

BRVA LAND USE AND DEVELOPMENT COMMITTEE MEETING MINUTES
February 27th, 2024, 6:00 P.M.
Northminster Presbyterian Church
1660 Kessler Blvd. E. Drive

Present: Bo Boroski, Andrew Baldwin, Karen Valiquett, Richard Michal, Anthony Bellamy, Chad Fallis, Daisy Winkler, Tim Oprisu, Josh Mazur, Brian Gamache, Matt Hornyak, Garrett Lawton, Kristen Kraus, and Jordan Dillon

Guests: Rebecca Dodge, Tuan Nguyen, David Gordon, Andrew Porter, Rachel Hickey, Chantel Kayyod, Ellena Mikhau Hurst, Rajvir Singm, Alan Hague, Jade Sharpe, Mark Demerly, Bill Ficca, John Pantzer, Paul Murzyn, Peter David

Bo Boroski, LUD Chairman, called the meeting to order at 6:02pm. He explained the objectives of the Land Use & Development Committee, the rules of presenting to the committee and the committee members were introduced.

Bo asked if there is a motion to approve the minutes from the prior meeting. Andrew made a motion to approve, Tim seconded. The minutes were approved.

Kilroy's Update (831 Broad Ripple Avenue) – Jade Sharpe from Kilroy's and David Gorden, a Landscape Architect at Mark M. Holeman, Inc., will be presenting an updated overview of the planned enhancements to the fencing, outdoor space, and streetscape surrounding Kilroy's.

David Gorden, landscape architect at Mark M Holeman, Inc. presented the updated plans for fencing around Kilroy's. A permanent fencing is planned around the perimeter, including a 3-foot walled fence on the north side along Broad Ripple Avenue. The wall will be made out of dryvit material, a plaster type looking material. The wall will then have a 3-foot decorative metal fence rising up from it, with columns every 8 feet. The fencing will wrap around the corner, 16 feet, where the fence/wall will then become a 6-foot side wall to the south side of the parking lot, in between Jimmy Johns. The permanent fencing will separate the Kilroy's outdoor dining area from the parking lot, similar to what's already there. There is a plan to put a pergola up against the building, extending out about 15 feet. The pergola may not happen right away, and may be a part of phase 2, for budgetary reasons. Another planned improvement is replacing all of the pavement. The parking lot is currently asphalt and will be replaced by concrete pavers, creating a warmer and more inviting dining experience. They have plans for a couple of trees on the south side of the parking lot and one tree on the north side. Kilroy's currently has overhead patio lighting, which they plan to keep in some form with a few adjustments. There are potential plans in the future for a few fire pits in the outdoor area.

Bo said patient is a subjective term and the Village has been patient and frustrated with Kilroy's in a number of different ways. Bo extend his appreciation for their appearance and presentation on updates.

David said, timing wise they are hoping to get started in next 4-6 weeks.

Bo said that was one of his questions, so thank you for answering that. He asked if the trees are going to be permanent. Are they in the ground or on rollers?

David said they will be in the ground.

Bo asked if any trees will be removed.

David answered, no.

Bo asked if some items have already been delivered or was that for something else.

David said that was nothing pertaining to this.

Bo asked if the bar would be a temporary or a permanent bar outside.

Jade Sharpe, with Kilroy's, answered that as of right now the bar will be operating inside to serve outside customers.

Bo asked about the fire pits and what their vision is.

David said they originally considered an outdoor fireplace but it didn't fit within their budget.

Bo asked about the fencing, confirming they are talking about the black rod iron, not the current chain link style.

David said, yes they are talking about the black rod iron.

Bo asked if they have a high degree of certainty that no variances will be needed for any of the work they have planned to do.

David said a standard fence that doesn't require a variance is 6 feet, which is what they will be.

Bo asked about the impact of alcohol outdoors and having concerts outside. He said he wants to be sure there is nothing in place that supersedes their plans.

Jade said 6 feet is all that is required.

Bo asked Jordan if she is aware of any stipulations on fence height in this case.

Jordan said no, but the only thing that could pop up at some point is if alcohol is dispensed outside, however she thinks that may have changed.

Jade asked if they served outside.

Jordan said dispensed, not served. But there's not a bar out there currently, so it's a moot point.

Bo said he thinks it's reasonable that for a big event, they'll want to put a bar in the outdoor area.

Jade said if they have a temporary event that will require an outdoor bar, they will apply for a temporary permit.

Bo asked if there are questions from the committee.

Josh asked about the dryvit material.

David said it's going to be on a fence post prime work and be an inch above the ground.

Josh asked if they think that's the best way to go, durability wise.

David said that part of it is budgetary.

Daisy said she was looking for a little bit more engagement with the street and asked if they have plans for any landscaping or art installation along Broad Ripple Ave.

David said they have discussed vegetation and planters, but they worry how it will be treated. Otherwise he is all for plants.

Daisy said that would be encouraged.

Chad asked if there would be other landscaping other than the trees.

David said they weren't looking to plant anything in the ground aside from the trees, because of the abuse it would get along the street.

Chad asked about the outdoor furniture.

David said they will keep what they have now, which are picnic tables.

Chad asked about the access points to get into the building.

David said there's the entrance off Broad Ripple Avenue, an entrance off of the parking lot, and two entrances between the building and the the outdoor dining area. David said there are also 4 security gates into the outdoor area that are egress gates only.

Bo said he's taking his LUD hat off, and putting his residential hat on and asked if this space will be kid friendly. In by 6, out by 7; the new rule with kids. He asked if the outdoor space is intended to be family friendly. He asked if they will back off of the in by 6, out by 7 when it's fully developed.

Jade introduced Paul Murzyn, owner of Kilroy's.

Paul said he thinks it's in by 5, out by 6. They are trying different things to see what helps the business, they are just trying to hang on to stay open.

Bo asked if families prohibit that.

Paul said no, they don't prohibit that. He said once they build it, he's receptive to anything. He said he wished that they could get families lined up all day all night. They are taking a leap of faith that this will be a good addition to the business.

Bo said he respects that and it's certainly well within the Envision Broad Ripple long term vision.

Paul said he doesn't want to be a club, he's been there for a long time and just wants to do good with the community.

Bo asked if there was an incident that triggered no families.

Paul asked if Jade could speak on that.

Jade said they operate in an obscure way. They don't want 19 year olds coming in with 21 year olds. You have to be 21 after 5pm. She said there is so much gray area and that was a way to better control it.

Bo said he, along with others, miss being able to take their kids into Kilroy's after baseball on a Tuesday for instance.

Paul said if they had a line out the door of families, there's no way he would say go home. He said we need a good place to take everyone to.

Bo said that he is empathetic, however the more family friendly places we have, the better it is for our village.

Tim asked about talk of an outdoor stage when they appeared a few years back.

Jade said the current stage, that they will continue to operate with, is just a platform. They talked about putting a back to it, just for the look but it won't be your typical high rise stage.

Tim asked, in regards to the 5-6 rule, if they go in at 6pm and re-card everyone in there.

Jade said they have people working the door at all times and are carding when they come in. She said it's a very loose rule.

Paul said it's an odd rule and he is happy to take a look at it.

Richard asked if the columns on the wall are masonry.

David said no, they are dryvit as well.

Richard asked what's under it.

David said there is a metal post in the core with the dryvit around it.

Paul - It's a mesh, foam. Easy to repair.

Richard urged them to look into the material.

Karen asked if everything will be contained on the site during construction.

David said they are hoping to have everything contained while the permanent fence is going in. They hope to still use the space for dining while the perimeter fence is going in. David said it may get a little messy when the pavement starts going in. They plan to utilize the parking lot and no access will be needed off of Broad Ripple Avenue.

Karen asked if there will be a temporary dumpster in the parking lot.

David said when the asphalt gets dug up, it will probably go straight into the truck.

Andrew said everyone covered his questions.

Bo asked if they think it will take 4-6 weeks to begin construction.

David said once they receive the fence materials, they will begin.

Bo asked once they have materials, how long do they anticipate the project to take.

David said probably 2 weeks for the fencing and another 2 weeks for the paving.

Bo opened it up to the public.

Mark Demerly spoke. He suggested a fiber that is for heavy impact and is an upgraded material that they should consider and would be worth their money for additional resistance. Mark brought up the current banner they have on the existing fencing that doesn't allow people to view in and he asked what keeps them from doing the same to the new fence.

Jade said the only intention of the banner was to cover up the chain link fence and it will come down with the new fencing.

Mark suggested putting a mural on the wall, as it will be less likely to get tagged.

John Panzer asked if the pavers will be permeable because that area has been known to hold a lot of water.

David said there is a big drain right in the middle of the area with a slope around it. He said they do not plan to do permeable pavers, but he doesn't think that drainage will be an issue.

John said just as long as there's a drain there.

David said there is a big drain in the middle and another drain in the parking lot.

John asked if they would agree to not play profane music on the outdoor speakers.

Paul said they go off the juke box music played by the customers, he'd love to pick all of the music played on the juke box.

Bo said why can't he, he's the owner.

Paul said he used to just use his own music applications but he will see about taking off any profane music.

Bo said he thinks that is beyond a reasonable request.

Tim asked if it's touch tunes system.

Paul said yes.

Tim said they can go through the music and take off any explicit lyrics songs.

Bo said good luck with everything.

**Haveli Indian Restaurant (6334 Guilford Avenue) – Rajvir Singm, owner of Haveli Indian Restaurant will be attending to elaborate on the recently filed beer and wine permit.
*Hearing Date: April 1, 2024***

Rajvir Singm, owner of Haveli Indian Restaurant, introduced himself. They just opened up their new family Indian restaurant at 6334 Guilford Avenue. He explained that they are applying for a beer and wine license.

Bo asked if it's a family friendly place.

Raj said yes, it is.

Bo confirmed the permit they are seeking is a beer and wine permit and asked if they have plans to seek a 3-way license in the future.

Raj said no, they only intend to serve beer and wine.

Bo asked if they have a plan in place for delivery drivers. He asked if they've thought through when they will take deliveries and where they should park.

Raj said no, they have not.

Bo said it's a good idea to have those plans in place, as they are in a main thoroughfare. He directed his question to Jordan Dillon, asking if they can offer up some suggestions on the best days and times for deliveries.

Raj asked if Bo is referring to delivery trucks.

Jordan said no, they are talking about deliveries such as Door Dash and food pick-up. Jordan explained there have been issues in the past with delivery services parking in the middle of the road to go in and pick up food. They are urging businesses in the area to have plans in place for delivery services, directing them where to park for order pick-ups. Jordan said that she will be happy to work with them on this matter when they get to it.

Chad said the delivery of the liquor and food is relevant too.

Bo said its all relevant for sure. He asked how long has the restaurant been open.

Raj said 2 weeks.

Bo said he has more power than he thinks to communicate with these services on what he does and doesn't want done and how it effects the Village and being a good neighbor. Bo asked if they are you willing to sign a Good Neighbor Agreement.

Raj said yes.

Bo said they will get that to him to sign. He confirmed they will need a vote. Bo asked if the committee had any more questions.

Tim asked if they have notified the neighbors. He indicated that he did not the orange sticker on the establishment, notifying the neighbors.

Raj said they will be putting one up for a beer and wine license.

Tim said he believes it needs to be up for a certain amount of time.

Bo confirmed that they have filed.

Raj said yes.

Tim said he thinks they are also supposed to send mailers out.

It was indicated that the mailers went out.

Karen asked what their hours of operation are.

Raj answered 11:00am to 2:30pm, then 4:30pm to 9:30pm.

Karen asked if they would be serving food during all open business hours.

Raj answered, yes.

Bo asked if they would be open after 9:30pm for pick-up.

Raj said no, the restaurant closes at 9:30pm.

Bo asked if there was anything from the public. No comments or questions.

Bo said they need to make a motion tying in the signing of the Good Neighbor Agreement. Karen said she moves that the LUD Committee support Haveli Indian restaurant in their application for the beer and wine permit with the caveat that they sign and agree to Good Neighbor Agreement. Chad seconded. All were in favor.

6013 N College Avenue – Tuan Nguyen, owner of 6013 N College Avenue, will be presenting on behalf of a proposed rezone from D-5 to MU-2, aiming to incorporate a commercial element into the property. His objective is to seek an initial review of the plan.

Tuan introduced himself and handed out copies of renderings. He is the owner of the property at 6013 N College Avenue. He stated that he has resided in Indianapolis most of his life and grew up in the Downtown area. He went to IU, then worked in the corporate world for awhile and opened up a nail salon about 2.5 years ago on Broad Ripple Avenue, called DaVi Nail Spa. DaVi is currently located in the Ripple Building, next to Broad Ripple Park. He said they've been doing well, but he thinks it's time to relocate to 6013 N College Avenue.

Tuan said they will be asking for a rezone.

Bo asked what the building is now.

Tuan said that it's a residence now and is zoned D-5. He said the proposed plan is to build a space in front of the current house. They plan to build a 2.5 level building. He said that he likes Broad Ripple and moved to the area 4.5 years ago. He said he understands that Broad Ripple is an eclectic mix of people and like certain things. He said if you drive up and down Broad Ripple, there are certain buildings that stand out. He likes the idea of respecting the current look while mixing it with a vision of what it can look like in 10 years. He brought up the First Merchant Bank building North of Ambrosia on College Avenue as an example of the look that they're going for.

He pointed out the rendering. Tuan indicated that the nail salon will be on the 1st floor of the building. It's a little bit smaller space than what they have now, they are downsizing their current business plan so that they can serve their clients more exclusively. The 2nd levels will be used for their residential space. It will have a sloped roof and small balcony.

Tuan said the reason why he didn't want to build in the back is because of the tree line and he wanted to keep as many trees as possible. Some trees will be trimmed back, but nothing will be removed.

Bo said this is in a residential neighborhood.

Tuan said it kind of is, next door is an apartment complex with 10 units and across the street are apartments as well.

Bo asked if the blue indication on the rendering is new construction.

Tuan said yes, the blue is the proposed structure.

Bo confirmed they are seeking a mixed-use variance, that will then become a residential and commercial property. Bo asked who lives on this property.

Tuan said that he does.

Bo asked how much thought has gone into their hours, parking, construction, trash and dumpsters in a residential neighborhood. Signage and everything that's important.

Tuan said it may sound counter intuitive but they are downsizing with the nail salon business. They want to focus on customer service and are not trying to grow their volume, but rather maintain their current volume and provide a better service for their customers.

Bo confirmed that this will also be a nail salon.

Tuan said yes. He said as for trash, they will use plastics and not heavy commercial bins.

Bo said let's talk about parking.

Tuan said there are 2 spaces in front for street parking, and they will provide 2 more under the proposed overhang and 2 more spaces on the driveway. The residents will park in the back.

Bo asked if that's College street parking.

Tuan said yes.

Bo confirmed that they are not dedicated spots for the home.

Tuan said, no they're not but most residents along College have their own parking in the back.

Bo asked how many total booths they plan to have.

Tuan said 4.

Bo asked if they could possibly have 8 customers at a time.

Tuan said no, more like 6 because it's kind of one on one.

Chad said they could be serving 4 at a time, but then the person coming next could arrive early, making it 6 at a time plus the techs.

Tuan said the techs will have to park off site.

Anthony asked if it's appointment only.

Tuan said it will probably turn into appointment only.

Bo asked if the rest of the Committee has comments.

Josh said it's an odd area for a commercial space, stuck in between the private residences.

Bo said just to be clear, they will not be asking for a vote today. There's no hearing date as of yet, they are presenting to seek feedback and information.

Garrett asked if they have talked to the neighbors about their proposal.

Tuan said, no they have not yet.

Garrett said it feels a little too far away from the commercial retail in Broad Ripple, even though it's along College, it's really deep in residential. He would be interested in hearing the neighbors' feedback.

Tuan said ok. He said his vision is what Broad Ripple will look like in 10 years. The idea is to have a seamless blend with the neighborhood. He said the look is sharp, modern but classic. He said they are trying to mirror the sloped roofing of the apartment complex next to the property.

Josh said he likes the look, it's just where it's at.

Daisy asked if the ground floor is going to be transparent.

Tuan said yes, the ground space will be mostly glass front with a corner window wrap around.

Daisy asked if they will be providing bike parking.

Tuan said, yes they would be happy to put in bike parking.

Chad asked if the current house is intended to stay.

Tuan said yes, the house will stay but they are expanding it.

Chad said he loves modern architecture, but he feels this is a lot to cram on this property. He said he loves the First Merchants Bank design, however it sits closer to Kessler not in the middle of the block with other residential. He mentioned the surrounding apartment buildings are still residential just a different type of residential. He said that this type of use will inherently have more traffic than an office use. He said he thinks it's cool but sees a lot of challenges with the location.

Tuan said his business model is not to actually make money but to make a space for the community. He said they have a lot of long time clients and this is why they are downsizing.

Bo asked if the architect gave them an idea of the cost for a new build like this.

Tuan said, yes.

Bo gave Tuan information about MU-2. Bo said if they were to file this petition without communicating with any of the neighbors, it will not be well-received and they have a few more steps before filing.

Tim asked if the only access to the back lot is through the alley.

Tuan said there is a driveway on the south side.

Anthony asked if it's just one residential unit going in.

Tuan said yes.

Richard asked if there would also be residential on the 2nd floor.

Tuan said yes.

Richard asked if they plan to rent out the residential spaces.

Tuan said no, it will just be for personal use. He said it could be mixed-use but for now just for personal use.

Richard said he's struggling with the modern structure with the current structure and that it feels awkward.

Tuan said he doesn't like to demolish things and wants to keep the original home, but add on to it.

Richard said despite his good intentions, this may not be the right location. He suggested preserving that building and redeveloping somewhere else. From a use standpoint, a lot standpoint and marrying the two different architectures is a challenge.

Bo said it's still a rezone.

Karen asked about the elevation and height of the proposed building and how it compares to the adjacent buildings.

Tuan said no more than 5 feet higher than the building next door.

Karen said there are some significant trees along the sidewalk and she asked if there are any plans to remove them.

Tuan said, no. One will be trimmed back, but not removed. There is a big tree in the corner of the lot that will stay.

Karen said the setback sticks out to her, from the street to the sidewalk. It will be jetting out compared to the other buildings. She said she likes the idea of mixed-use, and living where you work, however a lot of other businesses in Broad Ripple maintain the bungalow look. She asked to take that all into consideration. It will stand out and maybe not in a good way. She asked Tuan to explain the back entrance.

Tuan said there is an existing fence with a gate.

Karen asked if customers will be able to park in the back.

Tuan pointed out they will park along the driveway and on the street.

Karen asked if the back lot is just for residents.

Tuan confirmed, yes.

Andrew asked what his plan is for signage.

Tuan said it will be small, a bit of a speakeasy exclusive feel. There's some signage but he doesn't need it to light up the Small. Bit of a speakeasy, exclusive. Some signage, but don't need it to light up the skyline.

Bo asked if there were any comments from the public.

Alan Hague asked if it gets rezoned to MU-2, what happens in 10 years, can someone come in and tear the structure down and put up a new one without a hearing.

Karen said, yes, unless there are covenants or restrictions on what type of business is allowed.

Bo said that is another consideration that they'll have to take into account, as will the Committee.

Peter David said this is in a residential neighborhood. There is no setback. It's 2 stories. He said you're not comparing apples to apples. We've all heard the word encroaching and this just doesn't fit in. If this is approved this will destroy the continuity of the neighborhood.

Bo said he appreciates Peter's comments, and to Tuan's defense, he's not filed and he's here to figure out if he wants to take next steps. Bo said we've given him a lot to think about.

Tuan responded to Peter's comment. He said North of 61st there are some small hair salons and some mixed-use businesses and he'll be honest that none of it looks good. He gets Peter's point about encroaching, he understands but they don't have a whole lot to work with. He's not trying to change the neighborhood but at the same time he's looking forward to what the neighborhood could look like.

Bo said maybe it's a heavier lift for him and some of the people that have spoken today will give him idea of what he may face when he talks to the neighbors.

The presentation ended.

6575 N College Avenue – Mark Demerly, with PAD Architecture, will be presenting on behalf of his client who owns the property at 6575 N College Avenue. Their objective is to seek feedback regarding upcoming plans to file with the city.

Bo introduced the last presentation and Mark Demerly. He made mention of it being a late addition to the agenda. Bo stated that we are normally required to give public notice. A public notice would allow the public to provide commentary on how whatever is being presented affects them. Since this is an exploratory presentation, the Committee allowed it for this meeting.

Mark Demerly introduced himself, along with Chantel Kayyod.

Chantel said she is a pastry chef, born and raised in Indianapolis. She went to Ball State for Advertising and French. She then went to pastry school in France. She did a grad program last year in Paris. She's been doing pop ups in the city for the last year and a half and has built a following from that. They had been looking around Broad Ripple for awhile for a retail establishment and came across 6575 N College Avenue. She said it fit the vibe of what they are looking to create.

Mark said her product is a little bit different than other pastry shops. She focuses on pastries.

Chantel said it's more modern French pastry meets traditional; including croissants and bread, but also cakes and more elevated pastry items.

Mark said the building was built in 1995. The building owner occupies the building. They are property management and own Jade apartments, along with a number of other businesses. They built the building to accommodate their offices and for a jewelry store. Unfortunately the owners passed away recently and the family now has the building and they no longer want to continue with the building. So they are now looking for other uses for it, which is where Chantel came in. The property is zoned D-4. They are proposing a specific variance for a bakery. The parking that is provided is what will be needed, along with the bus line in front of the building. In addition, they are proposing to open up the front, to make it more visible from College. The building currently sits up about 3 feet out of the ground. They are building a deck towards College. They will be 5 feet out of the ground and will need a setback variance of 3 feet. They wanted to bring this to the Committee, before Chantel begins engaging with the owner. Signage would be on the building, not a free standing building.

Bo clarified that Mark represents Chantel and Chantel does not own the home.

Mark said that Chantel will be the face on the building, and it was more relevant to bring Chantel to the presentation, rather than the owner of the building.

Bo asked if the deck would be on the West side, College facing.

Mark said, yes.

Bo opened it up to the Committee.

Josh said his only question was about ownership, but we already have that answer. He asked about setbacks.

Mark said they haven't met with staff yet. He said they will enclose the underside of the deck and landscape to minimize a vertical high wall.

Bo said opening that up sounds incredible because that building has always been hidden.

Mark said everybody always thought it was espionage or that they were laundering money.

Garrett said selfishly, he lives two blocks away from and he loves this. He said he goes by this building all the time and it's always been very inactive. Garrett suggested engaging with the Art Center and Opti Park.

Daisy said she reiterates and loves the idea.

Chad said overall he likes it like everyone else. He asked for clarification on the deck and there will be pedestrian access or if they will need to come around the building.

Mark said the access to the building is off the parking lot. He said the deck will not be accessible to the public, it will only be accessible inside the space.

Chad asked if could be accessible.

Mark said they would need to get encroaching permits.

Tim asked what the hours of operation will be.

Chantel said she's thinking 7am - 2 or 3pm, and closed Mondays. She would like to take orders for weddings and events and also factor in classes.

Tim asked if it's just pastries.

Chatel said pastries and bread that will be repurposed later in the day.

Bo asked if it's a full kitchen buildout.

Chantel said yes.

Karen asked if they are planning on getting an alcohol permit of any sort.

Chantel said she has considered having wine.

Karen asked why they are going for a variance for D-4, rather than a rezone.

Mark said for one, it's less expensive. Also with that one specific use, she's only leasing it and the building owner hasn't expressed interest in rezoning it.

Andrew asked about signage.

Mark said that signage will be on the building, not free standing.

Andrew asked about lighting and gates for the parking lot.

Mark said that the building owner has no parking security at that location. There's not a lot of secured parking in this area, it's far enough away from the Village that it doesn't seem to be an issue.

Andrew said it would be worth bringing up to the owner.

Mark said said building owner has been there since '95 and they've not voiced to them that there has been any concern.

Tim asked if they are keeping their existing offices.

Mark said, yes.

Bo opened it up to the public.

Andy Porter said he is excited.

Bo asked if there was a motion to adjourn.

Chad moved to adjourn the meeting. Josh seconded it. The meeting was adjourned at 7:28pm.

