



CICERO/JACKSON TOWNSHIP PLAN COMMISSION

PETITIONERS:

Sugarbean Cupcake

GW Pierce Auto Parts

Dairy Queen (Tenant), Greg Klopstad (Property Owner)

CICERO/JACKSON TOWNSHIP PLAN COMMISSION MINUTES 05/08/13

President Dan Strong called the May Session of the Cicero/Jackson Township Plan Commission meeting to order at 7:10 pm.

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

PRESENT: Dan Strong-President
Stephen Zell- Vice President
Eric Hayden
David Martin
Tim Fonderoli
Christopher Lutz
Aaron Culp-Legal Counsel
Kelly Gunn-Recording Secretary
Paul Munoz-Plan Director

ABSENT: Mark Thomas
Dennis Schrupf
Paul Vondersaar

1. DECLARATION OF QUORUM:

President Dan Strong declared a quorum with 6 of 9 members.

2. APPROVAL OF MINUTES:

President Dan Strong entertained a motion to approve the meeting minutes from 4/10/13. Stephen Zell made a motion to approve the meeting minutes as submitted and Tim Fonderoli seconded the motion. All members present were in favor.



CICERO/JACKSON TOWNSHIP PLAN COMMISSION

3. OLD BUSINESS

Docket #: PC-1012-017-NC

**Petitioner: Sugarbean Cupcakes (Tenant)
Booker Realty (Property Owner)**

**Property Address: 129 S. Peru St.
Cicero, IN 46034**

Aesthetic Review Overlay District: Review of exterior building color.

Cheryl Muir came forward and discussed her desire to paint the rest of the exterior of the building that she leases for her cupcake shop. Ms. Muir stated that the building would be the same color as the front porch which is her signature color, a deep purple. Ms. Muir stated that she has had a lot of favorable comments on the purple porch and would like to paint the rest of the front of the home so that it all flows together. Ms. Muir stated that she thinks it would look nice from the road as opposed to a broken up façade due to 2 colors being used on the building currently. Dan Strong explained that she would need 5 out of 6 votes tonight due to members of the board being present or she can choose to table. Ms. Muir shared an article that was done by Chicago Travel magazine on her cupcake shop and that the front page picture is one of her cupcakes. Ms. Muir stated that she did not seek the press out, that they approached her. Legal Counsel Aaron Culp joined the meeting at 7:10 pm. Ms. Muir asked about having possible outdoor seating. She stated her desire to have a 2 seater bistro style table on the front porch of the business. Dan Strong stated that she would need to talk to Paul Munoz about that topic, so that it can be addressed at the appropriate time. Ms. Muir explained the location of the rest of the paint and added that Debbie from Booker Realty whom owns the building was in favor of her plans and has even offered to buy the paint for her. Stephen Zell asked if the 2nd story façade would be painted and Ms. Muir stated yes. Discussion of the building's current façade colors took place amongst the members of the board. Dan Strong stated that there are quite a few trees out in the front of the business that blends the building in well. No other comments were made by the members of the board.

Tim Fonderoli made a motion to approve as submitted and Eric Hayden seconded the motion. All members present were in favor. Ms. Muir asked if there is a timeframe for finishing the paint job. Dan Strong stated that there was no timeframe attached to her request however the request was approved for the front of the building only.



CICERO/JACKSON TOWNSHIP PLAN COMMISSION

4. NEW BUSINESS

Docket #: PC-0213-005-C4

Petitioner: GW Pierce Auto Parts

Property Address: 22275 US 31 N.

Cicero, IN 46034

Minor Subdivision: To allow for the split of one existing parcel, 16.74 acres into two parcels for the purpose of sale. Lot #1 is 7.63 acres; Lot #2 is 9.11 acres.

Nathan Althouse of Miller Surveying came forward and discussed the plans to split the existing parcel into two parcels. Mr. Althouse stated that the survey was completed approximately four years ago and it was never split. Mr. Althouse stated that the property owner is now interested in moving forward with the split. Stephen Zell asked what the intended use would be for the new parcel. Mr. Althouse said that he wasn't sure. Paul Munoz said that the new parcel would be the same use as the existing parcel is currently being used for which is an import/export business of foreign cars. Mr. Althouse stated that the road frontage requirement is met, and that there will be entrances on both parcels. Dan Strong asked about the TAC meeting that was held on this item of business. Paul Munoz said that there were no issues from the interested parties. Aaron Culp asked if the property owner was present at tonight's meeting, and if not, was there a Power of Attorney on file. Aaron Culp stated that a Power of Attorney is necessary but could be attached as a condition to tonight's approval. Paul Munoz asked if a Power of Attorney is necessary for a petitioner who hires a firm such as Miller Surveying to represent them. Aaron Culp said yes. Discussion of the necessity of a Power of Attorney continued. Stephen Zell made a motion and Chris Lutz seconded the motion to open a Public Hearing. There were no public comments. Eric Hayden made a motion to close the Public Hearing and Tim Fonderoli seconded the motion. All members present were in favor.

Stephen Zell made a motion to approve the Minor Subdivision split with the condition that a Power of Attorney is obtained by the Planning and Development office. Eric Hayden seconded the motion. All members present were in favor.

Docket #: PC- 0413-009-NC

Petitioner: Dairy Queen (Tenant)

Greg Klopstad (Property Owner)

Property Address: 90 S. Peru St.

Cicero, IN 46034

Aesthetic Review Overlay District: Review of Addition to existing restaurant.

Greg Klopstad came forward to discuss the proposed addition and aesthetic changes to his restaurant. Mr. Klopstad stated that it has been almost 30 years since it has been remodeled. Bill Bolander, Project Manager came forward to discuss the project and answer questions from the board members. President Strong explained that the petitioner would need 5 out of 6 favorable votes this evening as there are members absent. Mr. Klopstad stated that he wants to move forward with just six members. Bill Bolander came forward and



CICERO/JACKSON TOWNSHIP PLAN COMMISSION

discussed the aesthetic changes that are being proposed as well as the restaurant and restroom upgrades. Mr. Bolander discussed the limited space that they have to work with and that they may relocate the menu board in the drive thru. Mr. Bolander discussed the previous problems in that alley due to back up of vehicles from the drive thru. Discussion of this issue and the traffic flow continued amongst the members of the board and the petitioner. Dan Strong asked if a concrete pad and dumpster enclosure would be added and Mr. Bolander stated yes. Paul Munoz discussed the figures on the parking lot and removal of parking spots. Paul Munoz stated that the petitioner is still within the required parking parameters, so there are no issues with parking. Tim Fonderoli asked about encroachment on the north property line. Paul Munoz stated that there would be no more than currently is there. Dan Strong asked about extending the concrete base for menu stacking and Mr. Bolander discussed their plans for that and their plan for better traffic flow on the property. Discussion of these topics continued amongst the board members and the petitioner.

Paul Munoz asked about the color choices that the petitioner is going with. Mr. Bolander said that the petitioner is at the mercy of Dairy Queen as they decide what colors are used. Mr. Bolander stated that he believed it would be light earth tones/brown brick and that they are currently in negotiations with them on what can be done. Mr. Bolander stated that the building would either stay red and white or that it would be the newer design using the neutral, earth tones. Dan Strong asked if the board was alright with approving this item of business without a definite color choice and the board agreed that they were. Stephen Zell asked what the target start date for the project would be and Mr. Bolander said as soon as possible. David Martin asked about any proposed signage changes. Mr. Bolander discussed these potential changes. Mr. Bolander stated that they would come back before the Plan Commission for those changes. David Martin asked about the proposed dumpster enclosure fencing. Mr. Bolander discussed this and stated that it would complement the building's design. Dan Strong asked about the right of way on other side of Buckeye St. Paul Munoz said he isn't clear on this topic. Dan Strong asked Paul Munoz to research it. Dan Strong asked Legal Counsel Aaron Culp how to proceed. Aaron Culp stated that they could move to approve this agenda item with a condition that its sign is not in right of way. There were no further questions or comments from the board members. Tim Fonderoli made a motion to approve the item of business with the condition that the right of way be researched for where the new sign will be placed. Tim Fonderoli amended his motion to include the fact that Paul Munoz will check the measurement and that the sign can be moved per his discretion accordingly. Stephen Zell seconded the motion. All members present were in favor. Discussion of right of ways and easements along Buckeye St. continued amongst the members of the board.

5. PLAN DIRECTORS REPORT:

Paul Munoz discussed the Comprehensive Plan project. Paul stated that he is working through current land use maps with the project planner, KK Gerhart-Fritz. Paul Munoz stated that it took awhile to get the needed maps from Hamilton County GIS. Paul stated that he will be speaking at the Hamilton North Chamber of Commerce meeting on June 4th. Paul Munoz stated that overall the project is coming together pretty well. Dan Strong asked for a timeline on the first draft of the Comp Plan. Paul Munoz said that a first draft should hopefully be completed by July. Discussion continued on this topic. Paul Munoz stated that his goal is to unveil the plan sometime in January 2014. Paul discussed future plans for printing new ordinance books, etc. once



CICERO/JACKSON TOWNSHIP PLAN COMMISSION

the Comp Plan has been adopted. Dan Strong asked about going through the current ordinances to review them and he also discussed what would be expected of members of the board. Paul Munoz discussed this and the necessity to update ordinances to coincide with the new Comp Plan. Discussion continued on this topic.

Paul Munoz discussed an on-going issue with property located in Cicero Shores/Overlook Dr. Paul Munoz stated that this issue stems from a dock situation from a few years ago. Paul Munoz spoke of the history of this topic and discussed the fact that John Culp and Aaron Culp have also been dealing with this issue and it has been forwarded onto them for future correspondence. Discussion of this topic continued.

6. PRESIDENTS REPORT:

Dan Strong discussed the Wind Mill ordinance and the fact that he believes it needs to be looked at for setbacks and possibly changed due to issues that have come in up in surrounding communities. Discussion of this topic continued amongst the members of the board.

Dan Strong asked Aaron Culp about the Open Door law and communicating via text and email during a meeting. President Strong asked if texting during a meeting violates the Open Door law. Aaron Culp said that it is his opinion that it indeed would be a violation. Discussion on this topic continued amongst the members of the board and the Legal Counsel.

7. LEGAL COUNSEL REPORT:

Legal Counsel Aaron Culp stated that he did not have much of a report. Aaron stated that he had the same information as Paul Munoz's previous report about the Cicero Shores issue. Aaron Culp discussed a situation that occurred at a recent Town Council meeting where a concerned citizen that that it was his belief that the Comp Plan is tied to United Nations and their plan. Aaron Culp said that the local Comp Plan is not at all tied to the UN Comp Plan. Paul Munoz discussed the issue and gave a history of the complaints of this citizen. Dan Strong asked Aaron Culp if the citizen contacted a board member, would he advise that the board member direct that citizen to contact the Culp and Culp office. Aaron Culp stated yes. Discussion continued on this topic amongst the members of the board.

8. COMMENTS FROM COMMISSION MEMBERS:

Board members stated that they would like to see "Public Hearing" noted on the meeting's agenda for proper issues. Stephen Zell said that the posted meeting dates outside of the Town Hall for the May meetings were off by one week. Chris Lutz asked if he could obtain a copy of the previous approval on Mr. Chaudion's Flea Market that was discussed when his Pole Barn was approved. Discussion continued on that topic

9. PUBLIC COMMENT

NONE



CICERO/JACKSON TOWNSHIP PLAN COMMISSION

10. NEXT PLAN COMMISSION MEETING

June 12th, 2013 @ 7:00 p.m.

11. ADJOURNMENT:

President Dan Strong asked for a motion to adjourn. Eric Hayden made a motion to adjourn and Tim Fonderoli seconded the motion. All members present were in favor and the meeting was adjourned at 8:04 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: _____