan Williams
John Hudson
Charlotte Fisher
Bo Boroski
Kent Springer
Rachel Douglas
John Pantzer
Karen Strunk
Alan Hague
Joe Calderon
Scott Bess
Jessica Pavlik
Ersal Ozdemir
Kelly Mulder
Schyler Sullivan
Sunny Singh
Preet Singh
Diana Brenner
David Young
David Kingen
Brett Davis
Chris Mulloy
Todd Morris
Misha Rabinowitch
Rod Vosper
Beau Pahud
David Brunner
Dave Humpal
Steve Tucker

Keystone Statement of Commitments to Dr. David Brunner/Broad Ripple Animal Clinic:

1. The owner agrees to post signs on the Subject Property providing that there shall be no automobile or truck parking in the alley located adjacent to the west property line of the Subject Property (the "Alley").
2. The owner agrees to make reasonable efforts to cooperate, with the support of the majority of neighbors whose properties abut the Alley, in any petition filed with the City-County Council restricting the Alley to one way traffic, establishing a posted speed limit in the Alley, and/or prohibiting parking.
3. The owner shall direct contractors performing work on the Subject Property to park vehicles in the existing parking garage on the Subject Property (the "Garage"), and to not stage or park equipment or vehicles on property commonly known as 6225 Broadway Street, Indianapolis, Indiana 46220.