

BRVA LAND USE AND DEVELOPMENT COMMITTEE MEETING MINUTES
May 24, 2022, 6:00 P.M.
Northminster Presbyterian Church
1660 Kessler Blvd. E. Drive

Present: Tim Oprisu, Daisy Winkler, Karen Valiquett, Mark Demerly, John Jackson, Matt Hornyack, Bo Boroski, Garrett Lawton, Josh Mazur, Jordan Dillon and Kristen Kraus

Guests: Mark Jones, Jamie Nieves, Alexander O'Neill, Bob Akin, Daniel Potash, Mike Mattingly, Mark Harvey, Chris Hagan, Andy Qualiato, Matt Vanslyke, Chris Womock, Tom Futter, Jenner Lillibridge, Chad Thompson, David Kingen, George Dury, Jennifer Roth, George Sechrist, Tom Healy, John White, Liz Kennedy, Denny Oklak

Committee Chair, Karen Valiquett, called the meeting to order at 6:00pm. 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 Tim. The minutes were approved.

927 Broad Ripple Ave (Dave's Hot Chicken) - Andy Qualiato, representing Dave's Hot Chicken, appeared to introduce themselves to the committee and the Broad Ripple Village Association.

Andy Qualiato was introduced to the committee. Andy introduced Matt Vanslyke, the GM for Dave's Hot Chicken. Andy stated that their Mass Ave location opened end of April, and is doing really well. The concept is hip and urban. Beer makes up 1% of their annual sales. Annual volume is roughly \$3 million. They will be bringing roughly 65 jobs to Broad Ripple. The Mass Ave location has around 70 employees. It was asked when they are expected to open. Andy stated that due to supply issues, construction has taken longer than expected, along with unforeseen issues inside of the building. They are hoping turnover is July 14th, with an opening at the end of July to early August. Matt expressed that the restaurant is family friendly. He said they have the smallest menu you will see at a restaurant. Andy said that they will be open later on the weekend days and they will have a pick up window for online sales. He stated the lobby will close earlier and cash transactions will not be accepted after the lobby closes. Committee Chairwoman, Karen Valiquett, asked about their parking situation. Andy said they have one designated parking spot on the side of their building, where the pickup window will be located. He stated that they are going into the old Noodles & Company building. They plan to fix up the patio and landscape around the building. Committee member, Mark Demerly, asked if they have signed a Good Neighbor Agreement for Broad Ripple. Andy answered that they have signed one and sent it back. Their hearing is scheduled for June 7th. They also plan to paint the building. Committee member, Tim Oprisu, mentioned the importance of keeping the sidewalks clear when it snows. Tim asked what type of license will they have. Andy answered a 2-way permit. Committee member, Bo Boroski, asked what their hours will be. Andy answered 11am-12am on weekends, pickup window open until 1am on weekends. They will be closing earlier during the week. Tim asked if they can grab food and sit on the patio when the lobby is closed. Andy said they have not determined that yet, however, there will not be alcohol sales after the lobby closes. BRVA Executive Director, Jordan Dillon, mentioned Good Fellas and the issue they have with trash outside of their establishment and expressed that they will need to have appropriate trash receptacles. Jordan mentioned that they will be opening when Broad

Ripple Avenue shuts down. She will make sure they have the traffic plans so they can prepare. Bo mentioned the dumpster and suggested finding another spot for it, so that it opens up two additional parking spots. Mark highly recommended that they enclose the dumpster and suggested putting art on the dumpster as well. Bo expressed it's a great spot for them. Andy mentioned that they have a graffiti artist from LA coming to do some artwork on the building. Karen suggested that they install a security camera system. Andy said they will have two cameras up front and one in the back with new lighting as well. Jordan suggested they use B-Link, a technology that the BRVA is suggesting to all Broad Ripple establishments to use, for enhanced public safety.

**6379 North College Ave (Broad Ripple Fire Station) - David Kingen representing NDZA on the petition filed for rezoning of property from MU-1 to SU-9 to provide for a fire station; a variance to provide for a fire station in the Floodway Fringe district (not permitted), a surface parking lot with a 10-foot setback from College Avenue (25-setback required) and a 60-foot wide driveway (maximum 24 feet permitted); approval of a Subdivision plat to known as 6379 North College Plat, dividing 1.06 acres into two lots.
Case #2022-CZN-825 / 2022-CVR-825 / 2022-CPL-825, Hearing Date: May 26, 2022**

David Kingen and Chris Hagan were introduced for the follow up presentation. Karen noted that she is not voting, due to her company's involvement with the project, but she will facilitate the presentation. Karen made note that the presentations must not go over ten minutes before it is opened to the committee and public.

David highlighted the following changes that were made since the previous meeting in April:

- The parking entrance from College Ave was eliminated.
- Two parking spaces from the apparatus approach were eliminated.
- The brick piers and fence are continued around the front of the station to connect with the building.
- An automatic gate has been added to the east parking lot entrance.
- There are now 13 parking spaces.
- Expanded planting area and sidewalk

Karen opened it up to the committee. Tim asked about the extension of the sidewalk from the legion, and if they have spoken to anyone at the legion. David answered that the legion is aware of the request. Mark also expressed the need to extend the sidewalk. Mark spoke about the topography across the street and asked if they are losing an opportunity to match the topography, in order to include parking. David expressed that they did lose two parking spaces in the newest proposal. Karen asked if the city bought just the property that they are plotting? David answered that the lodge still owns the parcel that they sit on.

Karen opened it up to the public. Tom Healy pointed out the South side of the parking lot and the brick pillars. He asked if there is there a fence along the South side of the parking lot. Chris answered there is a gate to the parking lot, rendering is not showing it. Karen asked the public if anyone had any further questions or comments. No further comments.

Karen turned it back over to the committee. Bo asked how many people will be in the fire station at the same time. Chris answered 6-10 people at a time. Committee member, Josh Mazur, moved to support the project, Matt Hornyack seconded. Motion passed unanimously.

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 MU-2 and D-4 districts to the MU-2 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: May 26, 2022 (postponed to June)

Misha passed out updated materials, opened up the presentation and introduced Mike Mattingly with Avenue Development. Misha spoke about the project. Proposal is to rezone three of four parcels to MU-2 and two variances related to parking. They are building a surface parking lot off of Ferguson. The number of parking spots proposed is 45, and the requirement is 79. Misha stated that they will be focusing on the comments and concerns from the last meeting. He stated that this project is bringing 80-100 jobs to Broad Ripple, with a well established restaurant group. Misha turned the presentation over to Mike. Mike said that Avenue Development has taken a lot of the feedback from the last meeting. He mentioned that they are relocating their headquarters from Keystone at the Crossing to Broad Ripple. Mike said that Avenue Development is a Senior Living housing development. He stated that they made adjustments to the surface parking lot, to include more compact cars and established transitions from the parking lot to the building. They spoke with Mr. White, who owns the property next to the project, and how they will accommodate his driveway. They plan to create a 10-foot concrete driveway for Mr. White. The design of the project will play into the neighborhood, with an urban village feel that we are starting to see more of in Broad Ripple.

Mike went over the following updates that were made to the project, based off of the feedback from the April meeting:

- **Front Improvements:**
 - Property set back behind current properties
 - 100' Monon/building
 - 60' Cornell centerline/building
 - 8' curb/walk, 5' walk, 12' walk/wall
 - 20-25' patio/building
- **Back Improvements:**
 - 185' Ferguson sidewalk/building
 - 200' Ferguson (west) neighboring structure/building
 - 170' Ferguson centerline/building
 - 50' Ferguson sidewalk/parking stall

Mike also added that the building is not as boxy. They made the drive aisle smaller to give more green space. They have also added some art structures. Additionally, they added more color to the building and balconies on the back side.

Mike mentioned the back alley being unimproved and almost impossible for transit.

Karen asked what is the height of the 3rd floor to the 4th floor. Mike answered 42 feet. Karen asked Mark to share heights of other projects in the area. Just Pop In is 40 feet to top of the roof. Park 66 street roof line is between 47 to 51 feet high and corner height is 60 feet. Bike Line is around 35 feet. Bo asked about the number of parking spots. Mike answered parking on site is 45 spots and 4 spots on the street, making it 49 total. Mike mentioned that they cannot account for the street parking. The requirement is 58 spots for the office parking and 17 spots

for the restaurant. Bo asked about the employee count and if the 80-100 count is including office and restaurant employees. Mike answered it's only office, not including the restaurant employees. Mike mentioned that the median income for Avenue Development is \$125,000.

Karen opened it up to the committee. Tim asked about restaurant staff and not using the available parking, Mike answered yes. Tim asked where is trash pickup. Mike said they are centralizing it on the inside of the parking garage. Mark asked about the one way in & out of the parking lot and garage, he stated that 18 feet encourages a two way, not a one way. Mike said it's actually been revised to 16 feet. Mark suggested that they make it even smaller, down to 12 feet. Mark also suggested that they make an art wall off of Ferguson and add more vegetation. Mike said they are very open to that and open to having dialogue with neighbors. Mark asked what if they did not get vacation of the alley. Misha said vacating it is essential, but they are open to reserving it to the public for public use. Mark expressed that he would still like to see more creativity and material on the building to help blend with the Broad Ripple vision. Mark expressed utilizing different materials to break up horizontal lines and the brick. Karen expressed that she appreciated their efforts on reaching out to the neighbors. John asked about placing more trees and landscaping. Mike said they plan to put back as many as they can fit with out encroaching on the space. John mentioned that there are one story buildings surrounding the project and asked how are they going to work on transitioning the building. John also expressed that he does want to give up the alley. Bo mentioned his disappointment in the building and expressed that it does not fit with the Broad Ripple vision. Feels like it should be on 96th and Keystone. Misha made mention of the Madera building and the River House building not being much different. Bo said he would like to see a more thoughtful approach on the aesthetics as it relates to Broad Ripple. Josh said that he does not disagree with anything Bo just said and suggested use of other materials as well.

Karen opened it up to the public. Jennifer Roth spoke, she works on Ferguson. She stated that she agrees with Bo and John. She made mention that Westfield Blvd gets really backed up. Jennifer expressed that her main concern is that the office portion of the project will open early and fill the parking on the streets, leaving no parking for their clients. She is concerned that they will lose clients and it will cause a burden to businesses in the area. Denny Oklak spoke, he owns the building at 66th and Cornell and is the former Chairman and CEO of Duke Realty. He expressed his concern on the parking and stated that the area cannot handle the amount of people coming in. Mark Jones spoke, he owns the preschool across the street. He expressed his concern about parking as well. He made mention that they (the preschool) were required to have a certain amount of parking when they were building the preschool. Liz Kennedy spoke, she is a therapist in an office off of Ferguson. She stated that parking is also her main concern. She stated that she grew up in Broad Ripple and that parking has never been easy. She expressed the same concern as Jennifer Roth, that it will be hard on their business and clients. Tom Healy stated that he echos John's concerns and the building doesn't scream Broad Ripple. He also stated that these issues can be sensitively dealt with, however, they are substantial issues. Tom urged the BRVA to ask for a 30 day continuance.

Karen gave the presenters a chance to respond to the public's concerns. Misha responded and said that they appreciate their comments. He expressed that parking has always been a concern in Broad Ripple and mentioned the transit bus line system as an alternate option for transit. Misha stated that Broad Ripple has the nighttime visitors, but not enough office tenants to sustain the daytime. He stated that there has to be a compromise. Always a place for the bungalows in Broad Ripple, but the community needs the larger buildings in order for Broad Ripple to develop. Misha said that this development would bring a lot of individuals that would live and work in Broad Ripple, therefore bringing a lot of economic development to Broad Ripple. Misha stated that they can work on the architectural requests. He said that their hearing is set for this Thursday and they would like to move forward, but they will follow the committee's lead.

Karen brought it back to the committee. Daisy asked if they have explored multilevel parking. Mike answered that the lot is too skinny and the building would get too big in scale. Mike stated that he understands parking is a huge concern. Mark stated that residents on Ferguson don't want occupants parking on the street and asked how can they guarantee it won't happen. Mike said they cannot guarantee. Mark asked if they will be occupying themselves or have other tenants. Mike answered they will have other tenants. Mark suggested that they do their due diligence on how to prevent the tenants from parking on the street. Garrett Lawton asked about the bike parking. Mike answered that there will be bike parking and indicated where it will be located. Karen asked if the restaurant will only be open in the evening. Mike answered yes, they will only have evening hours. Bo stated that the village desperately seeks density and although he doesn't like the exterior of the building, he supports Avenue Development becoming a part of the Broad Ripple community.

Mark motioned for a continuance on the project. John seconded. Karen requested a vote for the motion of the continuance. Daisy, Tim, Mark, Karen, John and Garrett all voted "yea". Bo, Josh, Matt voted "nay".

The meeting was adjourned at 7:24 pm.