

Pike township Residents' Association

Meeting Minutes 2/8/2006

Susan Blair called meeting to order at 7:13 pm

Quorum verified

Susan read PTRA's Mission Statement and gave website address. She then reminded attendees to sign-in. Sign-in form on the back table. She identified items on the table including a board member roster. She reviewed how to become a PTRA member. Karen Terrell, Pike Township Mayor's Liaison, was introduced.

Susan covered the policy on timing. Petitioners will be given 15 minutes to make their presentation; residents will be given 15 minutes for questions and/or comments. Board members will then make suggestions, ask questions, or make comments.

- 1) December and January Minutes tabled.
- 2) Treasurer's Report – None
- 3) Announcements:
  - a) Aldi's on Michigan Road called. They desire to modify commitments to allow operational changes. Prior to filing, they desire to meet with PTRA and immediate neighbors. Currently Aldi's is restricted to Mon thru Sat hours. They desire to be open on Sundays. Would be willing to modify delivery times in exchange for Sunday hours. See Susan if you are interested in serving on this committee.
  - b) Lewis Group proposal for Hendricks County – Lewis filed another petition for same property. The Hendricks County Plan Commission has recommended denial; public comment was rather extensive. Hendricks County Commissioners voted to deny. Currently Lewis has R-A approval on the property. The R-A approval was obtained approximately 6 years ago. With the recent court ruling regarding violation of the Indianapolis' Billboard Ordinance by Pinnacle, case law now exists regarding older approvals. According to a presentation made by an attorney at the Plan Commission hearing, the court ruled that approvals do not necessarily give permission for a development to go forward when time limitations were not specified, especially if laws or ordinances were changed after the approval was granted.
  - c) Michigan Road Bar & Grill at 79<sup>th</sup> & Michigan obtained approval for their liquor permit. C-4 drafted a list of commitments for PTRA's and C4's support; the proprietor accepted them. No live entertainment, fire safety codes must be met and maintained, security provided during operating hours, cameras in the rear of the building, trash pickup after 8am, hours of operation 11 am-11 pm daily, including Sunday. The commitments were entered into record with the liquor permit file.

- d) Bob Matejka, VP-District II, rendered resignation from PTRAs Board. He has unforeseen need to move out of Pike. Vacancy of VP District II (West to Zionsville Rd., East to Township Line, South to 79<sup>th</sup> St., North to 96<sup>th</sup> St.) See Susan if you are interested.
- e) Coalition has formed to rename Michigan Rd. to Dr. Martin Luther King Jr. Blvd. from north of 38<sup>th</sup> to 96<sup>th</sup> St. Councilor Monroe Gray has rendered support. Hal Kunz of C4 (Crooked Creek Community Council) was involved when Michigan Rd's name changed south of 38<sup>th</sup> St. C4 is opposed due to the history of Michigan Rd. Question as to whether the State needed to be involved since Michigan Road is SR 421. Karen announced coalition will need 75% approval of residents/businesses along Michigan Rd. to adopt name change. Clint suggested we need to go on record regarding this issue and made a motion to postpone discussions until both opponents and proponents of the change could make presentations. Motion seconded and passed unanimously.
- f) Indiana Land Development Corp., preliminary proposal on 42<sup>nd</sup> St. – nothing further has developed.
- g) Daycare proposal at 46<sup>th</sup> & High School Rd. – Mark will represent PTRAs at tomorrow's hearing. We voted to oppose at a previous meeting.
- h) Greg Silver, Attorney for Tiffany Lawn & Landscape, has requested a waiver of the filing rule limit, which has been granted. Browning Investments has withdrawn their proposal for a retail center. Tiffany's is purchasing adjacent land; will request I-4-S (special use) uses. Not clear if petitioner is seeking a rezone or variance – will receive legal notice soon.
- i) Dow Market on High School Rd. is scheduled for 2/23 hearing. It will be continued as petitioner is not prepared to go forward. He still needs site plans. Some PTRAs board members suggested the existing building be demolished and replaced. Staff continues to recommend denial based on current petition request.
- j) Clint announced Metro District of Pike Schools have purchased land next to Eastbrook Elementary currently operating as Crooked Creek Golf Course. The land has been leased back to CCGC and will operate for the foreseeable future.
- k) Jeanette reported on MCANA – Feb. 18<sup>th</sup> – Smoke Free Environment Implementation and Library Systems will be the meeting topics. March 18<sup>th</sup> – DPW will discuss Storm Water Management and Correct Connect issues. MCANA remains in need of 2 Pike directors. At the January meeting Mayor Peterson was challenged on the lack of attention to the Marion County Comprehensive Plan and the MDC's voting record regarding such. On several petitions, the MD Commissioners have ignored the Comprehensive Plan. He was also questioned about his mayoral appointments (specifically Ed Treacy) and the appropriateness of having the Chairman of the Democratic Party serve as a Commissioner on the MDC. Recent example - Haverstick & 86<sup>th</sup> Street – commercial development approved by the MDC in contrast to the Comprehensive Plan

recommendation for that area. For whatever reason City County Councilors voted to not hear this petition as requested by the organized neighborhood organization (Nora Community Council and Driftwood residents) in an effort to overturn the MDC decision. Councilor Bradford who represents that district refused to take the proposal to the full Council. An At-Large Councilor agreed to do so. Driftwood residents are seeking litigation. This petition and its outcome have implications for the whole county regarding the Comprehensive Plan.

- l) Joyce Sutton of the Lafayette Square area Coalition announced their next meeting is at the Georgetown Theatres for an open forum at 5:30 pm on February 28<sup>th</sup>.
- m) The Taste of Pike committee has begun its planning for the July 29, 2006 festival. Neighborhood go-cart races will be new this year.
- n) Wal-Mart on 86<sup>th</sup> St. – issues with their lack of attention to the area again. There are shopping carts left and not retrieved within surrounding areas. One person counted 43 carts at over 20 locations. If carts are left in the right-of-way DPW can be requested to dispose of them. Susan will contact Wal-Mart prior to making that request.
- o) Welcome to Councilor Randolph.

4) Liquor Permits – see attached list

Jeanette reported on 7&11, 56<sup>th</sup> St. and Lafayette Rd. – still awaiting decision from ATC's Hearing Judge. BP at 86<sup>th</sup> and Northwest Blvd. – hearing continued on beer/wine permit. House Bill 1250 has amended the definition of a grocery store; House of Representatives have passed it on to the Indiana Senate. Not expected to pass out of committee. Clint recommends that we send a letter to BP including a copy of our stamped copy of the commitments they filed promising not to seek an alcoholic beverage permit at that location.

5) Land Use – New Petitions

- 1) 2005-UV2-047, 4202 W. 56<sup>th</sup> St. – Stephan and Kimberly Outlaw request a variance of use to provide for a night club (not permitted) and an amusement arcade (not permitted) within a 5,760 sq. ft. tenant space of an existing commercial building zoned C-3. Petitioner presents this will be a Christian nightclub with Christian themed live entertainment. Discussion followed regarding fire code issues. Recommendation that the board not take a position until the fire code decision has been rendered. Clint moves that PTRAs continue until after fire commissioner makes a ruling on the fire code variances. In the meantime, we will form a committee. Motion seconded and passed. Susan will seek a continuance of the hearing. Sheila forms a committee: Clint, Kevin, Don, Mark, Jay, Betsy, Jeanette and Mike volunteer to serve.

- 6) Land use – Preliminary Proposals
- 1) 4519 Lafayette Rd. – Wal-Mart will be requesting a development variance to allow more than 80 ft. spacing for grouped landscaping. The areas are to the rear of the proposed building which faces Georgetown and I-65. Joe Calderon had an emergency and will not be present. No presentation.
  - 2) 4343 W. 62<sup>nd</sup> St. – Walker International. Proposal for a self storage facility at 62<sup>nd</sup> and Guion. Current zoning is I-2S, appropriate zoning for a storage facility. Will be seeking relief on setback requirements of 100 ft; desires an 80 ft. setback instead. Without variance approval less than 55,000 sq. feet can be constructed which does not support a full time employee. Side setback from 30' to 20' will also be requested. The board didn't see a problem; will take position after legal notice received.
  - 3) 8400 Township Line Rd. – St. Elizabeth Ann Seton Hospital, Don Russell is presenting. Currently this hospital is operating within the facility of St. Vincent's Hospital on 86<sup>th</sup> St. and Carmel. New legislation is requiring separation of long term care from the hospitals. Facility will accommodate 84 beds; 74 beds initially. Level of medical care is acute illnesses not intensive care. Property currently zoned HD-2 which supports hospital related uses but does not allow hospitals. Requesting HD-1 to allow for hospital. A lot of traffic not anticipated, mostly scheduled daytime ambulance transfers and visiting hours. 64,000 sq. feet over two floors, limited signage. We anticipate some issues with the neighbors regarding the north access drive/loading docks facing the Spring Hill condos. PTRA is encouraged by the hospital, however, will need to form a committee and include the adjoining residents. District II VP is vacant – Susan will be chair. Ray, Kevin, Sheila volunteer.
  - 4) 7207 Lafayette Rd. – Resident is seeking a variance of use of development standards to legally establish an accessory building (not permitted). The resident constructed a 40' x 50' barn/garage in order to park his commercial vehicle on site. Only a 24' x 30' structure is permitted by ordinance. A building permit was not obtained. Petitioners would like to form a PTRA committee to figure out how to make this work since the building is finished. PTRA board indicated it was doubtful that a positive agreement or support could be obtained. Legal notice not yet received.
- 7) December minutes reviewed and approved unanimously.

Meeting Adjourned 10:25 pm