



## CICERO/JACKSON TOWNSHIP PLAN COMMISSION

PC# PC-1019—021-PD-R3 M I Homes (Replat)  
PC# PC-1019-023-NC Stan Widows (Rezone)  
PC# PC-1119-025-PD-R3 Lenar Homes (Rezone/PD)  
PC# PC-1019-026-PD-R3 M I Homes (Rezone/Amend PUD)  
PC# PC-1119-027-027-NC Dark Side Roasters (Aesthetic Review)

### Plan Commission Meeting Minutes

December 11, 2019 7:00 p.m.

#### Roll Call of Members

Present:

- ☐ Dan Strong
- ☐ Jack Russell
- ☐ David Martin
- ☐ Greg Gary
- ☐ Liz Nelson
- ☐ Marc Diller
- ☐ Dennis Schrumpf
- ☐ Stephen Zell
- ☐ C.J. Taylor - Plan Director
- ☐ Terri Strong - Recorder
- ☐ Absent:  
Corey Burkhardt

1. **Declaration of Quorum:** President Strong declared a quorum with eight of nine members present.

2. **Approval of Minutes:** Mr. Russell made motion to approve minutes from November 13, 2019 as presented. Mr. Zell second. Mrs. Nelson put forth corrections of her attendance as well as putting forth the Tiff Vote. President Strong asked for corrections to be done by Mr. Taylor. **Mr. Russell amended the motion, Mr. Zell second the amendment. All present in favor.**



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3. **Public Comment:** President Strong invited public to speak on any item not on the agenda. No public comment would be heard on Darkside Roasters as it is only an aesthetic review item. No public comments.

4. **Old Business:** Tabled dockets from November 13, 2019 are under "New Business".

5. **New Business:**

**Docket #** PC-1119-027-NC

**Petitioner:** Matt Emery

**Property Address:** 369 West Jackson St., Cicero, IN 46034

An Aesthetic Review application has been submitted regarding signage for a "Pop Up" Coffee Shop.

Matt Emery 1010 Morse Landing Dr. Cicero, IN. Here to discuss a Pop-Up coffee shop that would operate in Alexanders during their off season. The owners are receptive and requesting signage for the coffee shop during this time. Seeking approval of the template that has been submitted. Road sign 3x3 that would cover the one on the ground, and temporary sign. President Strong questioned how many banners. Mr. Emery stated one banner. Mrs. Nelson asked what the material would be. Mr. Emery stated vinyl, poly board. Mr. Zell asked hours of operation. Mr. Emery stated for this two weeks- 6-4 Mon-Fri, 7-3 on Saturday and closed on Sunday to evaluate, open thru February, their expected time to reopen. President Strong clarified looking to cover all signage except the roof sign. Mr. Emery stated correct.

**Mr. Schrumpf made motion to approve PC-1119-027-NC as presented. Mr. Russell second.**

**Mr. Russell-yes, Mr. Martin-yes, Mr. Diller-yes, Mr. Zell-yes, Mr. Gary-yes, Mrs. Nelson-yes, Mr. Schrumpf-yes, Mr. Strong-yes. Motion carries 8-0.**

President Strong stated congratulations and just get with Mr. Taylor on any details, questions.





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**Docket #** PC-1019-023-NC

**Petitioner:** Stan Widows

**Address:** 369 E. Jackson Street, Cicero, IN 46034

A Rezone application has been submitted concerning article 13 of the Cicero/Jackson Township Zoning Ordinances in order to: Rezone a property currently zoned as “NC” Neighborhood Commercial to a “C1” Commercial zoning.

President Strong stated this docket will not be able to be addressed tonight. Mr. Widows is aware and through no fault of his, will need to remain tabled. Due to the redevelopment commission this will not be able to be heard. Mr. Widows did address the board with his understanding.

**Docket#** PC-1019-021-PD-R3

**Petitioner:** M I Homes of Central Indiana, L.P.

**Property Address:** Tollgate Road and 236<sup>th</sup> Street, Cicero, IN 46034

A Major Subdivision replat request has been submitted concerning Article 5 of the Cicero/Jackson Township Subdivision Control Ordinances in order to amend the primary major plat of a portion of Section Three of the Tamarack Subdivision. The purpose of this replat is to all the change from single family detached homes to single family attached (duplex) homes in this section.

President Strong stated there is a second petition to be addressed after this one. Mr. Jonathon Issacs, M I Homes, stated in the Tamarack PUD we had different classifications of homes. Platted A1 for attached villas and A2 to be either or. Having good success with the villa product and so today want to convert the area A2 to the duplex/villa product. Does increase the number of units from 40-64.

President Strong clarified for all present that this is concerning the conversion to more villas in section 2, and many present will want to speak to what is proposed for section 3. That will be the next docket and you will have opportunity to speak to that section then.



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Mrs. Nelson questioned the original plat and if this is driven by demand. Mr. Issacs stated all of this section was slated to be the empty nester, with a single-story product. The unknown was the desire for the duplex product, which is why half were to be villas, the market has been very favorable.

President Strong gave housekeeping rules for the public.

Public asked if able to see the area to be discussed. President Strong asked Mr. Taylor to show on the monitor. President Strong explained the monitor.

**Mr. Zell made motion to open public hearing. Mr. Martin second. All present in favor.**

**Stan Widows**, 1380 Lighthouse Point. Doesn't see more duplexes as a positive for the Town.

**Dawnielle Alden** 1010 Eagles Ridge. Concern for traffic on 236<sup>th</sup> and Tollgate, concern for appearance/value. Traffic concerns.

**Joe Cox** 1050 Morse Landing-against more duplex, too close together and addition of more will only increase traffic concerns.

**Dave Perryman**-370 Morse Landing Drive-when you changed Morse West-concerns for drainage, height of home lots, devalued property, and traffic coming to Morse Landing. More homes will only increase this traffic concern. Don't have the road space for all these people. People voted in should vote against.

**Carol Griffith**-1008 Quiet Bay Circle-agree with speakers, homes too close together and don't want to see more of it.

**Dennis Johnson** 1030 Morse Landing Dr.-quality concerns versus quantity with the homes being built.

**Jeff Pecor** 390 Morse Landing Dr. not for the changes as has been discussed.

**Matt Overton**-1004 Quiet Bay not for the changes especially the traffic concerns.

**Susan Walton**-1070 Morse Landing Drive-against the homes being so close together.

**Mr. Zell made motion to close public hearing. Mr. Diller second. All present in favor.**





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President Strong asked Mr. Issacs if there was anything he wanted to address from the comments. Mr. Issacs stated the zoning was already permitted, only here for primary plat amendment project meets requirements. Therefore, respectively ask for the approval. President Strong added for the public-the initial approval included the option to review/add additional duplexes for which section. Mr. Culp stated the review of Plan Commission is limited to meeting the standards, if meet then required to approve. President Strong stated have very little to change in this matter, appreciated everyone's comments.

**Mr. Russell made motion to approve PC-1019-021-PD-R3 as presented. Mr. Martin second. Mr. Zell-passed, Mrs. Nelson-yes, Mr. Schrumpf-yes, Mr. Gary-yes, Mr. Diller-yes, Mr. Russell-yes, Mr. Martin-yes, Mr. Strong-yes.**

President Strong stated based on previous can move forward with additional duplexes.

**Docket # PC-1019-026-PD-R3**

**Petitioner:** M I Homes of Central Indiana, L.P.

**Property Address:** 0 Tollgate Road, Cicero, IN 46034

A Rezone application has been submitted regarding a requested change to the Tamarack PUD.

Mr. Jonathon Issacs M I Homes has three items to address: 1) Lot sizes and lot width requirement and lot number of area C, this includes a redesign of the area. 2) Modify PUD language ordinance to allow two single sided signs for the entrances. Ordinance allows for one sign- two-sided.

3) discussion regarding the 8ft path along Tollgate, impact of drainage and 5 ft sidewalk that was installed.

Mr. Issacs gave brief history of Tamarack regarding numbers of plats in each section totally 263 approved units for platting purposes. PUD allowed for 276. Request is for area C to add 10 additional lots, would be reducing lot width to 70 ft. and larger common area adjacent to Morse Landing. In some areas this is 100 ft of buffer from back of lot lines to Morse Landing lot lines. Monitor was used to show original plat and proposed changes. Elevations were also shown, with homes on original plat 7-8 ft higher than homes backing to them. Modifications





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are shown to pull back and separation. Neighborhood meeting on Monday four people attended, when explained all were in favor.

Mr. Issacs explained the signage, asking for two signs for both sides of the entrance. Examples shown. Instead of two-sided signs want two single signs. Regarding the path, Mr. Issacs explained where the paths are currently and proposed future paths. Monitor was used. Water drainage on south edge, legal U.S. drain. Proposing a trade of path in other area as this area would not be able to be done.

Mr. Russell questioned the path. Mr. Issacs stated he would propose a 5 ft sidewalk along Tollgate instead of an 8 ft path. Explanation of the errors.

President Strong clarified that the role of the Board is to listen and then send a favorable or unfavorable recommendation to the Town Council. Mr. Martin asked if could be sent individually or has to be all as one recommendation. President Strong stated could be separate recommendations, would do public comment as a whole. Mr. Martin asked if the square footage of the section C lots stays the same. Mr. Issacs stated it changes, from 10,000 to 8500. Average lot size is exceeding the 8500 requirements. Reducing the lot size, getting 10 more lots, but more common space. Mrs. Nelson asked what would the homes be seeing. Mr. Issacs stated can't answer totally but likely look out or walk out basements. Affords the opportunity to have more open space to the back. When acquired the properties, there were 14-15 encroachment issues, some were substantial, this could provide opportunity to grant area to fix encroachment issues. President Strong as we discussed, you may hear the term bait and switch-concerning the lot sizes and homes being nicer in this area versus A & B, would you like to address prior to the public hearing. Mr. Issacs stated when planning this subdivision, looked at areas close by, those lots are primarily 75 ft width lots and values are \$3-400,000 price point area. To drive to Cicero, what is 85 ft product going to look like. While originally thought was to create a second tier with the 85 ft product, the financials of adding approx. \$20K to the homes has to bear the market. The homes in A are running \$280,000, the land will add basements and walk-outs to section C. Architectural standards will be similar. Mr. Russell referenced Westfield, Scofield and the two areas there. Mr. Issacs shared some of the differences. Mr. Russell asked about buffering. Mr. Issacs stated not committed more than originally planned can discuss. Burden on HOA is greater with the larger area. Mr. Russell asked if additional green spaces, some areas have trail around the retaining pond. Mr. Issacs





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stated haven't discussed, concern would be impact on Morse Landing, would entertain options.

President Strong asked for Mr. Issacs to speak to the impression that these homes were to look different than the other sections. Mr. Issacs responded that with larger lot sizes there is an impression of what could be built. Example given of maintenance free living area with requirement of a basement. Features could be discussed, 7:12 roof pitch costs were discussed. Some standards only add costs not necessarily value to the homeowner. Mr. Culp stated for the audience, for the replat the Commission was limited on what they could look and consider, with a rezone it is a different situation, please know that before making your comments.

**Mr. Martin made motion to open public hearing. Mrs. Nelson second. All present in favor.** President Strong gave housekeeping rules.

**Chad Amos** 712 Pleasant Pt. Circle-clarify to Mr. Culp not here as Town Council here as resident. Gained homes with section 2 why not remove around the cul-de-sac. Walking paths was agreed upon for future, would like to see this kept. Westfield mentioned, but we are Cicero and keep our standards in place. Expectations were this would be larger homes, lots and nicer than section A. President Strong asked for monitor to be used to show what Mr. Amos is suggesting with the removal. Mr. Issacs stated instead of 61 lots there would be 57. **Joe Cox**-1050 Morse Landing Drive. Here to address issues of transparency. Addressed the comments about assumed expectations. This was sold by stating of three price points and lot sizes. Keep what was approved. Agree with Mr. Amos on the standards. Address the buffer area, not substantial as it would be spread among many homes. Also addressed the transparency with homeowners benefiting from this change in the form of deeded property. Facebook post was discussed. Hinkle Creek Estates residents made many calls concerning transparency and déjà vu. Encourage those to reach out to HCE residents. Transparency is biggest concern as well as just because a product will sit on a 70 ft lot doesn't make it aesthetically pleasing.

Susan Walton 1070 Morse Landing Drive attending meetings in the beginning, home is at south end, the field is much higher and was told would be leveled to improve drainage. Also





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mounds of dirt would increase the boundary from one lot to the other. Separation was discussed. Drainage will continue to be a consideration.

**Justin Kaczmariski**-870 Morse Landing Drive-concern for the drainage, would like to have more conversation instead of asking for forgiveness situation.

**Dawnielle Alden** 1010 Eagles Ridge- not in favor of changes, living with a bait and switch situation, don't want cheaper homes built. Concern for lack of answers regarding pricing. Buffer is needed.

**Joe Cox**-1050 Morse Landing-concern for lake property values. Don't devalue by lesser homes with lake that adds to the value and should add to values of these homes by proximately.

**Stan Widows**-1380 Lighthouse Point-against smaller lots. Can't get a ranch on a 70 ft. lot, smaller has concern for closeness to neighbors. Sidewalks and lack of are a concern. Can not see any benefit to the smaller lots to Cicero.

President Strong stated to clarify not looking to eliminate sidewalks, discussing the issues with a 5 ft instead of an 8 ft trail, and the drainage preventing a portion of the sidewalk.

**Dennis Johnson** 1030 Morse Landing Dr. Clarification on the trail on perimeter. Does it go around Section C.? President Strong answered not on back, originally along Tollgate Road.

**Cheryl Shultz**-890 Morse Landing Dr.- would prefer more buffer zone than having homes on top of my lot.

**Matt Emery**-1010 Morse Landing- agree with a lot of what has been said, would like trails/sidewalks to be uniform. Would help the town to continue to add the trails instead of having to ride to get somewhere. Feel other presentation could have shown more detail to see the issues.

**Dave Perryman**-370 Morse Landing-hates comparison to other towns, love the way Cicero was in 2014, keep hometown Cicero. Voted in to protect Cicero and should be doing that.

**Jenny Ho (?)** 875 Morse Landing Dr.-keep walkways, feel can do, just expensive and thus they don't want to do. And not to make lot sizes smaller but to do a combination to increase buffer.

**Matt Overton**-1004 Quiet Bay -agree with removal of cul-de-sac the issue is drainage, only getting worse if buffering is not correct.

**Josh Rodkey**-370 Main St. -do not live in Morse Landing, interesting that came with numbers of 7-8 feet above other homes but do not have numbers now. Prefer 8 ft trails for kid's bikes,





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Cicero is destination, 10 West and DeLullo's and everything in town makes Cicero a destination and the nicer homes keeps it as such.

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

President Strong asked Mr. Issacs if he had any comments to address public comments. Mr. Issacs stated the bridge to cross the waterway has a lot of steps. Trail discussion could be across the street, etc. Mr. Issacs stated three items need to be broken down to discuss separately. Further comment is the Estate conversation, there is no lawsuit, feel free to call officials in Noblesville, etc. What opportunities bring people to Cicero, only Cicero can answer what housing stock do you want to have.

Home sales don't have a lot of information to share as haven't sold but about 6, the two that have sold are right at \$250000 for villas, advertised single family homes in Area A at \$250-\$275, have at \$275,000 on ones sold. There are some at \$325,000. Zoning does not regulate price; the market will bear what it will. Would like to ask what questions the Commission has and get answers to report next meeting.

President Strong asked, the new green space 6.6 acres or does that have to be researched. Mr. Issacs stated he wasn't looking at a whole, .6-.8 acre larger but it is to the bottom. Mr. Issacs stated will put something together to further define.

Mr. Russell stated the purpose of putting the trail system in place is, no it doesn't go someplace today but as we look forward it will. Having the developers construct to create connectivity is important to future residents as well as current. Would like to see the trail to be constructed. Details of why were reinforced, county trails, etc.

Mr. Martin suggested an expert to speak to the complexity of the waterway. Also, if Plan B is to donate to the town, need that to be a concrete plan to consider.

Mr. Diller like to see developments take into consideration more of what people want and town wants.

Mr. Zell recall the last meetings, recall many of the same things the people have stated. Buffers were mentioned, as well as more upscale homes were discussed, and drainage and that would be addressed. And Mr. Zell stated not in favor of smaller lots. Mr. Zell stated while appealing to young families, will continue to listen to the current residents.





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Mrs. Nelson did not attend previous meetings, referenced encroachments, how was this handled. Mr. Issacs stated some were moved, some stated could be ripped out when they got to that area. Took clear notice of the encroachments with notice to the homeowners, seemed to be the friendliest way to doing. Discussion on impact of drainage took place. Can not make drainage worse. Mr. Issacs stated some comments made about Morse Landing West regarding sidewalks and streetlights that do not apply to us. We have sidewalks and streetlights and dusk to dawn lights on homes. Mrs. Nelson stated appreciate the comments, residents are bringing up to not have concerns repeated. Trail where the US waterway is, was it not known? Mr. Issacs stated legal drain was known but not the waters of the US. Definition given. Mrs. Nelson continued by saying felt there it is a culture issue, appreciate the references to 9 county area. But Cicero is a unique community, goal is to manage the growth to become the community we want and respect the history we bring and bring new growth and meld them. We should not be a high-density area, should not put homes in a small area, on the record there is no reason to decrease the lot sizes. Yes, there is a profit issue by removing the three lots but would bring more goodwill.

Mr. Issacs if lot count is maintained, would that be considered.

Mr. Zell stated not interested in reducing lot sizes. Review the hybrid approach.

Mr. Schrumpf against the lot size reduction. Also, under the impression when approved prior, larger lot sizes and larger homes. Understand the issues with elevations and impact on the neighborhood. Want to see the trails and what can be done with US Waterways.

President Strong feel everyone is in agreement with the 8 ft. trail and other pieces have heard from the members. Realize you are going to ask for this to be tabled and suggest you take the feedback and come back with a different plan. While price point was not mentioned, impact with side entry garages and other details means a perception of a higher price home.

Mr. Issacs stated highly doubt he would come back with a plan for less than 61 units. 263 is his right, and less than results in higher costs to common areas.

President Strong expressed his understanding.

**Mr. Zell made motion to table PC-1019-026-PD-R3 until next meeting. Mrs. Nelson second. All present in favor.**





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President Strong announced this would be tabled until January meeting and welcome to attend that meeting, could be tabled again. Folks are welcome to stay for the next items on the agenda. Brief recess was given to allow people to leave if they so desired. Mr. Culp announced the date for the next meeting is January 15, 2020 at 7 p.m.

There was confusion on the next meeting date.

**Docket #** PC-1119-025-PD-R3

**Petitioner:** Lennar Homes of Indiana, Inc.

**Property Address:** 23180 Tollgate Road, Cicero, IN 46034

A Rezone application has been submitted regarding a proposed zoning change from an R3 to a PD-R3.

Mr. Martin stated he needed to recuse himself, family friend of Mr. Reinhart.

President Strong explained to the Board, we are here to discuss the rezone, as an advisory to the Town Council to give a recommendation either favorable or unfavorable. Many steps after this so not to get hung up on the details tonight.

Ty Reinhart Property Acquisition Manager of Lennar Homes, 9025 River Road. Others present as well. Here to discuss preliminary Auburn Estates plans. History given on Lennar Homes. Currently 36 different neighborhoods around Indianapolis, price point average is \$360,000, philosophy is a everything included pricing. Example given that if 80% of the buyers are purchasing then it becomes standard in the pricing.

Auburn Estates asking for a rezone and voluntary annexation 86 acres Tollgate and 236<sup>th</sup> street. \$275000-350000 price range expected 1800-3000 sq. feet homes, 169 single family homes. Elevations were given. 25 acres open space anticipated. Understand there is a sewer capacity issue, thought there was approximately 100 EDU's available, came into project with this knowledge. Explained at the TAC meeting learned the Town concern of only having 50 EDU's being available. Mr. Reinhart used the map to explain where they would "break" the project up to make a smaller project to start with. Explained looking at 62 lots for the area explained. This is what they are asking for tonight. Gave examples of similar neighborhoods, Coventry in Noblesville is closest, they have 50 ft wide lots, proposing 70 ft. in Cicero. Targeted to millennials and young families. Mr. Reinhart explained some of the highlights to their standards.





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Mr. Zell asked what type of roofing shingles will be used. Mr. Reinhart stated both types. Mr. Reinhart explained the rest of the booklet. President Strong stated there are a couple of items on the ordinances that will need to be discussed with Mr. Taylor. Concern for seeing a streetlight plan expressed as well as CTR's something to work on. President Strong stated noticed 14-15 items that need addressed, example used as well/septic with voluntary annexation.

Mr. Zell asked for timeline. Mr. Reinhart stated early summer into development, race to get streets in by November, homes starting this time next year.

President Strong questioned the legal notice note on the agenda. Mr. Taylor stated was only different than normal.

Mr. Zell asked about partial build out-worse case situation-water and sewer prevent build out of entire subdivision, what happens. President Strong explained that requesting a rezone of entire parcel, knowing the limits of 50 homes, timeframe would be 2-3 years for buildout. Would expect them to come for approval of section 1.

Mr. Culp stated this would prevent going through two zoning processes.

**Mr. Russell made motion to open public hearing. Mr. Zell second. All present in favor.**

President Strong asked if any public comments regarding this docket.

**Dawnielle Alden** 1010 Eagles Ridge, Cicero-Asked if the changes during M I Homes conversation tonight affected the number for Auburn Estates homes. President Strong explained the process, to go to the Town Council, and if approve the rezone would address the number of EUD's they would allow. Mr. Culp added that the EUD count we have, reflects the entire amount of what M I Homes originally requested. That number 276, is not impacted by any conversation tonight. Mrs. Alden questioned fire protection and response times with all the development to the west. Mr. Russell explained how the 911 response is handled, impacting with the surrounding areas. President Strong stated to address long term concern future planning is looking at a second auxiliary station with no set timeframe at this point. Mr. Culp explained points of annexation, plans that have to be done prior to.





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**Matt Overton** 1004 Quiet Bay, Feel overselling this area, cookie cutter houses similar to M I.

**Mr. Schrumpf made motion to close public hearing. Mr. Zell second. All present in favor.**

President Strong asked if enough feedback to take back. Mr. Reinhart stated yes and would get with Mr. Taylor about the CTR's. Discussion around buffering. *Unable to decipher.* Also, discussion around benefits to second project along Tollgate. Unable to decipher specifics.

**Mrs. Nelson made motion to table until January meeting. Mr. Russell second. All present in favor.**

President Strong stated had action items from last meeting, however, postpone until next meeting.

**6. Director's Report:** Mr. Taylor reported 13 building permits, no new homes in Cicero, one in Jackson Township. Inspections being done in Tamarack. The Rugged Barbershop is open in the back of 770 S. Peru St. and in the front is possibility of a new meat market. Financial portion is in good shape, approx. 25% above last year.

**7. President's Report:** President Strong reminded that elections are in January as well as appointing of staff.

**8. Legal Counsel's Report:** No report.

**9. Board Member Comments:** Mr. Zell regarding the posted signs for public notice, can the information be made easier to read. Difficult to determine and concern for public safety. Discussion ensued. Mr. Taylor will research options including a QR code. Posting on the website with the agenda. Mr. Russell reflections on the passionate group present tonight and impact of the processes. Also added concerns for the drainage and costs that are being faced and thank you for diligence in taking care of our community. President Strong stated each time there is a meeting there is learning that takes place, hopefully learn from other communities to prevent the pitfalls. Mrs. Nelson added the thought that developers need



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PC# PC-1119-025-PD-R3 Lenar Homes (Rezone/PD)  
PC# PC-1019-026-PD-R3 M I Homes (Rezone/Amend PUD)  
PC# PC-1119-027-027-NC Dark Side Roasters (Aesthetic Review)

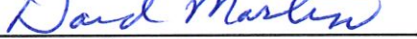
us more than we need them, what does that look like. Discussion ensued on how to attract without losing what Cicero is.

Mr. Amos was allowed to address, and he encouraged the board to look at standards and such to make things better. Mr. Amos stated roadways also being looked at. President Strong addressed that the process is being worked on. Discussion ensued on the area happenings.

**10. Next Planned Plan Commission Meeting: January 15, 2019**

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

President: 

Secretary: 

Date: 2-16-2020

\_Location:  
Cicero Town Hall  
70 N Byron Street  
Cicero, IN 46034