

## **Speedway Board of Zoning Appeals Meeting Minutes – April 7, 2021**

### **Attendees:**

**Zoning Board:** Janet Fullen, Sean Harrold, Bill Jones, Steve Jones, and Curtis Miller

**Recording Secretary:** Tim Ramion

**DMD Staff:** Kathleen Blackham

Mr. B. Jones called the hearing to order at 7:00 p.m. and introduced the Board members and staff. The Pledge of Allegiance was then recited.

Mr. B. Jones asked the Board if there were any changes to the previously distributed meeting minutes from March 3, 2021. There were no changes. Mr. S. Jones made a motion to approve the minutes and was seconded by Ms. Fullen. The minutes were approved, 5 – 0.

### **2021-DVS-001 – 4535 West 16<sup>th</sup> St – Georgetown Realty, LLC**

Mr. Josh Rogers, American Structurepoint, 9025 River Rd, Indianapolis, IN 46240. He advised the Board that he is representing Georgetown Realty and the SRC for this petition. He said that this is a request for a paved 78 stall parking lot with lighting and expanded sidewalk along 16<sup>th</sup> St. The site is in the northeast corner of a flood plain and he has received approval to pave the lot. In addition, he has coordinated this project with the pipeline companies and the DNR.

The petitioners are requesting five variances of development standards:

1. A proposed side yard of 10 ft. The standard is 25 ft.
2. A proposed rear yard of 10 ft. The standard is 25 ft.
3. A proposed greenbelt along a corridor street of 10 ft. The standard is 20 ft.
4. Allow for lot coverage of greater than 60%.
5. Allow for front yard setback of less than 50 ft.

He said that the proposed use of this lot matches the existing use, and that the planned improvements maximize the useability of the property. Although the lot will be used as valet parking for the Wilshaw Hotel, that will not be the primary use. It will be a public lot and will maintain the same feel as other nearby properties. He said that the 50' rule should not be applicable to this property, as it's located within the SZ-2 district.

Mr. Miller asked about the fencing, and Mr. Rogers said that it's a steel fence. Mr. B. Jones asked about the green space and greenery. Mr. Rogers reviewed the landscaping plans. There were no other questions.

### **Proponents**

Mr. Brody Duncan, President, Speedway Redevelopment Commission. He said that the improvements to this lot will continue the feel of Main Street and that it will continue the same use as it has today. The lot will be overflow for the hotel, but it can also be used by the public. He asked Mr. Rogers if there will be a gate at the entrance. Mr. Rogers said that they are still determining which manufacturer to recommend. Mr. Duncan said that the SRC will have control over the lot and is recommending approval of the petition.

Mr. Vince Noblet, President, Speedway Town Council. He said that he was at the meeting this evening to speak in favor of the new design for the lot. This parking area will provide a measure of safety for the south side of 16<sup>th</sup> St. He added that there are a lot of events on Main Street this year, and the new lot will help with parking. He requested that the Board approve this petition.

### **Remonstrators**

There were no remonstrators for this petition.

### **Staff Report**

Ms. Kathleen Blackham, Department of Metropolitan Development, 200 E. Washington, Ste 1842. Ms. Blackham reviewed the request and variances. She said that she recognizes that it is an improvement to the gravel lot, but with the lack of appropriate setbacks, this is not good for the community. She feels that the greenbelt should be maintained at 20 feet, because it reduces the environmental impact.

She said that on the fourth variance. 50% of the property will be impervious material, so she feels it should be pervious material. On the fifth variance, she disagrees with the petitioner. She said that a parking lot is not allowed within 50 feet of 16<sup>th</sup> St. She said that this is one of the entrances to Speedway, and she recommends denial of the petition.

Mr. S. Jones asked questions about the pavement types and the setback. Mr. Miller said that pervious pavement is more expensive and requires maintenance. Mr. Miller added that he agrees with staff regarding the greenbelt. He acknowledged that if there was a compromise on the front setback, they would lose some parking spaces.

Mr. S. Jones asked if the plan could be amended. Mr. Duncan said that this proposal had already been approved by the DNR, IMS, and the SRC. Any changes would require re-approval. He also said that pervious pavement also has problems with freeze and thaw cycles, so it's not an ideal surface.

A few additional questions and comments were made. Mr. B. Jones asked for a motion to vote on this petition. Ms. Fullen made a motion to vote and was seconded by Mr. S. Jones. Mr. Harrold read the results, stating that variance numbers 1, 2, 4, and 5 were approved by a vote of 5 – 0, and variance number 3 was approved by a vote of 4 – 1.

### **2021-DVS-002 – 1426 Main St – Speedway Redevelopment Commission**

Mr. Scott Senefeld, Veridus Group, 6280 Shadeland Station, Indianapolis, IN 46220, said that he is representing the Speedway Redevelopment Commission for this petition. He said that this project is an existing parking lot. The changes to the lot will reduce six parking spots, have a new entrance, and will change the in and out traffic. There will be a total of 24 re-stripped spots.

The petitioner is requesting two variances of development standards:

1. Allow for off-street parking within 50 feet of the right-of-way
2. Allow for a zero-foot rear transitional yard

Mr. Senefeld said that some of the parking spaces will be replaced with a small outdoor seating area for dining. There will be planters along the side to protect the diners. This project will improve both safety conditions and traffic flow.

Ms. Fullen asked if there will still be an ADA parking spot. Mr. Senefeld said yes, one ADA space will still be in place. Mr. B. Jones asked about the proposed planters, and if one style offered better protection than the other. The plans show both steel and concrete planters. Mr. Senefeld said that the concrete planters are better, but also mentioned that there will also be concrete bumpers in front of each parking space. He said that he is going to recommend the concrete planters.

#### **Proponents**

Mr. Vince Noblet said that he is in favor of the changes. This lot was never planned as a permanent lot, but this lot is still needed, and the changes will improve the flow.

#### **Remonstrators**

There were no remonstrators for this petition.

#### **Staff Report**

Ms. Blackham said that this spot has been used for parking since 1959. She thinks that the enhancements will be good. She recommends approval of this petition.

Ms. Fullen asked if the BZA could make a stipulation for approval, that concrete planters be used. Mr. B. Jones said yes, it can be noted in the approval letter. There were no other questions.

Mr. B. Jones asked for a motion to vote on this petition. Mr. S. Jones made a to vote and was seconded by Mr. Harrold. Mr. Harrold read the votes and stated that the petition was approved 5 – 0.

#### **2021-DVS-003 – 1464 Main Street – Dawson’s on Main**

Mr. Chris Hill, 1464 Main St, Speedway IN 46224. Mr. Hill advised the Board that he was seeking a variance to modify the awning to his restaurant. The new awning will have clear sides and will go 12 feet into the public right-of-way. The improvement will provide a year-round outdoor seating option with an additional garage door access.

Mr. B. Jones said that the Board needed to vote on the request to approve a waiver on the mailing of notices to the adjacent landowners. Mr. Hill missed sending out the notices in the normal deadline, however he did send them out 14 days prior to this hearing. He asked for a motion to waive the normal notification requirement in order to allow Mr. Hill to proceed tonight. Ms. Fullen made a motion to waive the notification deadline requirement and was seconded by Mr. Harrold. The motion passed 5 – 0.

Mr. B. Jones asked if there were questions from the Board. Mr. Miller asked if there would be a railing of some sort since alcohol will be served. Mr. Hill said that they plan to use the same stanchions that they use today. They are retractable. Mr. B. Jones asked if there would be heaters in that area during the winter. Mr. Hill said that there will be radiant heat under the awning. There were no other questions.

#### **Staff Report**

Ms. Blackham said that she recommends approval of this petition. The addition will encroach into the right-of-way, but there is still adequate space for pedestrians. It’s an improvement that will enhance the Main Street experience.

Mr. B. Jones said that he read in the staff report that the existing bricks would be replaced with stamped concrete to provide a safer surface for all pedestrians. He asked Ms. Blackham if that is something that should be a stipulation in the approval. Ms. Blackham said whether it's called a stipulation or a condition, she agrees that it should be added if the Board decides to approve this petition.

**Proponents and Remonstrators**

There were no proponents or remonstrators for this petition.

Mr. B. Jones asked Mr. Hill to return to the podium. He asked Mr. Hill if he was willing to replace the paver bricks with stamped concrete, as a condition of the BZA granting the petition. Mr. Hill said yes.

Mr. B. Jones then asked for a motion to vote. Mr. S. Jones made a motion to vote and was seconded by Mr. Miller. Mr. Harrold read the votes and said that the petition was approved 5 – 0.

No further business was brought before the Board. The meeting adjourned at 7:53 p.m. The next scheduled meeting of the BZA is May 5, 2021, at 7:00 p.m.

  
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BZA Chairman or Member

  
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Recording Secretary