

BRVA LAND USE AND DEVELOPMENT COMMITTEE MEETING MINUTES
March 22, 2022, 6:00 P.M.
Northminster Presbyterian Church
1660 Kessler Blvd. E. Drive

Present: Tim Oprisu, Bo Boroski, Chad Fallis, Daisy Winkler, Karen Valiquett, Josh Mazur, Mark Demerly, Andrew Baldwin, Jordan Dillon, Janine Lawton and Kristen Kraus

Guests: David Gilman, Alan Hague, Misha Rabinowitch, Brian Gamache, Mitch French, Mark French, Brittany Bigelow, Spencer Lee, Brad Vogelsmeier, Lynn Levy, Tom Healy, Bill Carlstedt, Bo Turner, Jennifer Roth, Anson Keller, David Kingen, John Albrecht, Bill Ficca

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

A motion to approve the minutes of the previous meeting was made by Mark and seconded by Tim. The minutes were approved.

6544 Ferguson Street - David Kingen from Neighborhood/Downtown Zoning Assistance, Inc. with a presentation for rezoning of this property, along with Jennifer Roth from Ferguson LLC.

David Kingen and Jennifer Roth presented. David represented Jennifer Roth and Ferguson LLC in the presentation. David presented handouts and described the property located at 6544 Ferguson Street. Handouts highlight properties that have been rezoned over the last 10-15 years. David expressed that mixed use seems to be where that area around 6544 Ferguson is going. David said that Ferguson LLC is wanting to challenge the LUD committee to rezone as mixed use. David expressed that they are not seeking a vote just yet, they would like to come back to next meeting with a full presentation. Jennifer spoke about the current use of the property. The property currently consists of 7 offices containing mental health counselors. Jennifer said that the owner is selling the property and they would like to rezone. Mark asked what the past use has been for the building. He expressed that if going for MU-2, they need to include exemptions. Karen said the committee has a list of prohibited uses, previously used. Jennifer Roth said there will be no changes to the property, they are just looking to rezone it. Mark said that it falls into what they are looking for and initially does not see any reason not to support it. David said that they will return next month with a full presentation.

6360 Guildford Ave. - David Gilman with Land Development Services and Brittany Bigelow representing Audiochuck with a request for a vote on the petition filed for a variance of use and development to provide for a surface parking lot (not permitted in Transit Oriented Development overlay district), with 3.5-foot-tall block wall within the clear-sight triangles, a 20-foot-wide drive aisle (minimum 23-foot width required) and 18-foot-long parking spaces (20-foot length required). Case #2022-UV2-005, Hearing Date: April 12, 2022

David presented handouts and introduced Brittany Bigelow, representing Audiochuck. David said that Kevin, who represented Audiochuck at last month's meeting could not make it to this meeting and Brittany is representing in his place. There was not a vote at last month's meeting and they were hoping for an approval at this meeting. David explained that Audiochuck is the larger tenant in GBLOC. Audiochuck's immediate need is employee parking. They are wanting to put in a surface, private lot just for employees..

The committee asked the presenters to consider the following at the last meeting:

- Flood Zone
- Permeable Pavement was suggested
- They proposed providing areas for local artists to put murals on. LUD suggested that it cover the entire building wall.
- Agree to a 5-year variance
- Have plans in mind for the March meeting & began preliminary drawings

Brittany expressed that Audiochuck's wish is to make Broad Ripple their home. Brittany is Head of Production for Audiochuck. She gave a short background on herself, coming from NYC & LA. She expressed that Audiochuck is one of the leading podcast production companies in the nation. Brittany mentioned that Audiochuck does advocacy work, such as their involvement with genealogy testing in cold cases & donating to a child abuse foundation. She stated that they are creeping up to \$2 million in donations.

David went through the following proposed commitments:

1. The variance of use for a surface lot shall be for a 5-year period to allow the petitioner time to file for a site development plan for the subject parcel. *(David was asked to add language making it nontransferable, see the amendment below)*
2. A site development plan shall be approved by public hearing, prior to the expiration of the 5-year period or an extension to continue the use as a surface lot is approved by public hearing.
3. The petitioner shall provide existing employees and new hires incentives to move to the Broad Ripple area to support their business growth plan and to minimize the need for off-street parking for its employees and customers.
4. The parking surface shall be of a permeable pavement and *(it was suggested that this be changed to "or", see the amendment below)* petitioner shall use best practices to manage stormwater run-off, as recommended by the Department of Public Works, Stormwater Section.
5. The exterior masonry wall shall allow for decorative artwork. Such artwork shall be submitted to the BRVA and City Planning for review and comments, prior to a final decision.
6. The benches and tables proposed along Guilford and Main Street shall be similar to the exhibits provided to the BRVA and made part of the variance petition 2022-UV2-005

David was asked to give an example of an employee incentive they are thinking of offering. David suggested moving expenses as one incentive. He also mentioned that they are looking at purchasing real estate where they can accommodate corporate visits. David said they have considered doing a contest for the artwork they use to cover the building wall, that would involve the community. It was proposed in the last meeting that the benches and table could be abused, so they shared some examples of items that may work.

Karen asked David, "If in 3 years Audiochuck decides to sell property, will the variance follow?"

Mark said the variance would be riding with this property owner. David suggested that it's made nontransferable, Karen said she liked that idea. Karen asked if the furniture is moveable or bolted in. David suggested that they be bolted in, not moved. Mark asked about security. David said there are no proposed camera systems, it's not been thought about yet. He said there is a secured gate. Mark said there is a lot of activity in parking lots north of the canal. Mark said police department is offering services that can help. Mark asked for more full landscape plan from David and a lighting plan as well. Graphics on both sides of the wall were suggested, to prevent tagging.

Bo asked how many full-time employees? 23 on property (answered by Brittany) and expected to grow to at least 40. Not traditional 9-5 working days, days can start early or end late. Room for shared parking at west side of the gate.

Tim asked what kind of lighting? David said they have not committed to anything yet.

Karen asked if there will be electrical charging stations. David answered there will be 2.

Karen opened it up to the public. Tom Healy suggested it's not a good idea to put a surface parking lot. He stated that it creates a single lane down the center and that traffic generated is inappropriate for this particular parcel. Tom also expressed that 3 parking lots in a row on Guilford is not the look Broad Ripple is going for and overemphasizes the use of motor vehicles.

David proposed the following amendments to the commitments that were given:

1. The variance of use for a surface lot shall be for a 5-year period to allow the petitioner time to file for a site development plan for the subject parcel. The variance shall run exclusively with the petitioner.
4. The parking surface shall be of a permeable pavement *OR* petitioner shall use best practices to manage stormwater run-off, as recommended by the Department of Public Works, Stormwater Section.
7. The petitioner shall have a maintenance plan for all equipment and landscape plantings, including ground cover. The landscape area shall be always maintained in good condition.
8. The petitioner shall have a detailed landscape plan and lighting plan for the site development.
9. The petitioner shall install a security camera or similar protection device to adequately cover the parking lot area. The petitioner is encouraged to participate in the IMPD 911 software program for emergency notifications.
10. Any tree removal will be approved by DPW.

Karen's final comment was that she is not in favor of standalone parking lots in this area but she understands the business need. She suggested that they initiate a commitment to creating a timeline on the growth of Audiochuck.

Josh asked about a timeline for Audiochuck's commitment to Broad Ripple. David said it will get serious in year 3 if not sooner. 3-5 years you will see them back sharing future plans. Jordan asked what involvement they have had in the community & encouraged to follow-up on involvement. She suggested becoming a BRVA member. David said they would do artwork on the inside of the wall as well as the outside.

Chad moved to support the project with the commitments discussed. Andrew seconded. Motion passed unanimously.

6220 Guilford Ave. (Kroger Redevelopment) - Misha Rabinowitch representing Gershman Partners and Citimark with a request for a vote on the petition filed to rezone the property from C-3 to MU-2 for mixed use development. Hearing date: April 14th, 2022

Karen recommends that a vote be postponed until all members are present. Misha introduced himself. Misha introduced Brad Vogelsmeier and Anson Keller, who were there representing Milhuas. Misha said they have filed a petition rezoning for MU-2. Not seeking any variances from MU-2 zoning. Set for hearing on April 14th. Traffic study completed. Misha noted that the development will create less traffic than Kroger. The development is reverse, more trips during the day, than in the evening (unlike Kroger). Entrance off Guilford is sufficient. Access to be off Guilford. Mark said he does not disagree with the traffic comment.

Previous issues...solutions discussed by Misha:

- Height of building
- What it feels like at the pedestrian/ground level
- Looking at building as a whole in context to Broad Ripple

Brad Vogelsmeier, VP of Development at Milhaus took over presentation. He went over landscaping plans. He stated that the resident courtyard is private. It was asked that the elevation of the building be reduced by taking a whole story off of the building. Brad discussed how this wasn't a feasible option but went over areas where they can bring down a section of the building. He showed where they were able to bring down the southeast corner. Brad mentioned there will be a mature tree canopy along the sidewalk and an open storefront to the South. Height of this structure is really over the parking lot. Brad noted that it fits with other buildings along Guilford.

Karen opened it up to the committee.

Tim asked if they have talked to property owners or businesses in the area. Brad answered, there has not been a lot of conversation. Commercial businesses have been supportive. Karen read comments from committee members not present...John Jackson expressed that he would like the developer to build to the Envision Broad Ripple Plan for less than 1/4 of the building and he would support the 5 and 6 stories on the other 3/4 of the building. Garrett Lawton expressed that he agreed with John. Matt Hornyak stated that he accepts the development as is.

Mark asked about the resident porch or public area...is it street level or resident courtyard. Brad said street level. Mark asked where is entry to the apartment building? Brad answered that it is next to the leasing office location on Guilford.

Chad said that after digesting the proposal, he is good with it now that one section has been brought down.

Karen asked if city staff is supporting? Brad answered that the alley is the only item in question. They will be required to improve the alley. Mark will make sure committee will be provided with the concessions.

Karen opened it up to the public.

Tom Healy asked about parking and how many spaces there will be. Brad answered 117 spaces, which has not changed. Tom expressed that he would like to see a wider sidewalk, but he likes the improvements and the landscaping.

A question was asked, "How much retail space will there be?" Brad answered, 3640 sq ft of retail, plus outdoor seating.

Jordan asked, "Is there retail parking?". Brad answered yes, there are 11 spaces in the parking garage for public/retail use.

Mark asked what the percentage of residents is to the number of parking spaces. Brad answered one space per unit is as tight as they can get. Jordan asked if residents receive a parking spot for no charge or will they have to purchase a spot. Brad answered that has not been decided yet.

Chad asked about the occupancy rates for comparable apartments in Broad Ripple. Brad answered that it is 98%. He referred to the new Glendale apartments and that 267 apartments filled in 6 months.

Karen opened it up to public again, no further comments were made.

Mark asked about affordable housing. Brad answered that they will work with what the city requires. Josh asked what type of construction, Brad answered type 3 construction.

Bo voiced that he is impressed with the development of the plans.

Karen asked to be mindful of street close downs, as Broad Ripple has seen quite a few lately. She can foresee residents being weary of the construction. He said they will make sure to work with who they need to, to give adequate notice to the residents of any street closures that will need to take place.

Mark moved to support the project. Bo seconded. Motion passed unanimously.

The meeting was adjourned at 7:32 pm.