

FORT HARRISON REUSE AUTHORITY BOARD MINUTES
Monday, October 21, 2013

The FHRA Board met in public session at 9120 Otis Avenue, FHRA conference room, Lawrence, IN at 5:30 p.m.

FHRA Board Members Present

Mr. Edward Treacy, President
Mr. Jeff Congdon, Vice President
Mr. Russell Brown, Secretary Treasurer
Ms. Marci Reddick, Board Member
Mr. Jerry Clifford, Board Member

FHRA Staff

Mr. Freddie Burrus, Executive Director
Mrs. Heather Millikan, Executive Assistant

Public

April Pyatt, Ice Miller
Chris Barnett, Lawrence CDC
Kim Reeves, Browning Investments
Mayor Dean Jessup, City of Lawrence
Keith Johnson, City of Lawrence
Tim Joyce, City of Lawrence
Terry Baker, HWC Engineering
Scott Baldwin, Yeager Properties
Bruce Hugon, resident
Dennis Southerland, resident
Rex Dillinger, resident
David Nieten, Lawrence Chamber of Commerce
Tom Marten, resident

Official Public Meeting was called to order at 5:46 p.m. by Mr. Treacy. Mr. Treacy apologized for them getting started late.

Mr. Brown gave an update. Mr. Brown stated that there will be a restatement of the 2010 and 2011 audit by BKD in order to finish the 2012 audit. He said he's hopeful to have this by month end.

Mr. Brown said that as he mentioned last month we have monthly financials available at the meetings for the public. This will be the last month he will mention that. Mr. Brown also stated that the hope is to have a cash investment policy in place for the board to consider by the end of the year and it will be a publicly available document.

Mr. Burrus gave an Executive Director's update. Mr. Burrus stated he has the housing report at the podium in the back for people to take. Also he stated that they are currently interviewing potential home builders for Parcel A. They have talked to David Weekly, David Klain, MI Homes, Arbor, Pittman Brothers. Mr. Burrus said they are still talking to individuals about the LPGA and it appears to be gaining momentum.

Mr. Treacy stated the first item of new business was a brief presentation by Mayor Dean Jessup with the City of Lawrence. Mayor Jessup thanked the board and said he was grateful for all the past and present help the FHRA has given. Mayor Jessup stated they are still challenged by tax issues and other economic influences. He stated because of these things the city is asking for help again and asked for an advanced payment of \$475,000 to help balance the city budget.

Mr. Brown wanted to confirm that last year we entered into an agreement with the city for a payment in December 2012 and another payment in January 2014. This request is for the January 2014 to be paid before the end of 2013. Mayor Jessup said that is correct. Mr. Brown stated that we had an agreement so we would need to amend our agreement. Mayor Jessup thanked the FHRA board for the memorial.

Mr. Treacy asked for approval of minutes from the August 19, 2013 meeting and the September 16, 2013 meeting. Mr. Congdon made a motion to approve the August 19, 2013 minutes and Mr. Clifford seconded. Motion was unanimously approved.

Mr. Brown made a motion to approve the September 16, 2013 meeting minutes. Ms. Reddick seconded the motion. Motion was unanimously approved.

Mr. Treacy stated the next item is a project that the board has been working on for a long time and there is a lot of excitement about the project. Mr. Brown introduced Mr. Scott Baldwin of Yeager Properties and Baldwin Companies. Mr. Baldwin stated they have been working with the board for a year or so in efforts to put together a concept to develop a 35,000 s.f. office suites building in conjunction with the FHRA. Yeager Properties is a property management and construction company that constructs, owns, operates and manages over one million s.f. of office suite buildings.

Mr. Baldwin stated what they are planning at the Fort is to build a 35,000 s.f. building that is two levels and would be comprised of some retail and office suites on the first floor and the balance of the space on the second floor would be office suites. Yeager Properties will construct the project by itself with some subcontractors. The project is a \$5.6 Million project. Yeager Properties will be financing a significant portion of that with contributions from the FHRA. They have two new potential restaurants to go in the building. Jockamo Pizza would occupy the east end cap and Red Lion Grog House on the western end cap. There are letters of intent for both restaurants. The rest of the building would be comprised of office suites. The suites would occupy tenants who have a short term or no term lease. Rates are in the range of \$350 to \$600 per month. He stated the incubator tenants will graduate from their space to traditional office space. The building renderings were done by Hannum, Wagle and Cline.

Mr. Congdon asked Mr. Baldwin if the renderings they are seeing are close to what it will look like. Mr. Baldwin said yes. Mr. Baldwin stated that this site plan is a result of working with the FHRA and may have some additional design tweaks to make to be sure they are in line with what the FHRA needs and the PUD.

Ms. Reddick asked about design plan approvals and what the construction schedule looks like. Mr. Baldwin stated they have a six month construction schedule and an 18 month lease up period. Mr. Congdon asked how many parking spaces they are showing. Mr. Baldwin said the number will fall in line with the requirements of the PUD. Mr. Congdon stated that he doesn't like to see a lot of empty spots. One of the things they like to see at the Fort is the less asphalt the better. Mr. Baldwin stated that they intend to use all the parking that is shown on the designs that are attributable to the building. They use 4 1/2 spaces per 1000 s.f. of occupied space. He anticipates that use of spaces at the restaurants to be used in the evening. The lot during the day will definitely be filled up as the building occupancy fills up.

Ms. Reddick asked about the possibilities for bike racks at the building. Mr. Baldwin said in the past they have put bike racks in the front but they can be added as an amenity to this site.

Mr. Treacy asked if there were any questions or comments from anyone. A gentleman asked what parcel that building would be on. Mr. Brown stated it was parcel B. It would be the south portion of parcel B at 56th Street and Lawrence Village Parkway.

Mr. Brown stated there is a resolution which authorizes the approval of the project agreement which has been negotiated and substantially the form as it is today including the master lease comments and the form that is attached to the agreement. Mr. Brown asked for a motion to authorize Mr. Treacy and Mr. Brown to execute the agreement as appropriate. Ms. Reddick seconded. Motion was unanimously passed.

The final item on the agenda was amendment of the FHRA employee manual. Mr. Brown stated they reviewed the employment manual and there is no change in the vacation policy for those long term

employees. The board had a conversation about it and Mr. Brown made a motion that vacation policy would increase vacation time from two weeks to three weeks after 5 years of service effective January 1, 2014 and that all necessary changes to the employee manual be adopted. Mr. Congdon seconded the motion. Motion was unanimously approved.

Mr. Bruce Hugon, a resident of the Davis building on Lawton Loop asked about the PX building that was purchased by a church. He said he doesn't feel that is an appropriate use for that building. He stated he has spoken with Pastor Jerry Davis and he says they anticipate having 150 regular attendees at the church at the end of 2014. Under the Master Reuse Plan that would require 38 parking spaces. One space for every four person at the church and that is impossible on the PX lot. He asked how that ends up being addressed. He asked if they would have to seek a variance or would it be addressed by the architectural review committee.

Ms. Pyatt with Ice Miller stated with respect to the parking requirements there could be a variance that could be approved by Lawrence BZA and or a request to change the zoning of that piece thru the Metropolitan Development commission and final sign off by city county council in Marion County.

The submission of plans to the ARC for review for any type of renovations or work requires an improvement location permit to be issued by the city of Indianapolis and Lawrence. The church would have to submit the plans to the ARC for review and the ARC has 21 days for them to say yes or no. With respect to enforcement any owner of a lot in the FHRA area has the right to enforce the terms of the PUD. Anyone could file a claim if they thought that someone was breaching the parking zoning requirements. However the church has the right under the agreement to have parking in spots other than spots adjacent to their building. They could conceivably have shared parking within so many feet under the PUD. The PUD shows that as long as there is the minimum parking to facilitate each use, the zoning ordinance permits shared parking as long as it's within so many feet of the existing building. Ms. Pyatt referenced the parking section of the Master Plan to Mr. Hugon.

Mr. Hugon asked if there is prohibition against members of the public seeing submitted plans. Ms. Pyatt said there is no prohibition against members of the public from seeing plans however in connection with the ARC and the FHRA they would view that as interagency thing under a deliberative process where the ARC is reviewing plans and these plans are not final plans. The ARC is reviewing the plans and telling them what may or may not meet requirements and need changed and need to be sent back. They wouldn't want the public to be looking at unfinalized plans and wasting a lot of time. She stated that from a public records act, the FHRA ARC would be exempt from showing initial plans. Any final plans that have the stamp of approval would be able to be reviewed by the public.

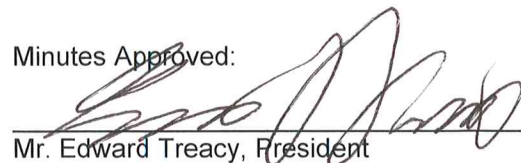
Mr. Hugon's final question stated that the PX building sits in the MU1 for mixed use. The Special Uses section of the plan specifically mentions churches. He stated one could argue that mixed use does not include churches. What are the board's views as to a church going in a mixed use area?

Ms. Pyatt stated that it is her understanding that the church was given permission under mixed use under the broad language. Mr. Treacy stated that he served for ten years on the MDC and he said it is pretty difficult to tell a church they can't go some place. Ms. Pyatt stated she has not researched the specific issue but her initial interpretation is that it does permit that use.

Mr. Treacy asked for a motion to adjourn the meeting. Mr. Brown made a motion and Mr. Congdon seconded. Meeting adjourned at 6:12 pm.

The next board meeting will be on November 18, 2013 at 5:30 p.m.

Minutes Approved:


Mr. Edward Treacy, President


Mr. Russell Brown, Secretary Treasurer