

Land Use Report – January, 2013

The land use committee met on January 24, 2013 at DeveloperTown at 5301 N. Winthrop. Six hundred notices for the meeting were distributed by volunteers door-to-door in the surrounding blocks, including Winthrop, Carrollton and Guilford between 52nd and 54th Streets. Committee members present were Bill Blue, Eileen Hack, Adam Cobb, Robert Wease, Tom Gallagher, Novella Nedeff, John Bridge and Mary Owens. Approximately 50 neighbors attended to discuss the petition outlined below.

5301 Winthrop Ave. (Petition #2012-CZN-827 and Petition #2012-CVR-827) / Winthrop Partners, LLC dba Bent Rail Brewery and Coffee House

Rezoning of 1.41 acres from the I-4U (W-5) district to the C-S (W-5) classification to provide for I-4 uses, C-3 uses, a microbrewery with accessory grain silo, with a restaurant, tavern, and outdoor seating.

Variance of development standards to provide for outdoor seating (not permitted), and to provide for an outdoor stage and railcar with a zero-foot north side setback (10 ft. side setback required).

NOTE: Accompanying this report the amended Site Plan dated 1-28/13 and C-S Statement, which are an integral part of this discussion. They are uploaded and available for review on the www.mkna.org web site. Refer to November land use report for information on Bent Rail Brewery's plan of operation, description of the site and other details. This report will outline the latest amendments to the original petition filed in October, 2012.

The original petition was heard before the Hearing Examiner, Rex Joseph, on December 13. Mr. Joseph recommended denial of the petition, which was appealed to the Metropolitan Development Commission.

The petitioners determined subsequent to the land use meeting that they would eliminate the variance for outdoor amplified music, which was the primary objection voiced by neighbors attending this and previous 2 land use meetings. An amended site plan and C-S statement that eliminated this variance was filed on 1-28-13. The amended plan also increases on-site parking from 53 spaces originally to 79 by shrinking the beer garden and eliminating the building on the SE corner that housed the bike parking facility and restrooms for the beer garden. As a result, the total area of the beer garden has been reduced and the stage is now oriented directly east toward the Monon trail (originally oriented southeast).

The owners have also negotiated an annually-renewable lease for the parking area directly south of DeveloperTown, now owned by TCC Software Solutions (former Bee Window north lot). There also remains a cross-parking agreement between Bent Rail and DeveloperTown allowing 83 spaces. Total parking including onsite at Bent Rail, DeveloperTown and TCC will be 396 spaces. Bent Rail anticipates having 32 employees working during its largest shift with 21 employees during a normal shift and they will ask employees to park in the lot furthest away to allow for more customer parking nearer the site. This amount of parking is more than required by the City's parking regulations.

Larger, pre-ticketed special events were eliminated and maximum capacity (inside and out) will be limited to 600 persons at all times. Permanent seating remains unchanged inside in the family dining area (250 patrons), lounge area (100) and beer garden (150). The owners still plan to host lawn-chair family movie nights. The previous hours of operation remain unchanged.

Based on the latest changes to the petition, primarily removing the variance for outdoor amplified music, reducing the scale of the beer garden, reducing capacity and adding more onsite parking, ***the land use committee recommends approval***. Members of the committee voiced consensus that the scale would be more pleasing to residential neighbors, an eyesore would be removed from Winthrop Ave., most residents want to live near where there are things to do and the probability that this development will bring much needed infrastructure improvements to the area. The sentiment from most residents at the land use meeting was that this new plan was evidence of a good faith effort by the developers to address neighbors' concerns. While there remain residents concerned about parking on neighborhood (public) streets and traffic congestion, a show of hands demonstrated that of those persons living in close proximity, the majority were in support of the amended variance.

This petition is scheduled to be heard before the Metropolitan Development Commission on Wednesday, Feb. 6 at 1:00 pm in the Public Assembly Room of the City-County Building, 200 E. Washington St.

These cases have been decided:

5144 N. Delaware (Petition #V-MSPC-12-22)/Macey Residence

Certificate of Appropriateness before the Meridian St. Preservation Commission for prior approval of a Variance of Development Standards to provide for a 24 ft. tall detached two-car garage (20 ft. maximum height required for accessory buildings).

This petition was withdrawn.

Other land use news:

Meridian-Kessler Neighborhood Plan –Information on the planning process can be found at www.MKNA.org under “Planning News”. Work is currently underway on prioritizing infrastructure improvements and traffic calming measures. A “Neighborhood Discussion” concerning the Monon Corridor from 54th St. south to 42nd St, took place on Dec. 4 at DeveloperTown, 5301 Winthrop Ave. and 38th St. (East) at the Indiana State Fairgrounds on January 15. Minutes from these discussions are posted on the MKNA website as well.

Respectfully submitted, Mary Owens, Chair, Land Use Committee