

**PIKE TOWNSHIP RESIDENTS' ASSOCIATION
MINUTES OF FEBRUARY 12, 2003 BOARD MEETING**

The Pike Township Residents' Association (PTRA) held its regular monthly meeting at 7:00 p.m. on February 12, 2003 at the Pike Government Center.

PRELIMINARY MATTERS

Treasurers' report: no report this month. Previous report indicated balance of our account equals \$3,114.18.

Clint Fultz reported on a proposal discussed last month to archive the many boxes of PTRA files on to CD-ROMs. Clint reported that his son would do one box at a cost not to exceed \$150.00. He would then make a proposal to do the rest of the files after seeing how smoothly the first box went. Reaction was positive with no objections expressed.

Announcements by Tammara Tracy (Pike Twp. Administrator): Crooked Creek Plus will have its second annual Kaleidoscope Day to Celebrate Our Youth on April 26, 2003 at North Masonic Park Lodge, 5555 N. Michigan Rd. They will also host a Town Hall Meeting to introduce Marion County's new crime team, including new Sheriff Frank Anderson. This will be held on Feb, 18, 2003 from 7:00 pm to 8:30 pm at the same location.

A special presentation was made by Ray Cox and Patrick Kemp from the Beverage Retailers' Association. They spoke about a bill before the legislature that would clarify the definition of "grocery store." City Councilor Soards has passed a resolution to urge the state to help stop the proliferation of liquor, beer and wine at gas station/convenience stores, which try to pass themselves off as "grocery stores" when requesting liquor permits. Mr. Cox and Mr. Kemp described the current legislative and lobbying battle currently being waged over this issue. They thanked the PTRA for its steadfast efforts on these issues. They pointed out that liquor stores are the most heavily regulated and supervised by state officials. For example, there is much closer supervision to prevent sales to minors at liquor stores as opposed to convenience stores. They described the law/sausage making process at the state house downtown. Their association has taken the position that grocery's should be defined using the federal government's S.I.C. (Standard Industrial Classification) system. All businesses and employers are classified according to this system, which the federal government uses for many purposes such as collecting data on the number of jobs in given industries etc. Mr. Cox and Mr. Kemp felt this would be a fair system based on an existing set of federal definitions. It would permit small operations, such as ethnic groceries, to qualify as a grocery to sell beer and wine because those businesses really are groceries despite being much smaller than Kroger, Marsh etc. They closed by again emphasizing their primary point that their members (i.e. liquor stores) face the heaviest regulation and scrutiny by government regulatory agencies who try to prevent under-age drinking.

New State Representative Caroline Mays was also in attendance and indicated her strong interest in these issues. She indicated her opposition to lifting the ban on Sunday liquor sales and encouraged Pike residents to contact her with any concerns they have.

Liquor permits: Ray Dillon then reported on a half-dozen permit requests, including the request of Speedway at 4810 W. 38th Street. Jeanette Robertson informed the Board that requests like Speedway's will all be held in abeyance until the legislature has a chance to act on the definition of "grocery store."

LAND USE ITEMS

4640 Lafayette Rd. – 2002-DV1-050: Petitioner informed President Blair that they likely could not afford a reader board sign. They will come back to present at a later date.

5901 Lafayette Rd. – 2002 UV1-043: AT&T Wireless Services, LLC, requests a variance of use of the Wireless Communication Zoning Ordinance to provide for a 98 sq. ft. equipment structure in a dwelling district associated with a wireless communication facility on an existing high power electric transmission line tower (wireless communication facilities not permitted in a dwelling district). Presenter was Roger Kilmer. A meeting did take place as planned between a PTRA sub-committee and Petitioner and neighbors. The Church did not participate despite having a direct interest in this matter. Petitioner committed to the more streamlined style of antenna that is less visible than the array style antenna just across the highway. Petitioner also has revised its proposal to improve the landscaping and change the fence to a wrought iron appearance (though actually made from aluminum). One neighbor, Mr. Zenor, is a professional landscape expert. He worked with AT&T to improve their proposal. Unfortunately, the Church (Eagle Creek Assembly of God) is also a party to this matter but had not had a chance to approve the landscape plan. There was a motion for PTRA to seek a 30 day continuance for cause. It was duly seconded and unanimously passed.

6301 W. 46th St. – 2002 ZON-150: Delores Prall requests a rezoning of 8.0 acres, being in the D-7 district to the C-3 classification to provide for a neighborhood commercial development. Presenter was David Kingen. Chairperson Mark Jakubovic. This case involves a proposed gas station/convenience store located at 46th & High School Rd. This small piece of property is surrounded by multi-family on two sides and single family homes on the other two sides. Several homeowners did attend. DMD Staff opposes the petition. Mr. Kingen discussed several changes made to the plan to make it more appealing to the residential community in the area. There was a discussion about the wisdom of re-zoning the property to C-1 but with a variance to permit the requested gas station/convenience store use. If the gas station failed, then the only options open would be for the C-1 office buffer type uses. Many neighbors were vehemently opposed to the gas station/convenience store proposal. They thought this would detract from the area, which is exclusively residential in character. Mr. Doug Collins of the Willows wrote a letter to PTRA President Blair. She read the letter which also vehemently opposed the project. Tammara Tracy cited DMD Staff concerns about commercial creep into what

has traditionally been a residential intersection in a residential area.

A spirited debate ensued with some board members being attracted to the idea of having this corner developed and the benefit of neighbors being able to walk to a store for bread and milk and other items. It was noted that liquor would not be sold and a permit would never be sought. However, others expressed the view that the neighbors intense opposition to the proposal could not compare with the benefits of improved access to convenience items like milk and bread for the nearby community of apartment dwellers. Other board members pointed out the DMD Staff's opposition and the revision of the comp plan for this site from multi-family to C-1 office buffer. After the debate a motion to support C-1 re-zoning with a variance for the proposed use and with the many commitments discussed was made, then seconded after more debate. The motion was defeated by a narrow majority. PTRRA does not support.

Finally, a brief discussion took place regarding property at 79th & Georgetown Rd. where there is a 24,000 square foot building currently zoned C-S. Don Bryson wanted to get some input from the Board before meeting with Steve Granner who represents Petitioner. One concern was raised about signage and a suggestion was made for a bus shelter for the many workers who use the bus system to come to work in Park 100. Don will report back at a later time.

The meeting was then duly adjourned.