



CICERO/JACKSON TOWNSHIP PLAN COMMISSION

PETITIONERS:

Cicero Market

Christine's Café

National Sign Illumination/Speedway

HAND, Inc.

CICERO/JACKSON TOWNSHIP PLAN COMMISSION MINUTES 05/09/12

President Dan Strong called the May Session of the Cicero/Jackson Township Plan Commission meeting to order at 7:01 pm.

The members of the C/JT Plan Commission were present or absent as follows:

PRESENT: Dan Strong-President
Stephen Zell-Vice President
Mark Thomas-Secretary
David Martin
Dennis Schrupf
Brett Foster
Tim Fonderoli
Paul Vondersaar
Chris Lutz
Paul Munoz-C/JT Planning Director
John Culp- Legal Counsel
Chris Lutz

ABSENT: Kelly Gunn- Recording Secretary

1. DECLARATION OF QUORUM:

President Dan Strong declared a quorum with 9 of 9 members present.

2. APPROVAL OF MINUTES:

President Dan Strong entertained a motion to approve the meeting minutes from 04/11/12. Paul Vondersaar made a motion to approve the meeting minutes as submitted and Tim Fonderoli seconded the motion. All members present were in favor.

3. OLD BUSINESS

NONE

4. NEW BUSINESS:



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Docket #: PC-0412-007-NC

Petitioner: Cicero Market (Brett Morrow)

Property Owner: Brett Morrow

**Proposed Address: 40 E. Buckeye St.
Cicero, IN 46034**

Aesthetic Review Overlay District: Aesthetic Review of Plans for a cooler and trash dumpster enclosure.

Brett Morrow came before the board to discuss his proposal for the new location of the Cicero Market. Mr. Morrow discussed the proposed enclosure/structure that would be utilized to house the freezer, walk in cooler and to provide additional storage for the market. Mr. Morrow discussed the proposed exterior of the structure and the fact that it will be almost identical to the structure that was approved for the existing market with the exception that it will be brown in color. President Dan Strong asked if Mr. Morrow would be coming back before the board for signage, lighting and landscaping and Mr. Morrow stated yes. Stephen Zell asked about the parking lot completion issue and what the petitioner's plan is to complete that. Mr. Morrow stated that he would like to be completely up and running by June 20th, so he is hoping to have it completed by then.

Stephen Zell discussed the alley situation and the previous owner's commitment that he did not fulfill. Paul Munoz discussed this issue and gave background information on the topic. Discussion continued about the alley and the drainage in the area amongst the members of the board and the Plan Director. Stephen Zell asked the petitioner where deliveries would take place. Mr. Morrow stated that the deliveries will take place on the South side of the building. Paul Munoz discussed the layout of the lot and the proposed location of the parking lot for the market. Legal Counsel John Culp asked Paul Munoz about the previous owner's verbal commitment to complete the alley and if the Town of Cicero would incur liability. Discussion of this topic continued amongst the members of the board and the Legal Counsel.

Paul Vondersaar stated that he would like to see a scaled survey as that would answer a lot of the questions that he has about the placement of the proposed structure. Mr. Morrow stated that he could provide that to the board members. Discussion continued about the proposed location for the structure. Paul Munoz asked Paul Vondersaar to clarify what he is requesting. Discussion continued about the setbacks amongst the members of the board. Discussion of the fence material that will be surrounding the structure occurred. Paul Vondersaar suggested that the petitioner use vinyl fencing as it is less maintenance and tends to look nicer over time. There were no other questions or comments from the board members.

Tim Fonderoli made a motion to approve the docket with the condition that all setback requirements are met. Paul Vondersaar asked if the parking lot issue needed to be added to the motion. Discussion occurred on this topic and Tim Fonderoli amended his motion to include a condition that the parking lot be completed prior to the Cicero Market opening in its new location. Stephen Zell seconded the motion. All members present were in favor and the docket was approved.



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- **Docket #: PC-0412-008-NC**
Petitioner: Jim Bond- National Sign Illumination
Property Owner: Speedway
Proposed Address: 1005 S. Peru St.
Cicero, IN 46034

Aesthetic Review Overlay District: Aesthetic Review of Sign package for new faces on existing signs.

Paul Munoz discussed the petitioner's representative, Jim Bond and his absence from tonight's meeting. Paul did state that he was setting up a conference call during the meeting so that the members could ask any questions in reference to the sign package that they might have. Paul dialed into the conference call and Jim Bond from National Sign Illumination discussed their proposed sign package and the takeover of the former Gas America gas stations by Speedway Corporation. Mr. Bond discussed the upgrade of the sign to LED and the changes to the canopy on the North and South sides. Mr. Bond discussed the square footage of the sign package. President Dan Strong discussed the LED lighting and illumination and asked if they would follow all ordinances. Mr. Bond stated that they would. Stephen Zell asked the petitioner asked if they were only speaking of the South location and not the North location and Mr. Bond stated that was correct. Paul Vondersaar asked about the existing "That's Convenience" sign on the building and if that would be taken down. Mr. Bond stated that it would be taken down and he discussed the signage that is proposed. President Strong inquired about any signage that might be placed on top of the gas pumps. Mr. Bond stated that he cannot speak to that particular type of signage as they do not handle that, but he could find out what that might look like and get the information to the Plan Commission. Paul Munoz stated that the Marathon Gas Station across from the new Speedway gas station uses the exact same LED lighting system as is proposed tonight. There were no other questions or comments from the board members.

Paul Vondersaar made a motion to approve the Canopy lighting and the new sign package as submitted. Stephen Zell seconded the motion. All members present were in favor.

- **Docket #: PC-0412-005-NC**
Petitioner: Christine's Café (Bardsley Enterprises, Inc.)
Property Owner: Koumbari, LLC
Proposed Address: 400 W. Jackson St.
Cicero, IN 46034

Aesthetic Review Overlay District: Aesthetic Review of Sign package.

Jim Bardsley came forward before the board and described the sign package that they are proposing. Mr. Bardsley discussed the design and aesthetics of the signage. President Strong asked Plan Director Paul Munoz if the petitioners' are within the 100 sq feet requirement. Paul Munoz stated that the petitioners' were under the maximum square footage allowed. Tim Fonderoli asked about the number of wall signs that are permitted. Paul Munoz discussed this topic. Paul Vondersaar discussed that he would like to see the brackets removed

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from the roof so that no more signage can be added. Mr. Bardsley stated that they would have to obtain approval from the building's owner to remove the brackets. Discussion of this topic continued. President Strong discussed and clarified for the petitioners' that their parking lot cannot be used for an outdoor seating area. The petitioner stated that he is aware of it. Paul Munoz stated that he has had several conversations with the Bardsley's in reference to outdoor seating and the future. Discussion continued about this topic.

Stephen Zell made a motion to approve the sign package as presented. Paul Vondersaar asked if the motion should be amended to include the removal of the brackets as discussed. Stephen Zell amended the motion to include this and Tim Fonderoli seconded the motion. All members present were in favor and the docket was approved.

- **Docket #: PC-0412-006-R3**
Petitioner: HAND, Inc.
Property Owner: Estate of Joe Booker
Proposed Address: 301 N. Peru St.
Cicero, IN 46034

Rezoning: To rezone the property from an R3 Medium Lot, Medium Home Residential to an R6 Multi Family Residential, for the purpose of building two (2) triplex structures and one (1) duplex structure for a total of eight (8) dwelling units.

Plan Director Paul Munoz stated that he has a letter on file from Deborah Elliott who is the Legal Representative for the Booker Estate who owns the property. Paul Munoz stated that the letter gives permission to the representatives of HAND to speak on their behalf. Stephanie Burdick, a representative from HAND came forward and gave a brief background on their not for profit organization as well as discussed the proposed project. Ms. Burdick stated that this project is income based housing for Seniors ages 62 and over. Ms. Burdick stated that HAND utilizes a Property Management company to manage and maintain all of their Senior housing communities. Ms. Burdick discussed the background checks and tenant screenings that are completed through their Property Management Company and she also discussed maintenance of the property and provided copies of the lease agreement, age restrictions and financial requirements to the members of the board. The petitioner discussed the design and layout of the proposed apartments. The board members took a few minutes to review the documents and information in reference to the docket.

Stephen Zell asked about the age requirements when it comes to married couples, etc. and how that would work. Ms. Burdick discussed this topic as well as the maximum number of persons allowed to live in each unit. Legal Counsel John Culp asked some additional questions in reference to the age requirements for persons living in the units as well as questions about how mortgage, ownership and renting work. Paul Munoz discussed the rule that exists in the lease agreement for "overnight" guests and the maximum number of days that a person is allowed to stay in the apartment prior to it being a violation of the lease agreement. Ms. Burdick discussed this topic and how it is monitored. Stephen Zell asked about the orientation of the property and where the structures will be located on the property. Ms. Burdick discussed the site plan and the proposed locations for the structures. Discussion continued about this topic.



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Ms. Burdick discussed the two patios that are provided for the residents. Ms. Burdick discussed the fact that the types of items that are permitted on the patios can be restricted in the lease agreement or house rules. Ms. Burdick discussed the Rain Garden that is proposed on site to assist with drainage and environmental issues. Paul Munoz discussed the Rain Garden topic and how it fits in with the town's Stormwater Education program. No further questions or comments from the board members.

Stephen Zell made a motion to open the Public Hearing. Tim Fonderoli seconded the motion and all members present were in favor. No members of the public made any comment. Legal Counsel John Culp asked the Plan Director if all adjacent property owners were notified of tonight's meeting and Paul Munoz stated yes, that all legal requirements were met. Stephen Zell made a motion to close the Public Hearing and Tim Fonderoli seconded the motion. All members present were in favor and the Public Hearing was closed.

Brett Foster inquired about parking at the other HAND apartment locations. Ms. Burdick discussed the parking studies from the other communities that have been conducted and what the findings were. Ms. Burdick discussed the fixed incomes that the residents are on and the fact that most of the residents do not own a vehicle and the fact that they either walk or utilize public transportation to get to where they need to go. Legal Counsel John Culp asked about the resident selection criteria and the categories of rejection and how they monitor whether permitted parties continue to live there or allow others who may not be permitted to move in. Ms. Burdick discussed the income verification process and also the eviction process if residents are not following the house rules and lease requirements.

Discussion of the comfort level in reference to this proposed structure fitting on this lot occurred amongst the petitioner and the members of the board. Several board members discussed the fact that they are not necessarily comfortable with the proposed location of this structure but they do like what the organization is trying to do in the community. Discussion of this continued amongst the members of the board. Ms. Burdick discussed the reasons why this location was appealing to their organization including, its proximity to amenities such as the Cicero Market, Gas America, downtown restaurants, as well as the ease of access to utilities in addition to the price being reasonable for their not for profit organization. Discussion about the rezone occurred amongst the members of the board.

Tim Fonderoli made motion to send a favorable recommendation to the Town Council for the rezone conditional upon BZA approval to move forward with the project. Stephen Zell seconded the motion. 3 members were in favor, 5 members opposed the motion and 1 member abstained. The motion to send a favorable recommendation to the Town Council was denied.

5. PUBLIC COMMENT:

NONE

6. PLAN DIRECTORS REPORT:



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Paul Munoz discussed the meeting that took place with the 2 consultants that were chosen as finalists to complete the Comprehensive Plan process. Paul Munoz stated that he believes that they are in a good place to make a final decision and choose the consultant to be used for the Comprehensive Plan update. Discussion in reference to the Comprehensive Plan process took place.

8. PRESIDENTS REPORT:

President Strong thanked the board members for their patience and assistance in working through the agenda items tonight. President Strong believed that the discussion was good and thorough.

9. LEGAL COUNSEL REPORT:

NONE

10. COMMENTS FROM COMMISSION MEMBERS:

NONE

11. PUBLIC COMMENT

NONE

12. NEXT PLAN COMMISSION MEETING

June 14th, 2012 @ 7:00 p.m.

12. ADJOURNMENT:

President Dan Strong asked for a motion to adjourn. Tim Fonderoli made the motion to adjourn the meeting and Stephen Zell seconded the motion. All members present were in favor and the meeting was adjourned at 8:47 p.m.

Signature on Official Documents!

Dan Strong, 2012 C/JT Plan Commission-President

Stephen Zell, 2012 C/JT Plan Commission-Vice President

Mark Thomas, 2012 C/JT Plan Commission Secretary

Kelly Gunn, 2012 C/JT Recorder

Date: _____