

**CITY OF FISHERS
BOARD OF ZONING APPEALS
CITY HALL AUDITORIUM
MINUTES
May 24, 2023**

The Board of Zoning Appeals convened at 6:00 p.m.

A roll call was taken. Members present: Steve Ferrucci, Jeffrey Silvey, Howard Stevenson, Tom Grinslade. Greg Lannan was not present.

Others present: Megan Vukusich, Rodney Retzner, Kay Prange, Tracy Gaynor, Larry Lannan, Adam Schmidt, Erica Hessman, Gene Beiermann, Anne McBride, Sarah Reigle, David Arnett.

Mr. Ferrucci confirmed quorum and called the meeting to order.

Mr. Ferrucci asked for a Motion for the approval of the previous minutes. Mr. Grinslade made a Motion to approve, seconded by Mr. Silvey. The Minutes were approved, 4-0.

Public Hearings:

a. Kroger at Fishers Station – Main Building

Address: 7450 FISHERS STATION DR, FISHERS, IN 46038

Case: VA-23-18 & VA-23-19

Request: Consideration of a Land Use and Development Standards Variance from various sections of the City's Unified Development Ordinance (UDO) to allow for: a freestanding ATM, landscaping, and associated signage for a new grocery store.

Petitioner: McBride Dale Clarion on behalf of Kroger

Planner: Megan Vukusich

Ann McBride, Kroger's Zoning Consultant, presented the overall background on the move of the Kroger facility from West of Allisonville to East of Allisonville and the variance requests for use and development standards. The expanded Marketplace store will include an ATM with no building for Star Bank, Starbucks, Pharmacy, Pick-up, and additional landscaping in different locations based on existing paving already in place.

Megan Vukusich presented the Staff Report. Staff recommends approval.

Mr. Ferrucci opened the Public Hearing for VA-23-18.

Seeing no member of the Public to speak, Mr. Ferrucci closed the Public Hearing.

David Arnett of Kroger stated that the size of this location will be similar to the 116th and Olio location. Steve Ferrucci asked who would handle any replacement leases once Kroger vacates the West side location. Ms. Vukusich stated that it would be Plan Commission and City Council.

Mr. Ferrucci asked for a Motion for VA-23-18. Mr. Grinslade made a Motion to approve, seconded by Mr. Stevenson. The Motion was approved, 4-0.

Ann McBride, Kroger's Zoning Consultant, discussed landscaping areas, signage on the building is 4% of the overall surface, and directional signage will be mounted at 6'6".

Megan Vukusich presented comments on landscaping and signage. Staff recommends approval.

Mr. Ferrucci opened the Public Hearing for VA-23-19.

Seeing no member of the Public to speak, Mr. Ferrucci closed the Public Hearing.

Mr. Grinslade confirmed that signage is consistent with other stores. Mr. Stevenson confirmed that the setback is 587 ft., consistent with other locations in Fishers.

Mr. Ferrucci asked for a Motion for VA-23-19. Mr. Grinslade made a Motion to approve, seconded by Mr. Stevenson. The Motion was approved, 4-0.

b. Kroger at Fishers Station - Fueling Center

Address: 11673 ALLISONVILLE RD

Case: VA-23-16 & VA-23-17

Request: Consideration of a Land Use and Development Standards Variance from various sections of the City's Unified Development Ordinance (UDO) to allow for: a fueling center use without an associated convenience store, to allow for a kiosk, and to allow for associated fueling center canopy, landscaping, and signage for a new grocery store fueling station.

Petitioner: McBride Dale Clarion on behalf of Kroger

Planner: Megan Vukusich

Ann McBride presented the Fuel Center. There will be a kiosk instead of a convenience store. Hours are 6 am – 11pm. Canopy lighting was discussed, and canopy height will be a max of 20 ft. tall.

Megan Vukusich presented the Staff Report. This is the first new fuel station since 2016 in Fishers. Staff recommends approval.

Mr. Ferrucci opened the Public Hearing for VA-23-16.

Seeing no member of the Public to speak, Mr. Ferrucci closed the Public Hearing.

Mr. Ferrucci asked for a Motion for VA-23-16. Mr. Grinslade made a Motion to approve, seconded by Mr. Silvey. The Motion was approved, 4-0.

For VA-23-17, it was discussed that the foundation plantings would be waived for the fuel kiosk. Canopy signs would be on all 4 sides with LED prices facing the store.

Megan Vukusich added that the signage is unique for their model. Staff recommends approval.

Mr. Ferrucci opened the Public Hearing for VA-23-17.

Seeing no member of the Public to speak, Mr. Ferrucci closed the Public Hearing.

Mr. Ferrucci asked for a Motion for VA-23-17. Mr. Grinslade made a Motion to approve, seconded by Mr. Stevenson. The Motion was approved, 4-0.

Adjournment As there was no other business, the meeting was adjourned at 6:40 p.m.

Respectfully Submitted by:

Kay Prange, Recording Secretary