



**CICERO/JACKSON
TOWNSHIP
PLAN COMMISSION**

PC# 0919-018-NC/S&K Group

PC# 0819-018-AG / Eyers

Plan Commission Meeting Minutes

October 9, 2019 7:00 p.m.

Roll Call of Members

Present:

- ☐ Dan Strong
- ☐ Jack Russell
- ☐ David Martin
- ☐ Marc Diller
- ☐ Dennis Schrumph
- ☐ Stephen Zell
- ☐ C.J. Taylor - Plan Director
- ☐ Terri Strong - Recorder

Absent:

Liz Nelson
Corey Burkhart
Greg Gary
Aaron Culp

1. **Declaration of Quorum:** President Strong declared a quorum with six of nine members present.
2. **Approval of Minutes:** Mr. Russell made motion to approve minutes from September 11, 2019 as presented. Mr. Zell second. All present in favor.
3. **Public Comment:** President Strong invited public to speak on any item not on the agenda. President Strong also noted that the aesthetic review would not require a public hearing. No public comments.
4. **Old Business:** No Old Business.



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5. New Business:

Docket # PC-0819-018-AG

Petitioner: Jason Evers

Property Address: 26279 Anthony Road, Arcadia, IN 46030

A variance request application has been submitted concerning article 4.2 of the Cicero/Jackson Township Subdivision Control Ordinances in order to: allow separate drives for the first two (2) lots of a minor subdivision, Whereas; Article 4.2, f states "The maximum number of road cuts in a minor subdivision shall be two (2) where three (3) or more lots are adjacent to one another. The first two (2) adjacent lots must share a common driveway and shall be entitled to one (1) road cut, and the remaining lot(s) shall be entitled to one (1) road cut and shall, if there are two (2) remaining lots, share a common driveway."

President Strong asked for petitioner or representative to address the board.

Nathan Althouse, Miller Surveying 948 Conner St. Noblesville, IN. Representing Mr. Jason Evers, taking lot and separating into two 3 acre lots. Mr. Althouse explained that was before the Board in August and while showed two separate drives, failed to seek variance for the two drives. Here tonight to correct that. Public notice was not done so could not be voted on. Has presented to Highway and they will approve a second road cut/drive. Explained the changes that would have to take place if variance was not granted. Drive would be on the north end of the property, the property owner is building on the north end, will be selling the south lot. President Strong explained that with six members present five votes in favor would have to be received, petitioner can continue or delay for this reason. Mr. Althouse stated he understood and continued to state the drive positioning if not granted will require more trees to be removed and aesthetics of property are greatly affected.

Mr. Martin asked the approximate distance between the two drives. Mr. Althouse stated the site plan shows 300 but will be getting 450 by moving to the north side.

Mr. Zell made motion to open public hearing for PC-0819-018-AG. Mr. Russell second. All present in favor.

No public comment.

Mr. Russell made motion to close the public hearing. Mr. Zell second. All present in favor.



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President Strong asked for further comments. Mr. Zell stated while needs our attention, it is the right thing to do. President Strong added that on the GIS there are many single-family homes in the area.

Mr. Russell made motion to approve PC-0819-018-AG as presented. Mr. Schrumpf second. Mr. Russell-yes, Mr. Martin-yes, Mr. Schrumpf-yes, Mr. Diller-yes, Mr. Zell-yes, Mr. Strong-yes. Motion passed 6-0.

President Strong stated variance granted, make the adjustments to the drive distance and congratulations.

Docket # PC-0919-019-NC

Petitioner: S&K Group, LLC

Address: 11 N. Main St.

Aesthetic Review application submitted concerning the addition of a patio to include outdoor seating, changing the building façade and changing signage.

Steve Little 11 N. Main St. Cicero. President Strong explained the options with only six members of Board present. Mr. Little stated he would like to proceed. President Strong asked Mr. Little to explain the project. Mr. Little façade color change from a yellowish color to a more modern color. Addition of a patio for seating and matching the area, a beach look. President Strong reinforced the conversation with Mr. Taylor that the purpose tonight is the aesthetics not to approve the patio, that would be a BZA function.

Mr. Martin asked if the patio is on. President Strong explained to the Board all items listed to be reviewed but would be contingent upon BZA approval for the outdoor seating. Mr. Russell currently looking at the dumpster area, where does that go. Mr. Little stated to the northwest corner. Mr. Russell questioned being enclosed. Mr. Little stated yes, privacy fence.

Discussion ensued on dumpster positioning and patio positioning.

Mr. Zell questioned if property owner or leased property. Mr. Little stated owner of property since approximately September 1. Mr. Schrumpf asked if work being done on west. Mr. Little stated yes. President Strong asked if in moving the dumpster would setbacks be met. Mr.

Taylor stated that would have to be measured for positioning as well as size closure and if a variance would be needed. Mr. Martin asked if would have minimum standards for parking



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spaces. Mr. Taylor answered that there has been an agreement worked out with Kay Hartley to utilize the church parking lot that is across street. President Strong stated need a written long-term agreement to be added, if not received there would be a variance needed due to additional seating. Mr. Little stated emails discussing leasing 8-15 spots. President Strong informed Mr. Taylor that it could be reviewed by Plan Director but has to be recorded. Mr. Taylor stated he is aware. Mr. Russell asked if door is staying that the end of the building. Mr. Little stated patio would start at west side of the door. Question asked about signage/lighting. Mr. Little stated not to size 6 ft in diameter with possible light attached. Mr. Martin asked about gate for safety. Mr. Zell asked if concrete pad. Mr. Little stated yes about gate, and yes to concrete pad. President Strong stated he had additional questions, first how many seats. Mr. Little answered if measured correctly additional 24 seats. What type of seats? Mr. Little stated likely metal, and black. President Strong stated concern for the ongoing look, maintenance, and since renderings not furnished would like for PD to review. Mr. Zell asked if utilizing table umbrellas. Mr. Little answered if no awning would have but with no signage. President Strong questioned the number of awnings and what is the color. Mr. Little answered four and they would be copper awnings. Mr. Russell questioned lighting. Mr. Little answered can lights. Mr. Martin asked if the city was doing sidewalks down the way. Mr. Russell answered if Jackson and Main were to be done, you would be able to walk the area- descriptions were shared utilizing the monitor. President Strong shared that this was shared with the petitioner. Mr. Little asked where the crosswalk would go. President Strong explained where the potential changes would go. Mr. Taylor shared conversation with the contractor about turning the parking stalls. Discussion on potential changes to parking. President Strong stated could not share a timeline as the costs are substantial. President Strong asked if having trash receptacles in patio. Mr. Little answered no. Mr. Zell shared his list of contingencies. President Strong added the approval of table and chairs. Mr. Martin asked if signage was to be approved. Mr. Little stated 6ft. Mr. Taylor added sign approval process would have to be done. Discussion on signage. Clear with black lettering is the goal, Pizza House logo. Side door lettering will not change. President Strong stated he hoped that they understood the Board was welcoming the business but questions to understand the goals of the project. Mr. Little stated he would like to understand the lighting options, if had to be white or could be changed for the holidays, would not be flashing. President Strong asked how many times per year. Mr. Little stated Christmas and 4th of July, holidays. Mr. Martin stated if had to come back to the Board, why not add then. President



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Strong stated doesn't have to come back if meets the square footage requirements. Discussion on color changing signs. Mr. Russell questioned the plans and changes to the entire building, especially regarding lighting. Mr. Little clarified two awnings in middle of the structure and any painted area is black. Changing light is only in regard to the signs, not the other can lights. President Strong suggested timeframe be listed if agree to the light change. Further discussion on the lights and impact on future buildings. President Strong questioned signs on the doors, answer was no, keeping clear for visibility. Review of ordinances occurred regarding lighting; discussion ensued.

Mr. Zell made the motion to approve PC-919-019-NC as presented with following contingencies: 1. Approval by BZA for outdoor seating. 2. Dumpster relocated with fencing on northwest corner with proper setbacks (approved by Mr. Taylor). 3. Written agreement from Ms. Hartley and Mr. Little for leased parking spaces provided. 4. Tables and chairs to be approved by Mr. Taylor. 5. Complete signage plan in entirety to be approved by Mr. Taylor. 6. Commitment sheet provided to Plan Commission on aesthetic review is included. Mr. Martin second.

Mr. Diller-approve, Mr. Schrupf-approve, Mr. Zell-approve, Mr. Martin-approve, Mr. Russell-approve, Mr. Strong-approve. Motion passed 6-0.

President Strong stated to continue working with Mr. Taylor on needs of the project.

6. Director's Report: Written report enclosed in your packet. 13 building permits for September. Working with business in town that has not complied with aesthetic review process, taking to the next level. Update on 19 Brewer, first permit extension about to run out, can get two more. Has assured that will work on as guys can get to it. Mr. Zell asked what happens after extensions have run out. Mr. Taylor stated has to reapply for permits. President Strong stated would need to review if added a timeframe for completion. Mr. Taylor stated in theory could walk away from project. Mr. Taylor continued with 370 S. Peru came thru Aesthetic Review process will be constructing parking lot in rear, 770 Peru is building that is being rebuilt, plan is for office space for lease. Have two subdivisions, PUD applications that are expected on Friday, which will pose challenges and opportunities. Mr. Zell asked about 370 one business being a daycare, is it permitted. Mr. Taylor stated neighborhood commercial and was not listed but is permitted. Mr. Martin asked about burnt out building and any plans.



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Mr. Taylor stated has done what was required and no plans submitted. Mr. Martin asked about Pierce project and dividing any updates. Mr. Taylor stated no, they are working on coming back to BZA-there is a change being proposed. Mr. Culp is working with them. Mr. Zell asked about Cicero Fun Factory and being an eyesore, RV, has it sold etc. Mr. Taylor stated Mr. Nathan Huffman has bought it, has asked CFD about putting in a haunted house in the building. Mr. Taylor continued that the approval for the Fun Factory was tied to the owner and the property reverts to residential classification as in a R-5 district and any use would have to go to BZA for variance approval. Was notified via email. Mr. Smith with CFD has been in contact and concerned for any violations.

7. President's Report: President Strong asked to revisit the enclosed accessory structure discussion from last meeting to give direction to Mr. Taylor. Mr. Taylor stated in the AS-02 refers to it as an enclosed accessory structure, however in the definitions it does not state enclosed. Mr. Taylor expressed concern for leaving the enclosed word in the ordinance can not use for pergolas and shelter houses, etc. Mr. Taylor proposes eliminating the word enclosed. President Strong stated appreciation for looking at the details. Also discussed is the Legal Notice requirements, however without Mr. Culp being present can not address the legalities. Mr. Taylor stated allowed on-line via state but not our ordinances.

Discussion ensued. President Strong discussed parking on St. Rd. 19. Mr. Schrupf asked about signs. President Strong listed the streets where there will be signs, they are in. Mr. Russell stated Chief Hunter was involved in this project as well. Mr. Taylor asked for two items to be considered, first, Subdivision Control Ordinance does not allow two monument signs at an entrance. To meet the current standards, M/I Homes built two walls but only one side has a sign. Same on Tollgate Road, they are not sure what they want to be done, either put sign on middle or one sign on one side. Discussion ensued on current subdivisions. The other item is the architectural standards of roof pitch, 6:12, 7:12 is current, some designs do not make sense with a 7:12 pitch. Mr. Schrupf stated he did not have an issue, need to review annually to ensure meets with current styles. Discussion on current neighborhoods. President Strong suggested incorporating options into the standards depending upon design etc. Mr. Zell suggested pictures to show. Mr. Taylor stated his experience you cannot normally tell the difference. Mr. Taylor discussed percentages of brick and stone requirements for one-two homes versus subdivisions. Mr. Russell added some towns are requiring wrap around brick/stone. Discussion on how to



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achieve without percentages. Discussion on upcoming subdivisions and concerns on comparisons to existing neighborhoods.

President Strong asked board members about districts. Proposed that Mr. Russell take this project on to define and recommend districts. How many, location and sample of areas was Mr. Russell's summary. Timeline of next month discussed, Mr. Russell stated would at least have districts defined. President Strong stated anyone that wanted to volunteer to work with, feel free. Discussion on streamlining not to reduce fees, but to make user friendly if standards are already set and less aesthetic review necessary.

8. Legal Counsel's Report: No report.

9. Board Member Comments: No comments.

10. Next Planned Plan Commission Meeting: November 13, 2019

11. Adjournment: Mr. Martin made motion to adjourn. Mr. Russell second. All present in favor.

President: _____

Secretary: _____

Date: _____

Location:

Cicero Town Hall
70 N Byron Street
Cicero, IN 46034

10/9/2019

More space available on the back

