

BRVA LAND USE AND DEVELOPMENT COMMITTEE MEETING MINUTES

April 26, 2022, 6:00 P.M.

**Northminster Presbyterian Church
1660 Kessler Blvd. E. Drive**

Present: Tim Oprisu, Chad Fallis, Daisy Winkler, Karen Valiquett, Mark Demerly, Andrew Baldwin, John Jackson, Matt Hornyack, Adam Hill, Jordan Dillon and Kristen Kraus

Guests: John White, Tom Futter, Rachel Hickey, Janet Dicken, Kent Dicken, Jerome Traub, Steve Tucker, Mark Harvey, Misha Rabinowitch, Mike Mattingly, Bob Akin, Holly Kincaid, Tom Healy, Alan Hague, Brian Gamache, Thomas Gray, Don Melloy, V. Ceri, Jennifer Roth, Chris Hagen, Jack Treber, Dan Boots, John Pantzer

Committee Chair Karen Valiquett, called the meeting to order at 6:04pm. 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 Matt. The minutes were approved.

Karen made note about Dave's Hot Chicken not being able to make the April meeting, however, they will attend the May meeting to introduce themselves to the Broad Ripple community.

6544 Ferguson St. - David Kingen from Neighborhood/Downtown Zoning Assistance, Inc. Is returning with a second presentation for rezoning of this property.

David Kingen said that a petition has been filed for the rezoning of the property. It is currently operating on a variance. The team of mental health counselors are acquiring the building and wish to rezone it to MU-2. David expressed that the property will not change in appearance. David indicated that the only change made is they have inserted a bike rack and adopted the excluded uses that the committee provided. Jennifer Roth spoke. She is a psychotherapist within this office. She explained that they will maintain the front yard and want to do some beautification of the property. She stated that in order to obtain financing, the property must be rezoned. They plan to stay at this location for awhile. Karen asked if they are asking for a vote. David stated yes, and said that the petition has been filed, they are just waiting on a date for the hearing. A 10 foot setback will be required to rezone. Karen asked the committee if they had any questions or comments. There were no comments from the committee. Karen then opened it up to the public. Tom Footer asked have they bought this property. Mark moved to support the rezoning of the property with the required setback. Chad seconded. Motion passed unanimously.

6379 North College Ave (Broad Ripple Fire Station) - David Kingen representing NDZA on the petition filed for plat approval on the property from MU-1 to SU-9. Hearing Date: May 26, 2022

Karen introduced this presentation. Karen stated that she is taking herself out of the vote, as the company she works for is involved in this project. David Kingen spoke. He stated that three petitions have been filed for this project; including plat approval, rezoning and variances. They are seeking three variances. A variance of use, the parking lot on the site plan is too close to

College Avenue. All parking lots are required to be back 25 feet, this parking lot will be less than that. Second is a variance of development. David stated that the driveway is not to exceed 24 feet, which is not adequate for the fire department. David introduced Chris Hagen from Axis and Mark Harvey from the Indianapolis Fire Department. Mark is the project manager for all of the Indianapolis fire station projects and has been with the fire department for 42 years. He stated that the existing fire department is 100 years old and that Broad Ripple is way over due for a new one. Mark Harvey stated that Chief Malon is wanting to get this going sooner than later. Chris Hagen mentioned the third variance, they cannot add two trees right on street, will need to be at another location. Chris presented the proposed layout. Committee member, Mark Demerly, commented on the sidewalks, asking if they are wide enough and in line with what's in front of Fresh Thyme. He asked if the sidewalks could extend down to 64th street and go wider than five feet. Mark stated that the property was already purchased from the legion and that they cannot make any promises on what is being asked. They will present this suggestion to the legion. Committee member, Bo Boroski, expressed that it's important to widen the sidewalks, as there is much more foot traffic in that area. Bo asked Mark Harvey what he meant by saying, "sooner than later." Mark stated that they have been speaking of the project since 2016 and that they hope to go out to bid this year. Karen asked if there will be additional signals added on College Avenue. Mark Harvey, said that would be a challenge. They can control the lights when they get a run and they can request additional strobes. David Kingen stated there is not enough city land for the sidewalk on on one side and that something may need to give, like landscaping or parking. Mark Demerly suggested that the landscaping be brought down to 8 feet deep, rather than 10 feet. Karen asked if the number of parking spaces are really required for the amount of employees. Committee member, Chad Fallis, stated that the fireman don't have to park at the fire station. Chad, asked how many spaces are required at the legion? Mark Harvey spoke and stated that it's not impacting the rest of the neighborhood and that he can't answer what's left with the legion. Chad stated that the logistical challenges are hard to pull off, expressing that the fire department is important, but so are the wider sidewalks and landscaping. Mark Harvey explained that they are building a three bay fire house and are preparing for future needs when additional employees are added. Karen opened it up to the public. Jerry Traub spoke. He is a 50 year supporter of fire department and member of the American Legion for many years. He stated that from the very beginning he has supported the need for a new fire department, taking better care of the people of Broad Ripple. As a legion member, Jerry stated that they will do whatever it takes to get the project done. Tom Healy asked about staffing. Mark Harvey answered there will be four personnel a shift (16 total assigned to the station) and a battalion chief. Medic trucks will also be stationed at this location. The proposed fire station will have the capability to accept a ladder truck, which will increase the staff by four more per shift. Tom Healy suggested to eliminate the parking lot entrance off of College Avenue and only access the parking lot from the alley, eliminating the curb cuts. Mark Harvey stated that the ladder truck's turning radius would be a problem. Chad, asked if the generator could be moved. Karen asked if they are seeking a vote. David said a letter of support would be nice. Mark moved to approve with special request of widening the sidewalk and extending it to 64th Street. Matt suggested to Mark Demerly that they come back with a rework of the design. Mark stated yes, unless they can commit today. Chris and Mark both stated that they cannot commit today. Matt asked if the legion is open to the cost extending the sidewalk. Jerry (legion member) stated that they would support it. Karen asked Mark if he would like to withdraw his original motion. Mark stated that he is withdrawing his original motion. The presenters agreed to take all suggestions and rework the design. They will appear before the committee at the next meeting in May to show what they have come up with.

6548, 6552, 6556 Cornell Ave. And 6535 Ferguson St. (Avenue Development) - Misha Rabinowitch representing BR HQ Real Estate with a presentation for rezoning 0.80 acre

of the property from the MU-2 (TOD) and D-4 (TOD) districts to the MU-2 (TOD) district. Variance of Use and Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for a Medium Mixed-use building type (not permitted on pedestrian frontage type), a surface parking lot along Ferguson Street with a two-foot setback (not permitted, minimum 50- foot setback required), with 49 parking spaces (75 parking spaces required). Case #2022-CZN-821 / 2022-CVR-821 / 2022-CVC-821, Hearing Date: April 28, 2022

Misha introduced himself and explained that he is presenting on behalf of the Avenue Development. He introduced Mike Mattingly, Principal and Co-Founder of Avenue Development.

Mike Mattingly spoke. He stated that Avenue Development has long wanted to be a part of Broad Ripple and that the company engaged with city of Indianapolis in 2016. Mike described the development as unique and exciting. He explained that Broad Ripple will be a relocation for their team and headquarters. He said that Avenue Development was the largest private contributor to the River Walk and that The Village means a lot to them.

Misha spoke. He stated that the project site includes three lots on Cornell Avenue and one lot fronts Ferguson Street. The proposed four-story Avenue Development will include their headquarters on the upper three levels & a restaurant on the street level, facing Cornell Avenue. There will be a front elevation on Cornell that will be 42 feet and the building will step back. Currently three of the lots are zoned D4, they are looking to rezone to MU-2. Misha stated that the variances that go along with the proposal include an unimproved alley, utility easement and vacating the alley. They are looking to replat the four properties to become one, L-shaped property. Misha went through site plan. He pointed out the outdoor patio along Cornell, parking behind the building with 25 spaces in the lot and access to a parking garage off of Cornell with 20 spaces. He stated that there are a total of 45 parking spaces. Misha pointed out the Monon trail to the east, making it a walkable location and the angled parking on the east side of Cornell as additional parking. He stated that the requirement is 75 spaces, they are asking for a variance of 26 spaces. Additionally, Misha stated that the parking lot to rear of the building requires a variance.

Mike spoke and indicated that they are partnering with an Italian restaurant owner that is well know in the city. He highlighted that the restaurant will have an open air patio, office tenants on 2nd and 3rd floors and the 4th floor will have a rooftop view. He made mention again that the Monon is 100 feet away from front edge of property. Mike said they are taking advantage of green space as much as possible and that the flood area has also been taken into consideration. He added that their engineer is the same as Broad Ripple Park. Misha said the hearing is continued until May 26th. Karen asked about the variances. She asked if parking lots are not permitted on the TOD (Transit-Oriented Development). Mark asked about the exterior material of the building. Mike answered that it is all structural steel. Mark Demerly stated that it's an office building that looks like an office building, while Broad Ripple encourages businesses to be unique. Mike said they will absolutely get more creative with the proposal. Committee member, John Jackson, asked what is the reason for vacating the alley? He voiced his concern about vacating the alley and stated that 40 years down the road, we may need the alley. Committee member, Andrew Baldwin, asked how many employees does Avenue Development have. Mike answered 80-100 employees. Chad Fallis asked if the alley could remain in function with the current proposal and be repaved. Misha answered that it's in a different condition than the Kroger alley. Mark Demerly asked if they will be vacating the whole width of lot? Mike answered it will be a ten feet wide section. Mark asked which section will be vacated. Mike answered just in between two parcels. John asked if the city would pay to improve the alley. Karen asked if there is a sidewalk along Ferguson. It was answered that there

is not a sidewalk. Karen asked about the exterior design. Mike said they will have updated proposals by the next meeting. John asked about the trash pickup. Mike answered that most of the trash will come from the restaurant and working with them on walking the trash out of the property, with a location near the alley. It was asked how deliveries would work. Mike answered they will temporarily park along Cornell during the day when making a delivery, usually in the morning. Mark suggested that they could designate one spot for loading space up front. John asked if access will be controlled after hours. Mike answered most likely not. It was asked if there is any concern of people going the wrong way into the building. Mike answered that they will put up signs. Mark asked if they have done a calculation on what to expect for the restaurant parking. Mike said yes they have, but he did not have that calculation on him and he will get that number back to him. John asked about bike racks. Mike answered yes, they will have some inside the garage, exact location to be determined. Daisy asked if they have received any feedback from the neighbors. Mike said they have spoken to residents of The Reserves and have not received any push back. Jack White, in the audience, introduced himself. Karen opened the discussion up to the public. Jennifer Roth is purchasing a building across from the project. She voiced her concern that the neighborhood is quaint and eclectic and this building does not fit the area. She expressed that the deliveries will create a lot of traffic in an area where there is a lot of pedestrian traffic. Jennifer was also concerned that the view from their office will change from a quaint house to a parking lot. Holly Kincaide spoke, and said that she lives in the condos on Cornell, north of the proposed project. She stated that there has been no conversation between the condo residents and the developer. She expressed that they left Fishers because of an excessive amount of buildings designed just like the proposed project and they moved to Broad Ripple to get away from that. She expressed that Broad Ripple is now looking like a concrete jungle, putting a square boxes in the middle of residences. Holly expressed that she is not opposed to mixed use, but does not like the current view. She stated that it is unfortunate that this project has gotten this far without the neighbors being informed. Karen asked about green space. Mike answered that they have taken the green space into much consideration. He stated that they will not unnecessarily cut down any trees and they will be planting as many trees and plants as possible. Holly expressed her concern and opposition of the project once again. Jack White spoke. He lives to the south of the project. He expressed his frustration of not getting information on this project. He pointed out a few pieces of information he found. Expressed concern about his driveway. Karen suggested that he and Mike speak about his concerns in a separate conversation. It was asked if there is concern about the liquor license and there being complications with the Montessori school. It was stated that the Montessori school is gone. The church across the street was also a concern. Mike expressed that the restaurant will have normal evening hours, but it will not be a bar. He mentioned that they will take a close look at the restricted uses. Karen opened it up to the public once again. Tom Healy asked if they can modify the time of deliveries? Mike answered yes, they can and also stated that there will not be a lot of deliveries. Tom suggested a "green alley" and that the Ferguson exit from the parking lot be eliminated, allowing the sidewalk to be continuous along Ferguson, making pedestrian travel safer. Holly Kincaide spoke up, stating that she is 100% for change and development, her concern is with the building design itself. Ken Dicken, who owns property south of the parking lot, expressed his concern about the number of parking spaces. Janet Dicken spoke on her concern about traffic on Ferguson and an increased number of people driving the wrong way on Ferguson. Tom Footer, seconded that comment. Jennifer Roth stated that landscape consideration would be nice since their view will be taken away. Misha stated that he can put together a west elevation for the next meeting to show landscaping design. Mark asked if they could clarify about the height, asking if a variance is needed for the height. Misha answered that approval would be tied to the elevation of the building. Misha addressed the audience, stating that they will be taking into account all of the concerns and invited the audience to come back next month at the May meeting for an updated proposal, additional full-color renderings and they will request a vote at that time. Karen concluded the discussion.

927 East Westfield Blvd. (Monon Yard) - Misha Rabinowitch representing 927 LLC with a request for a vote on the petition for approval of rezoning from the C-4 district to the C-S district to provide for an outdoor food/entertainment venue and all C-4 permitted uses. Case #2022-CZN-817 / 2022-CVR-817, Hearing Date: April 28, 2022

Karen had to leave the meeting. Matt Hornyack took over. Misha stated that he is representing 927 LLC and introduced John Pantzer, who is the owner of the property and developer of the project. This project has been before the committee a number of times over the years. It was stated that the proposed project is a shipping container food court and entertainment venue on the site of the old Broad Ripple Steakhouse. The proposal is to rezone from C-4 to C-S. John took over the presentation. He stated that he also owns the former Monkey's Tail location and said they are putting in a New Orleans style concept bar in that spot. He said that he has traveled to multiple cities to look at similar shipping container designs. He stated that this project will bring together multiple food concepts, giving chefs an opportunity to try out their concept. John said that there will be two concepts fronting Westfield Boulevard. The existing bungalow on the southeast corner will be a gourmet smoked sausage kitchen. John described the property and the proposed design. A bocce field is planned for the courtyard area. There will also be a stage area for music and additional entertainment. He stated that three chefs are interested in opening up concepts, that are not currently in the village. Green space (artificial turf) will also act as drainage. Upper level will have patio seating. There will also be a dropdown movie screen.

Mark asked why are they asking for C-S over C-4. Misha answered that it's a unique concept. John commented that it fit well into Broad Ripple. John noted that it's brighter on the inside, more monotone on the exterior. Mark said a little more color wouldn't be terrible. Matt asked about parking spaces. Misha answered there are no designated parking spaces. John stated that they are negotiating for some marked meters. It was suggested that they maintain 2-3 spots for carryout. John indicated that they have incorporated bike parking and that deliveries will happen in alley. Daisy expressed how engaging it is for pedestrians. Andrew stated that he loves this concept. It was asked what will be done about waste management. John answered there will be trash receptacles placed throughout the venue and metal trays will be used for food to minimize the amount of throw away. Mark asked about night time control. John answered there will be gates that will be locked during non business hours. Matt asked if they committee had any further questions. He then opened it up to the public. Mark Radford asked if there are any plans for private rentals. John answered yes they will offer opportunities for private events. Andrew asked about the time frame for completion. John said they are looking at two months in engineering work and then they will go for permits. He is hoping to open late spring, early summer of 2023.

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

The meeting was adjourned at 8:21 pm.