



CICERO/JACKSON TOWNSHIP PLAN COMMISSION

PETITIONERS:

HAND, Inc.

Carl Blackwell (Hamilton Co. Window Tinting Plus, LLC)

Greg Klopstad (Dairy Queen)

Plummer Minor Subdivision

CICERO/JACKSON TOWNSHIP PLAN COMMISSION MINUTES 08/14/13

Vice President Steve Zell called the August Session of the Cicero/Jackson Township Plan Commission meeting to order at 7:00 pm.

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

PRESENT: Stephen Zell- Vice President
Mark Thomas-Secretary (joined meeting at 7:06 pm)
Eric Hayden
David Martin
Dennis Schrupf
Bruce Freeman (filling in from BZA for Paul Vondersaar)
John Culp-Legal Counsel
Paul Munoz-Plan Director
Kelly Gunn- Recording Secretary

ABSENT: Dan Strong-President
Tim Fonderoli
Paul Vondersaar
Christopher Lutz

1. DECLARATION OF QUORUM:

Vice President Stephen Zell declared a quorum with 5 of 9 members. Vice President Zell noted for the record that Bruce Freeman from the Cicero/Jackson Twp. BZA is filling in for absent member Paul Vondersaar tonight. Secretary Mark Thomas joined the meeting at 7:06 pm which made the quorum 6 of 9 members.



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2. APPROVAL OF MINUTES:

Plan Director Paul Munoz stated that the July meeting minutes would need to be tabled for approval until the September Plan Commission meeting. Plan Director Paul Munoz stated that this was necessary due to the recorder's batteries dying in the middle of the meeting and his Recording Secretary, Kelly Gunn being absent at the July meeting due to a family emergency. Vice President Zell said that in the interest of time, they would discuss this issue at the end of the meeting.

3. OLD BUSINESS

Docket #: PC-0412-006-R6

Petitioner: HAND, Inc.

Property Owner: Estate of Joe Booker

Proposed Address: 301 N. Peru St.

Cicero, IN 46034

Review of previous Rezone and aesthetic commitments.

Nate Lichti, Director of HAND, Inc. (347 S. 8th St, Noblesville, IN 46060) stepped forward to discuss the proposed changes to their previously approved design plans for the Lakeside Gardens project. Plan Director Paul Munoz the landscape plan changes and the new location for the Rain Garden. Paul Munoz stated that HAND has slightly changed their façade plans and have removed some of the brick that was originally proposed. Mr. Lichti discussed the plans to keep brick on the primary face/façade in lieu of other changes in order to be cost effective and stay within their budget for the project. Vice President Steve Zell asked Mr. Lichti if cost was the main reason for the changes, and Mr. Lichti stated yes. Discussion of the proposed façade changes continued amongst the members of the board and the petitioner. Vice President Zell asked about the color scheme of the brick that will be used and whether that has been decided or will be approved by the Plan Director at a later date. Discussion in reference to the brick color continued. Dennis Schrupf asked for clarification on the Rain Garden location. Plan Director Paul Munoz stated that it would be on the Northwest side of the property. There were no further questions or comments from the members of the board. Vice President Stephen Zell explained the number of votes needed to pass tonight and the petitioner's option to table their proposal until a full board was present. Mr. Lichti stated that he would like to proceed this evening with a vote. Eric Hayden made the motion to approve and David Martin seconded the motion. All members present were in favor.



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Docket #: PC-0613-013-C3

Petitioner: Carl Blackwell (Property Owner), Hamilton County Window Tinting Plus, LLC (Tenant)

Property Address: 22192 State Rd 19

Cicero, IN 46034

Review of previously approved AROD.

Plan Director Paul Munoz stated that he spoke with Tony Stewart, the operator of the business and he was unable to attend tonight's meeting due to a previous commitment. Mr. Stewart stated that he was unhappy with his initial sign proposal and wanted a more professional looking sign, similar to his neighbor, Smith's Piano. Vice President Steve Zell asked if the diagram that the members received was what the actual new proposed signage would look like on both sides. Plan Director Paul Munoz stated yes. There were no further questions or comments from the board members. Dennis Schrupf made a motion to approve the sign changes. Bruce Freeman seconded the motion. All members present were in favor.

Docket #: PC-0413-009-NC

Petitioner: Property Owner: Greg Klopstad, Tenant: Dairy Queen

Property Address: 90 S. Peru St.

Cicero, IN 46034

Review of previously approved AROD

Bill Bolander of BHR Construction, Fishers, IN came forward to discuss changes to the Aesthetic Review that was previously approved for Dairy Queen. Mr. Bolander discussed the fact that Dairy Queen International is requesting that the local franchises go with the neutral, more modern color scheme that have become popular at newer DQ restaurants. Mr. Bolander stated that the business owner, Mr. Klopstad must conform to these suggestions in order to keep operating. Mr. Bolander showed the members of the board a diagram of the new proposed façade of the building and color scheme. Mr. Bolander stated that Dairy Queen Headquarters has heavily suggested the two chimney look. Discussion continued on the chimneys. Mr. Bolander stated that in lieu of one of the proposed chimneys, that they can add a front patio for outdoor seating. Mr. Bolander discussed the proposed plans for a stamped concrete patio that would be similar in color to the building itself. Mr. Bolander stated that the red color will remain in some areas as an accent color such as on the roof, etc. David Martin asked for clarification on the concession of doing away with one of the chimneys in order to have outdoor seating. Discussion of this continued amongst the members of the board and Mr. Bolander. Mr. Bolander discussed the parking to seating ratio and that as of right now; it does not appear to be an issue. Paul Munoz said a variance would be necessary in the future for the setbacks on the proposed patio. Vice President Zell asked about approval on the patio tonight and how they should proceed. Plan Director Paul Munoz said approval of the aesthetics tonight should be contingent upon the BZA's approval of the setback variance. David Martin asked about a fence around the patio. Mr. Bolander stated that it will be a 3 ft fence made of either aluminum or wrought iron material. Discussion continued about the elevation, curb height and placement of the fence and patio. Mr. Bolander stated that they could add a railing to appease the board members for safety of the customers and the public. Eric Hayden asked about the width of the sidewalk and



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Mr. Bolander stated that he believed it was 3 ft. Vice President Steve Zell asked about making a recommendation to the BZA. Plan Director Paul Munoz stated that yes the board should do so. Eric Hayden made a motion to approve the proposed aesthetic review changes pending the BZA's approval of the setbacks for the front patio, with a contingency plan of adding a 2nd chimney. Bruce Freeman seconded the motion. All members present were in favor.

4. NEW BUSINESS

Docket #: PC-0713-015-AG

Petitioner: Plummer Subdivision

**Property Address: 2853 E. 236th St.
Cicero, IN 46034**

Minor Subdivision Application: To allow for a split of 4.74 acres from the parent tract of 11.75 acres for the purpose of sale.

****This proposed Minor Subdivision requires a Public Hearing.**

Paul Munoz discussed the TAC meeting that took place and the issues that came up from members of the TAC committee. The issues discussed were the new Commissioner's signature block on the plat and the Drainage and Utility Easement issues from the Hamilton County Surveyor's Office. Plan Director Paul Munoz discussed the reasons that they changed the plans from just one lot to two lots. Paul Munoz said that due to the Surveyor's absence at the meeting this evening to represent Ms. Plummer and also to submit the changes to the plat and plans that were requested, he recommends to the board that the Minor Subdivision request be tabled until the September meeting. Dennis Schrupf made a motion to table the request until the September meeting and David Martin seconded the motion. All members present were in favor.

5. PLAN DIRECTORS REPORT:

Paul Munoz discussed a violation issue with David McGill that he is currently dealing with. Plan Director Paul Munoz gave a brief background and history on the accessory structures that were placed on Mr. McGill's property back in 2009 when Chuck Kiphart was in charge of Planning and Development. Plan Director Paul Munoz discussed his conversations with Mr. McGill as well as with Mr. Kiphart in reference to what was previously approved. Plan Director Paul Munoz stated that he brought this up to the board as a whole to seek their opinion and guidance on how to proceed. Plan Director Paul Munoz stated that as the accessory structures are placed right now, they do not meet current setback requirements and would require a variance as well as a permit for each structure that is currently on site. Discussion of this topic continued amongst the members of the board and the Plan Director. Legal Counsel John Culp discussed the definition of an "accessory structure" per the ordinances and discussed section 16.2 of the ordinances with the board members. Plan Director Paul Munoz stated that he is open to suggestions as to how the board would like him to proceed. Legal Counsel John Culp recommended that Paul Munoz have Mr. McGill put his case into writing to be



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reviewed by the Plan Commission at the September meeting, as well as obtain a statement from previous Building Commissioner/Plan Director, Chuck Kiphart as to what he actually approved in 2009.

Plan Director Paul Munoz discussed the RFP that he sent out for ordinance changes. Paul Munoz stated that he would like the changes to be adopted by the end of the year as well as new ordinance books to be printed. Paul Munoz discussed his desire for the ordinances to be changed to a usable program and file so that he can update them as needed. Discussion of this topic continued amongst the members of the board.

Plan Director Paul Munoz gave a brief update on the status of the Comprehensive Plan update. Paul Munoz stated that they are still trying to obtain a few pertinent maps for data collection purposes. Paul Munoz stated that he was hoping to have the 1st draft of the updated Comp Plan done by July but because of the map issue, it has been temporarily delayed.

6. PRESIDENTS REPORT:

Vice President Steve Zell discussed the timeframe on getting information packets out to the board members as well as the cut-off date to accept applications and information from petitioners.

7. LEGAL COUNSEL REPORT:

NONE

8. PUBLIC COMMENT

NONE

9. COMMENTS FROM COMMISSION MEMBERS:

Eric Hayden asked about the Waterfront project and its' timeline for completion. Plan Director Paul Munoz stated that he has been told that he will be receiving finalized plans hopefully by August. Paul Munoz discussed the new restaurant that will be going in at the corner of Jackson St. and S.R. 19. The board members discussed the new outdoor seating patio at La Cascada and the fact that they like the look and style of it. Dennis Schrupf stated that he noticed that the Nickel Plates Art Trail signs were placed back up after they were vandalized, and discussion of this topic took place. Vice President Steve Zell discussed the improvements he has noticed in Cicero/Jackson Township in relation to code and ordinance enforcement. Discussion of the new CVS property and the overgrown weeds as well as the signage on the awnings took place. Bruce Freeman asked about Chaudion's auction property and a discussion of the items being stored outdoors took place. Paul Munoz stated that he would look back at previous BZA and Plan Commission meeting minutes in reference to this property to see what exactly was approved over the years.

10. NEXT PLAN COMMISSION MEETING

September 11th, 2013 @ 7:00 p.m.



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11. ADJOURNMENT:

Vice President Steve Zell asked for a motion to adjourn. Dennis Schrumpf made a motion to adjourn and Bruce Freeman seconded the motion. All members present were in favor and the meeting was adjourned at 8:10 pm.

Signature on Official Documents!

Dan Strong, 2013 C/JT Plan Commission-President

Stephen Zell, 2013 C/JT Plan Commission-Vice President

Mark Thomas, 2013 C/JT Plan Commission Secretary

Kelly Gunn, 2013 C/JT Recorder

Date: _____