



CICERO/JACKSON TOWNSHIP PLAN COMMISSION

PETITIONER: Josh Elliott

CICERO/JACKSON TOWNSHIP PLAN COMMISSION MINUTES 3/11/15

President Dan Strong called the March Session of the Cicero/Jackson Township Plan Commission meeting to order at 7:08 pm.

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

PRESENT: Dan Strong - President
Christopher Lutz - Vice President
Tim Fonderoli
Dennis Schrupf
Glen Schwartz
Steve Shields
Kelleigh Fagan - Legal Counsel
Paul Munoz - C/JT Plan Director
Sally Mangas - Recorder

ABSENT: Paul Vondersaar - Secretary
Chad Amos
Stephen Zell

1. DECLARATION OF QUORUM:

President Dan Strong declared a quorum with 6 members present.

2. APPROVAL OF MINUTES:

Tim Fonderoli made a motion to approve the 2/11/15 minutes as submitted and Chris Lutz seconded the motion. All members present were in favor.

3. OLD BUSINESS:

Official Zoning Map (*needs to be untabled*)

Tim Fonderoli made a motion to untable the Official Zoning Map from last month's meeting; Steve Shields seconded the motion. All members present were in favor.



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Mr. Munoz stated that last month there was some discussion about the Zoning Map and whether or not it could be approved at that meeting according to the notification that had been supplied. Mr. Culp did some checking as well as Mr. Munoz speaking with some consultants and several others involved in planning and they all agreed that yes they had done proper notification to all of those involved and that the Zoning Map could be changed and altered and approved without having to do individual notification to all of those affected. Mr. Munoz stated that they had gone ahead and sent the Zoning Map out again to make sure that everyone was aware of the changes that are going to be made; this was talked about last time so everyone kind of knows but if anyone has a question they can discuss it. Mr. Munoz informed the board that today they are looking to give a favorable recommendation to the Town Council regarding the Zoning Map and they will adopt the Resolution approving the Zoning Map.

President Strong asked for discussion amongst the board. Mr. Munoz asked if everyone was familiar with the changes that had been made to which Vice President Lutz asked him to go over them. Mr. Munoz stated that they looked at the corridor from south of where all the current retail is until you get to the Speedway on State Road 19 and just about a block and a half north on both sides that was changed to Neighborhood Commercial to make it easier to foster businesses in that area that would want to take a home or small building and would want to put a shop that may attract a few customers but nothing like a major restaurant. Mr. Munoz continued to state that this would make it a little bit easier for them to do that but for the Town to still have some control in what would go in because they would still have to make sure they could meet parking requirements, sign requirements and some of those types of things which are taken care of by our ordinances. Vice President Lutz asked Mr. Munoz to point out on the map where he was talking about. It was brought up that the map had the wrong color and Mr. Munoz stated that he would make sure that they fixed that. President Strong stated that this kind of came out of the Comprehensive Plan in the area along Jackson Street and State Road 19 that would allow for small businesses. There was discussion while looking at the maps and where the exactly this changes would be. Mr. Munoz stated that they had also looked along 276th Street and changing a parcel of land to a C4 which is Medium Scale Commercial, because there is some potential for future development in that area also. President Strong stated that that is right across the street from Reynolds or in that general area. Mr. Munoz stated that they could not get a definite from anybody however that entire intersection including the area around Beck's Hybrids has been TIFT by the county because they are pretty sure that there will be future development in that area that is commercial or industrial in nature. President Strong asked if there were any further questions or comments to which he then asked Mr. Munoz if there was anything that they still needed to do in reference to the Zoning Ordinances. Mr. Munoz stated that he and President Strong had made the corrections that were directed by the Plan Commission. Mr. Munoz stated that they would be approving the Map now and that they had approved the Zoning Ordinances last time and they will be taking both of those to the Town Council for their approval.

President Strong stated that they have 3 options: they can send a favorable recommendation to the Town Council, they can send an unfavorable recommendation if there is something that they feel uncomfortable about and give the Council the opportunity to make any changes they want or send no recommendation. It was asked how they should vote on it to which President Strong stated that he thinks they can tie them together; in the legal notice they were tied together - the Zoning Ordinance and the Map update were sent in the same legal notice and they should be able to send a recommendation with both of



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them or they could separate them, whichever everyone would prefer. Mr. Munoz stated that the Zoning Ordinances have been approved so they are just looking at the map today. There will be 2 separate letters sent to the Council saying they approve the Ordinances and the Zoning Map for them to review. Mr. Schwartz asked if the Township could have a copy to which Mr. Munoz stated that he had copies for them. Mr. Schwartz stated that the Township has concerns about this for the future also. Mr. Fonderoli stated that once this is approved there will be blown up copies handed out to them; to which they all agreed. Mr. Schwartz asked if this was going to be TIFT to which President Strong and Mr. Munoz responded that the County has already TIFT it. Vice President Lutz asked if it was alright to change the zoning on a TIFT District to which Mr. Munoz stated that it was. Vice President Lutz went on to ask if it was the County Council that did the TIFT to which Mr. Munoz acknowledged it was.

Tim Fonderoli made a motion for a favorable recommendation for the Zoning Map to be forwarded to the Town Council and Chris Lutz seconded the motion. All members present were in favor.

4. NEW BUSINESS:

Appointment of 2 members to the BZA

President Strong stated that they need to appoint 2 members to the BZA, 1 from the Township and 1 from the Town of Cicero. He continued to state that there had been some discussion about an alternate and asked Ms. Fagan to update the board on that. Ms. Fagan stated that the Commission can appoint an alternate for the Township aspect so if someone cannot be there there can be a fill in for that. Mr. Munoz stated that Mr. Fonderoli has agreed to be an alternate for the Town and Mr. Martin was still interested in participating in one form or another so he is who Mr. Munoz would recommend to be an alternate to fill in for the Township if for whatever reason Paul Vondersaar could not make it. Mr. Munoz continued stating that Mr. Martin is familiar with it and understands a little bit about it and would be a good choice. President Strong asked Mr. Schwartz as a Township representative if he had any objections to Dave Martin filling in to which Mr. Schwartz stated that he did not. Mr. Munoz stated he would contact Mr. Martin.

Mr. Schrupf arrived at this time taking the quorum from 5 to 6.

Mr. Munoz stated that they will be appointing Mr. Vondersaar; so they need either a recommendation or a motion to appoint him. President Strong asked if Mr. Martin should be included in that motion to be the alternate to which Mr. Munoz stated he should be.

Tim Fonderoli made a motion to appoint Paul Vondersaar to represent the Township to the BZA with David Martin to be an alternate when needed; Steve Shields seconded the motion. All members present were in favor.

President Strong stated that they needed a Town appointment to the BZA as well; his term expired at the end of 2014. President Strong continued stating that Mr. Fonderoli had graciously offered to be the alternate unless he is appointed to the BZA.



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Chris Lutz made a motion to appoint Dan Strong as a representative to the BZA and Tim Fonderoli as the alternate; Dennis Schrupf seconded the motion. All members present were in favor.

Docket#: PC-0215-001-AG

Petitioner: Josh Elliott

**Property Address: 0 E 216th Street (also known as: 03-06-08-00-00-034.000)
Noblesville, IN 46062**

Minor Subdivision Application: To allow for a one (1) lot split of 10.52 acres from the parent track of 27.81 acres.

President Strong asked Mr. Althouse if he had given Mr. Munoz Power of Attorney to which he stated he had. Mr. Munoz stated that for the record he has it on file. President Strong asked Mr. Althouse to explain what Josh Elliott was wanting to do.

Mr. Althouse stated that he is with Miller Surveying and he is representing Mr. and Mrs. Josh Elliott in this 1 lot residential plat. The property is located on 216th Street just west of Hinkle Road; so the northwest corner of Hinkle and 216th is the church so we are the west (unintelligible) the church. The parent track or existing parcel is kind of an upside down u shaped property so it kind of looks like a small h, the property actually goes around the Dad Elliott/parent's house so it's almost a 30 acre parcel and we're just carving off that east chunk of that u shaped and creating 1 lot for Josh's house. Mr. Althouse stated that they did go in front of TAC and they didn't really have any comments, the county Surveyor was ok with everything, the Highway Department did send a guy out to look at the safety distance on the proposed driveway location and said that was about the best location for the driveway, towards the southwest corner of the property. The drive will go through the woods and the house will be on the north side of the woods where the farm field is. Mr. Althouse continued stating that the Health Department had stated that the soil looks good for the septic (unintelligible) split off the east 10 acres so once the right of way goes through there the lot will be just over 9 acres. President Strong asked Mr. Munoz if there was anything through TAC or any correspondence that he had to which Mr. Munoz stated that the only thing that was recommended was to make sure that it was in the minutes that any future split of the other section of that lot, if they tried to split it into multiples or do any kind of subdivision, would only be aloud 1 drive unless they came for some sort of subdivision controlled variance. Mr. Munoz continued stating that although our ordinances cover that they just wanted to make sure that it was understood and within the record and minutes incase anything came up in the future. President Strong asked for clarification if that was the current drive requested or 1 additional drive to which Mr. Munoz stated it was 1 additional drive no matter how many lots; so if they tried to subdivide the other section into 2 or 3 lots it would have to be a shared drive back to wherever the lots were. Vice President Lutz asked if it needs to be recorded in any other fashion to which Mr. Munoz stated that they felt that as long as it was addressed in the minutes, the current owners knew it, we had it for record, our subdivision control ordinances cover it but sometimes you might have someone that...he did not think that it needed to be recorded unless the board thinks otherwise. Ms. Fagan stated that from a legal standpoint it puts them on constructive notice if it's in an ordinance and in the minutes; essentially if they do their due diligence they should know. President Strong asked for any further discussion or comments to which there was none.



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Tim Fonderoli made a motion to open the public hearing; Glen Schwartz seconded the motion. All members present were in favor.

President Strong asked if there was anyone in the public who would like to speak in regards to the Elliott subdivision to which there was not.

Tim Fonderoli made a motion to close the public hearing; Chris Lutz seconded the motion. All members present were in favor.

Tim Fonderoli made a motion to approve PC-0215-001-AG stating that if they do a future split that it would have a shared drive and they would not be able to add additional drives. Glen Schwartz seconded the motion. All members present were in favor.

5. PLAN DIRECTORS REPORT:

Mr. Munoz stated that he should have a Quarterly Report for the board by the end of the month. Permit wise we are still a little below where we were last year. There are currently a lot of projects working and there are some things that have come in the doors that are looking pretty positive for potential investment in the community. President Strong stated that is always exciting news when that happens and hopefully we will have some new things coming down the pike.

Mr. Munoz remarked that the reason they were a little bit late getting started today was because Cicero is actually forming a Mainstreet Organization which will help the downtown businesses and offer some opportunity for them to organize and get some positive things going but also offer them some opportunities for funding sources to get some things done like new sidewalks, facades, marketing ideas and all kinds of fun things they can work on. The plan is to establish the Mainstreet and they are going to go for a Downtown Revitalization Plan grant to fund that plan. Tonight there was a brainstorming on the beginning processes for the new organization.

President Strong asked about the Mainstreet Organization and if it is more than just Jackson Street to which Mr. Munoz stated that as far as a Mainstreet is concerned it is a National Organization that has state ties with its own branch in the state and each community has one. Its initial design is to help foster bringing businesses back to the downtown of small towns and communities so its boundaries as far as the for the purposes of the Mainstreet Organization are going to be the downtown businesses but as far as the foundation and participation it's going to be all the businesses in the community. A lot of other organizations try to do that and get everybody onboard because a rising tide raises all ships and will bring everybody up if you can accomplish that.

Vice President Lutz asked about the Downtown Revitalization Grant and if that is 1 grant or would this group be eligible for multiple/different types of grants to which Mr. Munoz remarked that the Downtown Revitalization Plan allows you to put together everything from market rate studies for buildings similar for the area, architectural standards, what types of businesses you should be attracting according to what your community wants to see, streetscapes...it comes with a lot and the



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last example he received was about 70 pages long; having the document opens you up to other opportunities when it comes to funding. Once you have this you can apply for the actual brick and mortar types of grants like lighting grants, facade grants, downtown enhancement grants...Vice President Lutz asked if those grants are enabled by the Mainstreet Organization and administered through the Mainstreet Agency to which Mr. Munoz stated they are. Vice President Lutz asked if you would apply to the Utility Department for lights to which Mr. Munoz stated that...Mr. Lutz asked if the grant money had to flow from the Mainstreet Organization National/Federal/State to which Mr. Munoz stated that it does not however some of it does like facades, revitalization...some of those come through OCRA which is the overall for the Mainstreet but others can come from the OED, Office of Energy, INDOT, all different kinds, but the organization and Town would be able to partner for those types of grants. Vice President Lutz asked if the Comprehensive Plan facilitates those grants as well to which Mr. Munoz stated it does. Mr. Munoz continued by stating that it will show that not only does the Mainstreet Organization want and need these opportunities but the entire community does too. Mr. Munoz stated that what he imagines will be coming out of the Downtown Revitalization Plan will closely mirror some of the larger targets of the Comprehensive Plan. Vice President Lutz remarked that it takes the Comprehensive Plan and magnifies it into...Mr. Munoz stated more design, more intricate sections and just more defined that the Comprehensive Plan which is the 30,000' view as opposed to the 5,000' view.

Vice President Lutz stated that he went to the initial kickoff meeting and it appeared to be a good thing and the turnout tonight suggests the same thing. Mr. Munoz stated that you are bringing everybody onboard, you're getting everybody involved, and bringing some excitement to the community and starting changing some the perception of the old ABC.

Vice President Lutz asked Mr. Munoz if he could keep the board informed of any developments because they have spent so much time with the Comprehensive Plan and this appears to be a magnification of that and he thinks it's pertinent that they stay involved. Mr. Munoz agreed.

6. PRESIDENTS REPORT:

President Strong did not have anything for this evening.

7. LEGAL COUNSEL REPORT:

Ms. Fagan stated that she did not have anything either. Mr. Munoz stated that he did have something under Legal Counsel Report. There are 2 violation issues that they have been dealing with with the Police and Fire Departments regarding some properties and businesses that are not complying with Town Ordinances. Those 2 issues are going to go to the Town Council in an Executive Session because we have exhausted all of our opportunities to pursue them and they could potentially take legal action. The Town Council will make the decision if they want to move forward with them because they could potentially cost the Town money in legal fees for additional cost incurred. President Strong stated that the Town Council is the funding mechanism as far as to spend the money for attorney fees, they also help the Plan Commission enforce the Ordinances so it will be entirely up to them on how they want to proceed.



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8. PUBLIC COMMENT:

Bruce Freeman stated that April 8th is the next Plan Commission meeting, that same evening from 5:30-6:30 the Mainstreet is going to get together again and the old EDC is going to meet from 6:30-7:00 so they may be bumping up to the Plan Commission again. President Strong stated that those are public meetings so everyone is welcome to come so if you get here early and you want to come in and listen to what is going on and further educate yourself on how they are functioning and working. Mr. Munoz stated that there is a lot of good things happening. Vice President Lutz asked about the calendar and if the meetings would be every other week or...Mr. Munoz stated that right now as they are getting the framework of it put together they are trying to meet a little bit more often because they have to meet deadlines with OCRA but it will probably end up being a once a month for 30 minutes to 1 hour right before the EDC meeting. Ms. Fagan asked if they were advertising the meetings to which Mr. Munoz stated they are.

9. COMMENTS FROM COMMISSION MEMBERS:

Vice President Lutz remarked that he saw on his way in this evening that the Lazy Frogg was open. Mr. Schrupf remarked that Mr. Munoz, Chief Peachey and...Mr. Munoz stated the State Building Inspector were all very involved the last 3 weeks in that project.

10. NEXT PLAN COMMISSION MEETING:

April 8th, 2015 @ 7:00 p.m.



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11. ADJOURNMENT:

Steve Shields made a motion to adjourn and Dennis Schrupf seconded the motion. All members present were in favor and the meeting was adjourned at 7:41 pm.

Signature on Official Documents!

Dan Strong, 2015 C/JT Plan Commission - President

Christopher Lutz, 2015 C/JT Plan Commission - Vice President

Sally Mangas, C/JT Plan Commission - Recorder

Date: _____

Location:
Cicero Town Hall
70 N Byron Street
Cicero, IN 46034