

GACC Present: Sue Pfohl, Andy McNeilly, Don Melloy, Gigi Caito, Joe Goeller, Jason DeArman, Ted Cotterill

Absent: Mo McReynolds.

Guests Present: Craig May, 421 Realty, 8000 Castleton Road Property Seller; Misha Rabinowitch, Attorney representing both Carvana and 421 Realty; Brett (on phone) Carvana representative; Dan Boots, District 3 City Councilor; Bill McCallister, BRAG; Ray Brinkmeyer, Friends of Nickel Plate Trail Indy; Mike Baldwin, arborist and BRAG Board Member

New business and miscellaneous: This occurred after special meeting regarding Carvana

After our meeting with Carvana and 421 Realty concluded the GACC board voted to support two ATC permits to be heard on September 7.

ATC RR49-37865 for Masa Sake Grill at 5946 E. 86th, next to the former Bravo restaurant. Requesting 3 way license for consumption on premise.

[Masa Sake Grill LLC](#) is an Indiana Domestic Limited Liability Company filed On June 30, 2021. The company's filing status is listed as Active and its File Number is [202106301503271](#).

The Registered Agent on file for this company is Qinghui Wu and is located at 5946 E 86th St, Indianapolis, IN 46250. The company's principal address is 5946 E 86th St, Indianapolis, IN 46250.

The company has 1 principal on record. The principal is Qing Hui Wu from Indianapolis IN but googling that name did not provide any useful information.

[There are 6 individuals that go by the name of Qinghui Wu in the US](#)

[There are 2 individuals that go by Qinghui Wu in Indiana](#)

Jason moved and Don seconded that we support the license. Approved.

ATC RR49-37771 Big Bear Biscuits at 3905 E. 96th Street, former Scotty's Brewhouse. Requesting transfer of 3 way license

[Prodigy Burger Bar - several locations](#) part of [O'Reilly's Restaurant Group](#)

O'Reilly's does not reference Prodigy Burger Bar, but both have presence in Indy and surrounding suburban areas.

Don moved and Jason seconded that we support the 3 way license transfer. Approved.

Special meeting called to review the 421 Realty Co. Sale to Carvana

[Staff Reports](#) - HE PG 125 hearing is August 12

2021-CAP-843 / 2021-CPL-843 / 2021-CVR-843

8000 Castleton Road, Lawrence Township, Council District #3

Petitioner: 421 Realty Company Inc., by Michael Rabinowitch

Request: Modification of Commitments related to 93-Z-157 to terminate Commitment Seven to provide for C-5 uses (use restricted to an amusement park). Approval of a Subdivision Plat to be known as Castleton Park, dividing 9.838 acres into two lots. Variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide for a 75-foot tall building, five projecting blade signs and a 5.83-foot high parapet (maximum 65 feet height permitted, maximum one projecting blade sign permitted and maximum four-foot tall parapet permitted).

Staff recommends approval of the modification request. but...

Staff recommends approval of the building and parapet wall height and denial of the five blade signs.

Misha Rabinowitch began by giving a brief history of the 8000 Castleton Road property. 421 Realty petitioned many years ago thinking they would build an "entertainment park" similar to other Royal Pin facilities they owned. Property remained undeveloped.

In the meantime, INDOT acquired Carvana's current location for the I-69 expansion forcing them to move.

8000 Castleton Road is zoned C-5:

1. Remove amusement park restriction.
2. Caravan height parapet – increase height.
3. Blade Signage – allow for these signs. Typically, a blade sign protrudes from a building. The proposed signs are "recessed" into the four corners of the building. (I am not clear on where the 5th sign will go.)
4. Subdivide the property into 2 parcels

2021 Aug 31 Special Carvana meeting
At FC Tucker office
Greater Allisonville Community Council Meeting Notes
Text highlighted in yellow indicates follow up required.

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Brett, representing Carvana provided insight to their business model. All transactions are completed online with approximately 10 employees on site. All vehicle prep performed off site in Greenfield IN. When a purchased vehicle is available for pick up, buyers receive a "token" to insert into the "vending machine" and their vehicle is delivered to them on site. Sue mentioned that there is no trip to the license branch since Carvana provides those services to their clients.

GACC concerns mainly centered on the second property and its proximity to the Nickel Plate Trail. There is one heritage tree marked, however Dan with arborist Mike Baldwin noted there are several other trees with trunks measuring larger than 18" that they would like to retain. Also concern about protecting the ground around the trees so they will survive. Craig May of 421 Realty said both properties will be cleared at the same time, but he noted that he will take precautions so the trees in question are preserved. We also discussed wetlands mitigation.

Dan referred to his list of types of businesses we would NOT like to be considered. I also included an email to Misha*

Regarding Carvana, after reviewing the site plan, we propose eliminating some of the parking spaces to create more of a buffer along the proposed west property line and/or using some of the parking spots for NPT users. Considering our proposals GACC and Dan Boots agreed to support the increased height and the blade signs.

*Aug 30 Dan Boots email with Misha's answers in red

"I walked the property again yesterday with an arborist from IPL who's on the BRAG Bd. In preparation for tomorrow night's meeting, I have a few questions that I hope you guys can answer by 12 noon tomorrow:

1. What is the status of your landscaping plan? A fully developed landscape plan for the Carvana site has not been prepared yet because it is not required. Carvana plans to comply with the ordinance required landscaping.
2. On the site plans, please clarify the designations "LARW" and "R/W"? (I assume they're both related to "right of way" but need clarification.) "LARW" means "limited access right of way" and "R/W" means "right-of-way."
3. Were you guys involved in the marking (pink ribbons) of the "Wetland Delineation" areas within Lot 2? The pink flags were placed by V3, 421 Realty's engineer/wetlands expert, to mark the perimeter of the wetlands. The Army Corp. has been out to the site to confirm the perimeter. IDEM will require mitigation of the wetlands into an offsite location, and they are determining the exact ratio of mitigation. They have until the last week of December to submit their findings.
4. Various trees out there have orange* ribbons tied around them - what do the orange ribbons designate? The orange flags are INDOT's, and we do not know what they represent.
5. How does V3 define "Heritage Tree" for the purposes of its Tree Audit? "Heritage Trees" are defined in the Marion County Zoning Ordinance. I have attached the Ordinance definition.
6. Is there a county zoning requirement for "1 tree per X number of parking spaces"? I have attached the Parking Lot Landscaping Ordinance, which establishes the number of trees required within the parking lot. Again, Carvana intends to comply with the ordinance requirement for landscaping.
7. What part of this entire parcel (Lots 1 and 2) is being or was already taken by INDOT for the Clear Path I-69 interstate expansion project? See attached – INDOT purchased 8.585 acres.

Dan Boots August 31 email:

- a. "A commitment to retain a 40' tree preservation area along the NW and N boundaries of Lot 2. Later changed to 30'
- b. We'd like to see Carvana preserve some of the mature trees (to the extent possible) in its development of Lot 1.
- c. We'd like to see some of the excessive parking spaces removed in the Lot 1 site plan and turned into greenspace along the NW and N boundaries - and more landscaping in general.
- d. Finally, here's a starting list of C-5 uses that we would like to see as *prohibited* future uses in the commitments made of record for Lot 2:
 - i. Check Cashing or Validation Service
 - ii. Tattoo Parlor
 - iii. Pawn Shop
 - iv. Liquor Store
 - v. Department Store
 - vi. Firearms (of any type)
 - vii. Adult Entertainment (business or retail)
 - viii. Laundromat
 - ix. Mortuary, Funeral Home
 - x. Automobile - Light Vehicle Wash, Storage, or Auction, Fueling (Gas) Station.
 - xi. Mini Warehouses - Self Storage

Respectfully Submitted,
Gigi Caito