



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 Lennar Homes (Rezone/PD)
PC# 1019-026-PD-R3 M I Homes (Rezone/ Amend PUD)
PC# 1119-028-C1 First Merchants Bank

Plan Commission Meeting Minutes

January 15, 2020 7:00 p.m.

Roll Call of Members

Present:

- Dan Strong
- Jack Russell
- David Martin
- Greg Gary
- Liz Nelson
- Marc Diller
- Dennis Schruppf
- Stephen Zell
- Corey Burkhardt
- Aaron Culp - Legal Counsel-arriving late
- C.J. Taylor - Plan Director
- Terri Strong - Recorder

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

2. **Approval of Minutes:**
Mr. Zell made motion to approve minutes from PC Meeting: December 11, 2019 as presented. Mr. Russell second. All present in favor.

3. **Public Comment:** President Strong welcomed any public comments for items not on tonight's agenda. No public comments.

President Strong discussion on agenda changes.

New Business: It is the director's recommendation to put this item ahead of dockets 021, 025 & 026 due to the length of time each will likely require.

Mr. Schruppf made motion to amend agenda to conduct new business prior to old business. Mr. Martin second. All present in favor.

4. **New Business:**



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Docket # PC-1119-028-C1

Petitioner: First Merchants Bank

Property Address: 1098 S. Peru St. Cicero, IN 46034

An Aesthetic review application has been submitted concerning placement of an ATM on an empty lot.

This petitioner will be before the BZA for a conditional use variance on Jan. 23, 2020

President Strong stated here for Aesthetic Review only.

Scott Clark, 200 E. Jackson, Muncie, IN. Looking to put in an ATM machine in the lot across from the existing building. With the closure of the branch, wanting to leave something in the community. This would be a full-service ATM. President Strong verified had necessary materials from the property owner. Mr. Taylor confirmed. President Strong verified that all Board members were familiar with property, and then asked Mr. Clark if the colors presented were accurate. Mr. Zell asked if any signage, any lights other than poles on plans. Mr. Clark stated open to entrance/exit signs. Aesthetic Review was explained further. Discussion of setbacks, directional signs on asphalt. Mr. Russell asked if additional asphalt planned. Mr. Clark stated no additional asphalt is allowed. Mr. Taylor explained changes to packet to allow for setbacks. Mr. Clark, no planned landscaping. Mr. Taylor stated discussion with police chief, no concerns would like to have conversation about alarms etc. President Strong stated would like to see some landscaping towards the back to improve aesthetic. Mr. Clark stated don't typically have tall due to security but can do a plan. Mr. Russell stated he agreed, more is needed to make appealing to the entry of the community. Discussion ensued. Mr. Clark stated could dress up the area. Landscaping along back edge, striping as per the pictures. President Strong led discussion on timeline of variance. Mrs. Nelson questioned if prefabricated, and shared concern for aesthetics. Mr. Clark stated there are others but not protected, and not as nice as this one being proposed.

Stan Widows 1380 Lighthouse Point, Cicero, as landowner, when approached about a bank machine was hesitant but felt with bank leaving was option for town. With restrictions, don't see being able to build on that lot for the foreseeable future. Looking at next 5-10 years drainage being what it is, will be an empty lot. Mr. Widows stated lot worthless as it is, eventually will be able to add nice brick building but best option for now.

President Strong asked if planning to repave areas that are currently asphalt. Mr. Clark stated would be maintained and paved in next year. Mr. Martin asked if security lot was to be added to rear should it be part of the motion. Discussion on lighting.

Mr. Zell made motion to approve PC-1119-028-C1 as presented with following conditions:

Landscaping to be provided especially on back side of lot with approval by Mr. Taylor, and security light to be added to back of lot if desired, approval by Mr. Taylor and if First Merchants no longer wanted to do business there the ATM would be required to be removed at their expense. All contingent upon BZA approval of Special Exception. Mrs. Burkhardt second.



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Mrs. Nelson-yes, Mr. Schruppf-yes, Mr. Diller-yes, Mr. Zell-yes, Mrs. Burkhardt-yes, Mr. Russell-no, Mr. Martin-yes, Mr. Gary-yes, Mr. Strong-yes Motion 8-1.
President Strong stated next steps with BZA and Mr. Taylor.

5. Old Business:

Docket # PC-1019-023-NC

Petitioner: Stan Widows

Property 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.

Motion made by Mr. Zell to untable PC-1019-023-NC. Mr. Schruppf second. All present in favor.

Mr. Stan Widows 1380 Lighthouse Point have property located next to Town building; pictures distributed. Car lot has moved out and would like to rezone as light commercial. Currently anything has to get a variance. Screening discussed using pictures provided. Mr. Zell asked what kind of business is interested. Mr. Widows stated couple interested, a car detail business, and a landscaper. President Strong gave background on why a rezone is requested. Mr. Widows stated a shop area but understand concern of listing options. President Strong stated to board, would be looking for a favorable or unfavorable recommendation for the rezone to a C1 to take to the Town Council, and if exclusions were needed to be listed, example of bar/nightclub was given. Mr. Taylor added to Mr. Widows that landscaping/contractor business would still need a variance. Mr. Widows stated he saw that but felt the C1 was the best option for this piece of property/area.

President Strong asked if any questions from Board members. Discussion on exclusions, and special exceptions. Mr. Widows expressed his agreement on the exclusions, quite comfortable on the limits.

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

No public comment.

Mr. Russell made motion to close public hearing. Mrs. Nelson second. All present in favor.

Mr. Schruppf made motion to send a favorable recommendation to the Town Council on PC-1019-023-NC with the following being prohibited: liquor sales, drive in or thru restaurant, billiard/arcade room, nightclub/bar, bowling alley, theater indoor, restaurant, restaurant with outdoor seating, lodge or private club, miniature golf, private docks, theater outdoor. Mr. Russell second. All present in favor.

President Strong stated to work with Mr. Taylor to get on Town Council agenda.

331 E. JACKSON ST. P.O. Box 650 CICERO, IN 46034
PHONE: 317-984-5845 FAX: 317-984-5938 WWW.CICEROIN.ORG



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President Strong stated the Docket PC-1019-021-PD-R3 and PC-1019-026-PD-R3 have asked to remain tabled. Listening to Board and community comments, working on solutions asked to be tabled until next meeting.

Docket # PC-1019-021-PD-R3

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

Property Address: Tollgate Road and 236th Street, Cicero, IN 46034

A Major Subdivision replat request has been submitted concerning article five 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 allow the change from single family detached homes to single family attached (duplex) homes in this section.

Remain Tabled.

Docket # PC-1019-026-PD-R3

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

Property Address: O Tollgate Road, Cicero, IN 46034

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

Legal Notice by Petitioner

Remain Tabled.

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. Zell made motion to untable PC-1119-025-PD-R3. Mrs. Nelson second. All present in favor.

Mr. Martin recuse himself for this docket.

Tyrone Hart with Lennar. Looking for rezone for this property calling Auburn Estates, 85 acres, 169 lots. Asking for 62 EDU's, area highlighted, this would allow for circular traffic thru subdivision for safety. Handed out updated plat, couple streetlights added is only change to the plat from previous meeting. Ordinance also updated; changes discussed.

1. Added line due to sewer concerns, if did not move forward with project in 24 months, zoning would revert back to R3 zoning.
2. Anticipated 180 revised to 169 lots.
3. Planned playground added as a commitment, pictures of similar equipment.
4. Pedestrian crossing added at north east corner of project, away from intersection and hill, with signs and striping to intersect MI Homes trail.

President Strong explained the background and changes to the trail because of the wetlands.

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5. Path around the perimeter, changes made due to wetland area, monitor used to discuss necessary changes. To keep connectivity, moving the path up into the ravine. Challenges whichever direction but need to avoid the corner.

President Strong stated working with MI Homes for improvements can only benefit both parties for road improvements and trail areas. Mr. Russell discussed own trail plan to be developed.

6. Shingles-dimensional approved, they are heavier and thicker, holds up to weather.

7. Corner lots, two front yards, landscaping of two trees on second site. Discussion on sides.

8. Perimeter landscaping-tree line on 231st is excellent so will preserve what can be preserved, if need to take out large sections will replace. Dead trees will be removed. Asking for CJ to have approval. HOA to maintain area after turned over to them.

9. On Tollgate no tree line, intend to do landscaping mounds/buffers. Concern for utilities, commit to covered porch, screened in porch, sunrooms, etc. if can not do mounds to block Tollgate Rd.

10. Detail in Section 10 on PUD to match up Tamarack.

Mr. Russell asked to see the sign walls at the entrances, when it its time. Mr. Russell asked for same type of trees that are existing to be used throughout for consistency in trail areas.

Mr. Hart explained that details of landscaping plan would include the species of trees also wants to keep pond open.

Chairman Strong stated Lennar is planning for stub to west and north if other properties would come in, they would be able to connect to water and sewer. Mr. Hart verified that this will be possible, connecting with MI same depths. Mr. Taylor stated the only concern is the actual capacity. Path is there to get to wastewater plant, if plant is expanded this would be able to be served. Mr. Taylor indicated only if beyond and closer to 31 would a second plant be recommended. Question on the number for EDU's. Previous Town Council meeting indicated 50 on each side of lake, Lennar will ask for 62. Mr. Schrupf questioned the plants. Mr. Taylor went on to explain that wastewater makes sense to expand plant in town, water plant on the west side of the lake makes more sense to expand for expansion of homes.

Chairman Strong stated wanted to give information to help make the decision, also noting that Lennar has been informed of these items and that they may or may not get done. Promises or false hope was not wanted to be given by any of the Board.

Mr. Schrupf asked what would happen if the Town decided to not build a new plant. Mr. Hart stated they would build the 62 homes out and be done. Mr. Hart stated until such time that there would be expansion with available EDU's. Mr. Taylor stated they are asking for zoning for the entire area, and voluntary annexation of the entire piece. Mr. Culp questioned the way it is written; would it revert after the 62. Mr. Hart stated no, if any portion is built would not revert if expansion is not there.



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President Strong expressed concern for what would happen if Lennar sold the other portion to another developer if expansion was not in a timely manner.

Discussion of masonry percentages and calculations prior to Plan Commission. Mr. Russell expressed appreciation for detail given in presentation and concerns from prior meeting.

President Strong stated very good to work with and very receptive to concerns.

President Strong gave options for next steps.

Mr. Russell made a favorable recommendation on Docket #PC-1119-025-PD-R3 being sent to the Town Council. Mr. Schrupf second. All present in favor.

6. Action Items: President Strong stated new business is the Election of Officers.

Mr. Russell made motion to open nominations for President. Mr. Zell second. All present in favor.

Mr. Zell made motion to nominate Dan Strong. Mr. Martin second.

Mr. Russell made motion to close nominations for President. Mr. Schrupf second. All present in favor.

President: Mr. Dan Strong

Mr. Martin made motion to open nominations for Vice President. Mr. Zell second. All present in favor.

Mr. Martin made motion to nominate Jack Russell. Mrs. Nelson second. All present in favor.

Mrs. Nelson made motion to close nominations for Vice President. Mr. Schrupf second. All present in favor.

Vice President: Mr. Jack Russell

Mr. Zell made motion to open nominations for Secretary. Mr. Martin second. All present in favor.

Mr. Zell made motion to nominate Dennis Schrupf.

Mr. Zell made motion to close nominations for Secretary. Mr. Martin second. All present in favor.

Secretary: Mr. Dennis Schrupf

Appointment of Legal Council: **Mr. Schrupf made motion to appoint Mr. Aaron Culp as Legal Counsel. Mr. Russell second. All present in favor.**

Appointment of Planning Director: **Mr. Russell made motion to appoint Mr. CJ Taylor as Planning Director. Mr. Zell second. All present in favor.**

7. Plan Director's Report: Enclosed in your packets, while December was slow, ended the year strong, with \$25000 over 2018. Eight building permits for December. As of Jan 1, permitted 49% of first section of Tamarack. Aware of MI being tabled, have had many meetings with Mr. Strong and MI has had meetings with concerned citizens. Mr. Russell asked about 5 ft. sidewalk. President Strong stated there is a recommendation that it comes out and becomes an 8 ft. trail, but it is up to the Town Council. Discussion ensued. Mr. Zell asked if meeting with citizens could be shared. Mr. Taylor stated not at the meeting, goal was to clear up the misconceptions. President Strong stated he was at the meeting and felt it was a constructive meeting. Felt changes to the architectural standards would be forthcoming and a mix of 70, 80, 85 ft lots. President Strong stated there was quite a bit of



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conversation on the standards to make this section different. Mr. Russell stated there was a different design in their portfolio “The Prestige” and doesn’t understand why they are not using that design that is being used in other communities. President Strong stated this is why they are not here, working through the issues determined hoping to get back to Plan Commission for favorable recommendation. Mr. Taylor stated the other two items on the agenda are for the other Boards, BZA and Town Council.

8. President’s Report: President Strong stated thank you for the vote of confidence for President and for Mr. Russell and Mr. Schrupf but appreciate everyone’s participation and diligence. Everyone’s comments help to get to what is good for the community. Mr. Russell will address the items he has been working on during Board comments.

9. Legal Counsel’s Report: Mr. Culp stated no report.

10. Board Member Comments: President Strong went back to question from Mr. Martin regarding city services. President Strong gave the recap on both situations. Have 140-150 EDU’s or equivalent for homes. Town Council chose to appoint 50 east and 50 west of reservoir and 40 to be in reserve. Looking at plans and options for expansion and development of second plant. Expect decisions in next 6 months with this time next year of starting. Mr. Martin questioned feasibility study. Discussion ensued.

Mr. Russell design for New Urbanism, which sounds trendy but is actually anti urbanism. Research done to determine what is needed. Place Making-public spaces examples given; height of buildings is something for this board to consider. Design-examples used-matching what is around the area-Midtown Carmel area was described for gathering. Style differences discussed. Product used is very high quality with sustainability. The Yard in Fishers was also used as an example. Underutilizing- this is to address areas in the community and how to improve. Seaside in Florida was used as an example for items becoming required, sidewalks and front porches for example to add to the sense of community. Districts in Cicero discussed-how to respect the history but to modernize.

Mr. Martin asked when next comprehensive plan due. President Strong stated depends on needs of community. Mr. Taylor stated 2-3, Mr. Culp said usually every 5-10 years. Mr. Russell stated a master plan that doesn’t sit on the shelf would be his goal, he also stated felt at a crossroad as to what our community is going to look at. Mr. Russell expressed his concern for side streets and also how to not start over, but to improve areas thru a master plan. Mrs. Nelson expressed concern for aesthetics matching the plan that is wanted, the details needed for all areas not just the main streets. Discussion continued with suggestions to take an opportunity to review other surrounding areas.

11. Next Planned Plan Commission Meeting: February 12, 2020



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12. Adjournment: Mrs. Nelson made motion to adjourn. Mr. Martin second. All present in favor.

President: _____

Secretary: _____

Location:

Cicero Town Hall
70 N Byron Street
Cicero, IN 46034