



CITY OF FISHERS AGENDA

In accordance with the Americans with Disabilities Act (ADA), the City of Fishers will, upon request, provide appropriate aid (i.e. interpreters) and/or assistance leading to effective participation for people with disabilities. Anyone who requires such assistance should contact Kelly Lewark, Office Manager, no later than forty-eight (48) hours before the scheduled event at (317) 595-3487 or via email at lewarkk@fishers.in.us.

The public may [stream the meeting online](#).

Members of the public may [submit comments online](#) before 12pm on Monday, January 1, 0001.

BOARD/COMMISSION: Impact Fee Review Board Meeting

DATE: 4/25/2024, at 4:00 PM

DIRECTIONS: Fishers Pavilion, 10 Municipal Drive, Fishers, IN 46038

1. **Call to Order**
2. **Roll Call**
3. **Approval of Previous Minutes**
 - a. 1-26-23
4. **Elections and Appointments**
 - a. President
 - b. Vice-President
 - c. Appointment of Secretaries (Ross Hilleary, Kevin Martín, Christy Cashin, Gabrielle Herin)

- d. Appointment of Recording Secretary (Kay Prange)
- e. Appointment of Recording Secretary (Kay Prange)

5. Hearing

a. **Lincoln Square Pancake House**

Address: 8902 E 96th Street

Case: 117127

Request: Request for relief from the Road and Bridge Impact Fees assessed for a commercial tenant remodel for Lincoln Square Pancake House.

Petitioner: Paul Rogozinski (progozinski@veritasrealty.com)Planner: Ross Hilleary, Director (hillearyr@fishers.in.us)

6. Unfinished Business

7. New Business

8. Meeting Adjournment

**CITY OF FISHERS
IMPACT FEE REVIEW BOARD
Controller's Conference Room
January 26, 2023**

The Impact Fee Review Board convened at 4:00 p.m.

A roll call was taken and those members present were: Kim Mills, Kim Troyer, Chris Schulhof, and Lisa Bradford

Others present were: Megan Vukusich, Kay Prange, Steve Fehribach. Jason Taylor was not able to attend.

Ms. Mills confirmed quorum and called the meeting to order.

Election of Officers:

Kim Mills nominated Kim Troyer as President, seconded by Lisa Bradford. Ms. Troyer was elected by a vote of 4-0. Lisa Bradford nominated Kim Mills as Vice-President, seconded by Kim Troyer. Ms. Mills was elected by a vote of 4-0. Board Secretaries and the Recording Secretary were all approved by all.

Ms. Mills made a Motion to approve the previous meeting minutes from 1-26-22. The Motion was seconded by Mr. Schulhof. The Minutes were approved, 4-0.

Unfinished Business: This is the Annual meeting as outlined in Rules and Procedures. There were no hearings.

Old Business: None

New Business: None

Staff Communications: Megan Vukusich shared the Capital Projects Dashboard and the Development Projects Dashboard with the Committee.

Ms. Mills made a motion to adjourn which was seconded by all. The meeting was adjourned at 4:35 p.m..

Next Meeting: as needed

Respectfully Submitted by:

Kay Prange, Recording Secretary

April 17, 2024

Ross Hilleary, CNU-A
 Director – Planning & Zoning
 City of Fishers

Re: Road & Bridge Impact Fee Calculation (Revised)
 Lincoln Square Pancake House – 8902 E 96th Street

Regarding your request, I have estimated the Road & Bridge Impact Fee for the above-mentioned project. The total number of new trips that will be generated by the proposed development is determined based on information provided in the 11th edition of the ITE Trip Generation Report and includes applicable reductions for pass-by-traffic and trip credits for the previous land use.

Fast Casual Restaurant (3710 SF) =	196 “24-hour” Trips
Previous Retail land use/tenant =	94 “24-hour” Trips
Net Increase =	102 “24-hour” Trips
Road Impact Fee: 102 “24-hour” trips x \$399.42 / trip =	\$40,740.84
Bridge Impact Fee: 102 “24-hour” trips x \$16.19 / trip =	\$1,651.38
Total Impact Fee	\$42,392.22

This estimate is based on data provided to the City of Fishers by the developer. If there is an increase or decrease in the size of the development or if the land use changes, the impact fee may be adjusted for the change.

If you have any questions or comments, please feel free to contact me.

Sincerely,
 A&F Engineering Co., LLC



R. Matthew Brown, PE/PTOE
 Vice President

/Enclosure





**IMPACT FEE
REVIEW BOARD**
Meeting Date: April 25, 2024

DEPARTMENT CONTACT: Ross Hilleary (hillearyr@fishers.in.us)	CASE NUMBER: 117127
PETITIONER: Paul Rogozinski on behalf of Lincoln Square Pancake House	PROPERTY ADDRESS/LOCATION: 8902 E 96th Street Fishers, IN 46037

Description of Development:

3,200 SF Neighborhood family restaurant at the established (1994) Lantern Crossing Shopping Center

Type of Fee Review:

✓	Request for Relief from the Road Impact Fee
✓	Request for Relief from the Bridge Impact Fee
	Request for Relief from the Sanitary Impact Fee

Has There been any previous Fee Reviews filed in connection with this property?

No

Project Description

Land Use Description (Identify any existing or proposed use or expansion/addition of existing use:

The proposed use is for a neighborhood restaurant, that caters to the neighborhood surrounding this location, in the vacant 3,200 sf suite, at the end cap of the established (1994) Lantern Crossing Shopping Center

Total Acre of Site: 3.55 Acre	Square footage of existing and proposed buildings: 35,200 sqft
Type of Use: Non-Residential	Number of residents/units on site: 0
Total Number of Employee: 30	Number of Employees per Shift: 12
Number of Work Shifts: 1	Length of Shift: 8 hours
Hours of Operation: 7 AM - 3 PM	

List any other site support services such as anticipated deliveries and number of existing or proposed loading docks.

No loading docks

Indicate the total number of on-site parking spaces, personnel, customers, and delivery areas.

There are a total of 220 parking spots in the entire shopping center

Indicate any additional information which may be pertinent to the fee appeal review.

The proposed use is for a 3,200 sf community/neighborhood based family sit down restaurant that caters to the neighborhood's surrounding area. The former uses in this suite were a specialized wine store, a specialized kitchen gadget store and specialized cupcake store. All destination driven, with customers coming from all over central Indiana. We are proposing a family restaurant that would serve the families, employees, and customers of other local businesses in this specific area. This is a neighborhood restaurant, that will cater to the neighborhood surrounding this location. This is one of fifteen family-owned restaurants in and around Central Indiana.

Appeal Information

The Impact/Sanitary Fee Ordinances provide that a review of the amount of a fee may be for the subsequent reasons. Please answer and/or describe, to the best of your knowledge, the following reasons:

The reason the road and bridge impact fee should be reviewed is because we disagree with the amount of "new" traffic we are going to generate onto 96th Street. Our customers are the current cars (over 33,000 Average Daily Traffic Count) that drive on 96th street every day. We are a convenience location, not a destination driven location. We are not Meijers or Walmart. Our customers are people driving by our location on a daily basis, not to our location as a specific end destination. They travel this path daily to other end points whether it is for work, shopping, medical appointments, or places of worship. There are fifteen Lincoln Square locations. People will visit the Lincoln Square restaurants that are closest and most convenient to what brings them to the area. In this area we have a restaurant at 74th and Shadeland and in Geist at 8150 Oaklandon Road.

State those facts which are the basis for the request on why the fee was applied incorrectly in this situation:

The engineering report states that we will bring in an additional 196 cars daily to the area that would not be there if it were not for Lincoln Square. Our records indicate we do not even bring in a total of 196 cars per weekday, let alone 196 additional cars. We only have on average 250 customers per day during the week and they are in cars of 2, 3, 4 or more people. This equates to between 75 - 95 cars at our location every weekday. On the weekends we have approximately

Impact Fee Review Board
Case #117127 April 2, 2024

700 customers per day, which equates to about 180-190 cars for the two weekend days. This equals 105 to 122 cars per seven-day period. Again, these are local residents that would be traveling on 96th Street regardless, not coming just to the Lincoln Square restaurant. There are 15 Lincoln Square restaurants in Central Indiana. The closest being at 74th and Shadeland and Oaklandon Road in Geist. People coming to this location would be traveling on 96th Street every day. Our business philosophy is to attract local residents. We are a neighborhood place. We cater to the neighborhood surrounding each location. This location is special to the owners of Lincoln Square as three of the owners live at 106th and Cumberland and travel on 96th Street each and every day. They would like to bring their business into the community that they live in and support every day.

The reason the amount of the Impact/Sanitary Sewer Fee is greater than the amount allowed under Indiana Code are:*

N/A

Identify the remedy and describe your request:*

N/A

March 19, 2024

Christy Cashin
 Senior Planner – Planning & Zoning
 City of Fishers

Re: Road & Bridge Impact Fee Calculation
 Lincoln Square Pancake House – 8902 E 96th Street

Regarding your request, I have estimated the Road & Bridge Impact Fee for the above-mentioned project. The total number of new trips that will be generated by the proposed development is determined based on information provided in the 11th edition of the ITE Trip Generation Report and includes applicable reductions for pass-by-traffic and trip credits for the previous land use.

High-Turnover (Sit Down) Restaurant (3710 SF) =	227 “24-hour” Trips
Previous land use/tenant =	94 “24-hour” Trips
Net Increase =	133 “24-hour” Trips
Road Impact Fee: 133 “24-hour” trips x \$399.42 / trip =	\$53,122.86
Bridge Impact Fee: 133 “24-hour” trips x \$16.19 / trip =	\$2,153.27
Total Impact Fee	\$55,276.13

This estimate is based on data provided to the City of Fishers by the developer. If there is an increase or decrease in the size of the development or if the land use changes, the impact fee may be adjusted for the change.

If you have any questions or comments, please feel free to contact me.

Sincerely,
 A&F Engineering Co., LLC



R. Matthew Brown, PE/PTOE
 Vice President

/Enclosure