

**BRVA LAND USE AND DEVELOPMENT COMMITTEE MEETING MINUTES**  
**June 28, 2022, 6:00 P.M.**  
**Northminster Presbyterian Church**  
**1660 Kessler Blvd. E. Drive**

**Present:** Daisy Winkler, Karen Valiquett, Mark Demerly, John Jackson, Matt Hornyack, Andrew Baldwin, Bo Boroski, Garrett Lawton (via phone), Jordan Dillon and Kristen Kraus

**Guests:** Jon Campbell, Greg Genrich, Sara Lootens, Jim Lootens, Alan Hague, Cesar Guzman, Brian G., John White, Lynn Levy, Brendan Nusbaum, Curtis Johnson, Chris Welsh

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.

Karen made mention of a correspondence with Jack White, regarding the previous minutes. Jordan read the request from Mr. White, to make a correction on the previous minutes. The previous minutes stated that Avenue Development spoke with Mr. White on how they will accommodate his driveway. Mr. White has requested that the proposed 10 foot driveway be removed from the minutes, he is not interested. Jordan expressed that it should not be removed from the minutes, however, noted saying that we have received correspondence from Mr. White and that he is not interested. Karen suggested that we amend the minutes to say that Avenue Development "proposed" a new driveway. Karen asked if there was a motion to approve. Mark made a motion to approve the minutes, with the changes that were just stated. Bo seconded. June Mark, Bo seconded. Motion passed unanimously.

Karen asked if there is a motion to approve the minutes from the June 16th, Avenue Development, meeting. Mark made a motion to approve, Bo seconded. The minutes were approved.

**1035 Broad Ripple Avenue (Biscuits Cafe) - Cesar Guzman appearing, representing Biscuits Cafe. They are applying for a new license, going from a two-way license to a three-way license.**

Cesar Guzman and Greg Genrich introduced themselves. Greg stated that the business has been at their current location since 2005. In 2007 they had a beer/wine license and in 2016 they added a 3-way license. Last Fall, they sold their 3-way license and applied for a 2-way license. Then in April 2022, they bought another 3-way license at the auction. Karen asked for clarification on where they are now. Greg stated they currently have a 2-way license and have a hearing next Tuesday for a 3-way license. Same concept, same hours. Karen asked if they have a Good Neighbor Agreement with the BRVA, Kristen confirmed that they do have one.

Karen asked if anyone had any comments or questions. Jordan asked if they are able to tell us who they sold their 3-way license to. Greg stated that it was to Harper Bar & Grill, not in the Village. Karen stated that there is no cause for concern. Jordan stated on behalf of the Village Association, should they decide to sell their license again, to please let the Village know. Karen asked if there were any other questions or comments. No comments. Karen thanked them for coming before the Committee.

**6520 Ferguson Street (Merchants Property Insurance Company) - Jim and Sara Lootens, owners of 6520 Ferguson Street, plan to present their plan to sell the property to Sara's business, Merchants Property Insurance Company, as the company's new headquarters. They are seeking to rezone the property from D-4 to C-1 (commercial-office).**

Sara Lootens introduced herself as the President of the Merchants Property Insurance Company. She and her husband, Jim Lootens (also present) purchased the subject property through the 6520 Acquisition LLC. They plan to renovate the property and then sell it back to her company as their new headquarters. They are seeking a rezoning from D-4 to C-1. The company was founded in 1917, by her Great Grandfather. Their daughter will be joining the company in July, making it a 5th generation company. They moved into their current location in 1930, located at 1715 Meridian Street. They currently concentrate their business on their investment portfolio. They currently have a contract to sell 1715 Meridian Street. The new property is closer to their residence and they can walk or ride their bikes. Sara stated that they love Broad Ripple and she grew up in the area. They love the ambiance of the Village. They will have three employees in the office. They plan to renovate the interior. No exterior changes will be made, with the exception of adding a deck in the fenced in backyard. They will be adding a security system, including cameras. No have no need for signage. They have ample amount of parking, including a detached garage and a driveway, which will be adequate enough for their three employees. They have prepared a petition for the zoning board, but are waiting to hear the Committee's feedback prior to filing it with the city.

Karen asked if the previous owner of the property used it as a residence. Sara answered she believes that it was. She mentioned that a lot of the interior work they will be doing, will be bringing it up to code. Karen stated that the area around the property is trending towards commercial use. Mark asked if they have spoken with anyone with the city, regarding the request for C-1. Jim answered that their attorney spoke to someone and they said it should not be a problem. Mark asked if anyone recommended MU-1 or MU-2, rather than C-1. Mark stated that C-1 has a lot of uses that the Committee will ask them to exclude, like a vap shop. Mark urged them to have their attorney look over the list. Mark stated that if they sell the property, someone can purchase the property for an excluded use. Karen said there is a list that we can provide. Jordan spoke and reiterated what Mark was saying. She explained that once it get changed in zoning, it doesn't go back. Sara asked for a recommendation of what they apply for. Karen and Mark explained the differences between MU-1, MU-2 and C-1. Mark stated that the city should be giving a recommendation on what they think should be appropriate for their use.

Karen opened it up to the Committee for any questions or comments. Andrew stated that he no objections and echoed the sentiment of looking into the correct zoning use. He stated that they are trying to future-proof. Bo expressed that he echos what Andrew just said. Karen echoed the same and said welcome to the neighborhood. Daisy said that she loved to hear of them walking and riding their bikes. Karen asked what their timeline is and if they are willing to come back to next meeting with the list of commitments and vote then. Sara and Jim both agreed they will return to the next meeting. Jordan spoke and said the security cameras are a great addition, she would also implore them to look into B-Link through IMPD.

Karen opened it up to the public. No comments from the public. Sara asked if we can send the list of restricted uses to them. Kristen said that she will send them their way.

**1060 Broad Ripple Ave (Reagan Outdoor Advertising) - Jon Campbell, representing Reagan Outdoor Advertising, will be appearing with a presentation on the petition filed for the following: Variance of use and development standards of the Consolidated Zoning and Subdivision Ordinance to provide for 40-foot tall, 672-square foot digital off-premise advertising sign (digital off-premise sign not permitted), within 16 feet of a protected district (300-foot separation required for off-premise signs, 600-foot separation required for digital sign), within 615 feet of another off-premise advertising sign (1,000 radial separation required) and to allow for digital messages to display for minimum of eight seconds (minimum of ten second display permitted).**

Jon Campbell introduced himself, representing Reagan Outdoor Advertising. The company is based out of Salt Lake City. They currently operate in seven markets, with Indianapolis being their largest market within their portfolio. Jon presented their Indiana and Indianapolis footprints. Jon then presented their products. He stated that digital is what he is addressing this evening. They only have a few existing digital boards in the Indiana market, which are largely outside the Indianapolis city limits. He said that they do operate four of them at the State Fairgrounds. Jon stated that the subject property is located at 1036-1060 Broad Ripple Avenue. The current zoning is C-5. The billboard on site has been in place for over 50 years. Jon showed current layouts of the location and an aerial view map of the center and the billboard they are looking to convert. Jon expressed that this is an existing sign that is being converted to digital, and emphasized that it's not a new sign. He expressed that it's a panel change. He compared it to going from analog to digital and stated that it's a method of changing the message, going from doing it manually to digitally. He stated that some community benefits will be posting of Amber Alerts, FBI alerts and local public service campaigns.

Mark asked which one of the examples being presented are digital. Jon answered, none of them are digital.

Jon listed further community involvement, such as digital tributes. He said that they are involved with the United Way.

Bo asked who Jon is referring to as "we". Bo asked who makes the call on their community outreach, particularly in Broad Ripple. Jon answered, it could be himself, their General Manager or their legal council.

Mark referred to a possible past ordinance stating that if they replace a board for digital, they are to get rid of other boards. He asked if that got approved. Jon answered that Reagan Outdoor Advertising has only been in Indiana for three years and they did not have a hand in any involvement with the ordinance. He stated that it never came to fruition for a number of reasons, but did not want to speculate why. Mark stated that they are not very familiar with the code for digital billboards.

Jon presented an example of what the digital would look like. He said it's not flashy and changes every eight seconds.

Bo asked if it's LED based. Jon answered the technology will automatically dim if something goes wrong or will just shut down. He said that at night it will power down 3-5% of the daytime output.

Mark asks what the average lumen is. Jon answered during the daytime, it's usually 5,000-6,000 Nits. Mark asked if it runs 24/7. John answered, yes.

Karen asked if the proposed billboard will be the same size as the existing billboard. Jon said yes, there will be no size change. Karen asked about the post it sits on. Jon answered the only thing that may require some changes will be bringing it up to code. Jon said it's a single pole structure, standard center mount.

Mark asked about the catwalks. Jon said there is currently a catwalk, but it will be removed when it's converted to digital.

Jon stated that the current billboard is a double sided sign, however, the side they will be converting to digital does not face any residential or protected areas. Karen asked what are the protected districts. Jon answered the proximity to the White River and Broad Ripple High school, expressing that the high school is no longer open.

Andrew asked for confirmation that as it sits today it doesn't require variances but converting it to digital would require variances. Jon answered, yes and expressed that some regulations have been made over time but the billboard is considered "grandfathered in". Karen asked if there are different requirements/standards for digital vs a regular billboard. Jon answered that the city currently doesn't allow new signs to go up.

Andrew asked how this will impact the riverwalk. John expressed that it will go right over the riverwalk.

Bo expressed that he wants to make sure the committee is not missing anything, in terms of providing a variance because it's digital. He said if we are not missing anything it makes sense, but feels they need more information.

Mark stated that the neighborhood, in the past, has not approved of moving digital signs.

Bo asked if he hypothetically had an auto business that wanted to show a car speeding off, would something like that be approved. Jon answered no, due to a violation of local, state and federal law. Jon stated that billboards cannot have any movement, according to the Federal Highway Administration.

Andrew stated that there is movement, every eight seconds. Jon stated that the message changes, it doesn't move or scroll.

John asked how many digital billboards are located inside the circle of Indianapolis. Jon answered, there are eight total, four that they own and four that another company owns. Four are at the fairgrounds and four others were issued as a result of litigation of a small independent company. John asked if this will be the first one on the city side, outside of litigation. Jon answered, yes.

Mark asked if they have the staff's recommendations. Jon answered that they do not. Mark asked who they are working with. Jon answered, Robert. Jon also mentioned that the hearing has been continued until August 2nd.

Daisy asked why they do eight seconds, rather than ten seconds. Jon answered that the existing regulations called by the city are for ten seconds. The eight seconds was recommended from the Federal Highway Association.

Mark asked how many other signs they have in Broad Ripple. Jon answered, five to six. Mark asked would they be agreeable to remove a sign, to make room for a digital. Jon said that he is not prepared to negotiate that request this evening, however, it's noted.

Bo expressed that his only fear is that we are missing something.

Karen asked Garrett if he had any comments. Garrett said his only concern is the light on the river and what that will do to the wild life. Jon stated that the display will face away from the river. Jon asked if that is a nighttime illumination concern. Garrett answered, yes. Jon said that is something that can be discussed and possibly lowering the intensity of the illumination at night. Jon stated that only one side would be digital, the other side (facing the river) would remain static.

Bo asked if they would you be open to removing another sign. Jon answered that he would not discount that at all, but he not authorized to say yes at this time.

John said that just got back from NYC, and is a little jaded. John said he would love to see the structure be redone and enhanced in order to increase the aesthetics of a sign. A "Welcome to Broad Ripple" sign would be a token he would consider. John stated that he believes the city will fight them on this.

Karen opened it up to the public. Lynn Levy spoke and requested that the committee reads the ordinance before they formulate an opinion on this matter. She stated that it would be a disservice to the community if the committee does not fully educate themselves about what the impact of this could be and what the current requirements are. Karen thanked Lynn for her statement. She stated that they are working off of what information has been provided at this current meeting.

Chris Welch spoke. He is a Broad Ripple resident and a member of the Near North Side Community Council Board of Directors. He stated that their board of directors adequately opposes digital signs and he suggested that the committee get in touch with Pete Fisher, their resident expert in digital signs.

Brendon Nusbaum spoke. He is a Broad Ripple resident. He asked if they have been working with the Village to find a happy medium.

Jack White stated that he wrote sign permits in the past. Asked them to consider changing the eight seconds to ten seconds.

Jordan commented that it's highly likely for there to be residential within close proximity to the billboard in the future. Jordan asked how many signs go into the carousel. Jon said eight signs in the carousel. Jordan asked if they have any advertising restrictions. Jon stated that they are strong proponents of the 1st Amendment. With that said, they do not advertise strip clubs or smoking. Bo asked if they display political ads. Jon answered, yes.

John said it's another distraction.

Bo said Lynn's point is a great one. There is a significant amount of depth, that requires additional understanding.

Mark stated that he would like another month to review prior to a vote.

Karen asked if there is a motion. Mark motioned to continue until next month. He asked that they provide the committee with all of their current locations. Daisy seconded. Motion to continue passed unanimously.

The meeting was adjourned at 7:03 pm.