



**CICERO/JACKSON
TOWNSHIP
PLAN COMMISSION**

PC# 1019-026-PD-R3-MI Homes

PC# 0220-001-R3 Heuer

PC# 0220-002-DC Boathouse

Plan Commission Meeting Minutes

March 11 , 2020 7:00 p.m.

Roll Call of Members

Present:

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

Absent:

Jack Russell

1. **Declaration of Quorum:** President Strong declared a quorum with 8 of 9 members present.
2. **Approval of Minutes:** Mr. Zell made motion to approve minutes from PC Meeting on January 15, 2020. Mr. Martin second. All present in favor.
3. **Public Comment:** No comments from public regarding items not on the agenda.
4. **Old Business:**

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.



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Mr. Taylor stated they have asked for a continuance to the April meeting. President Strong stated this docket will remain tabled.

5. New Business

Docket # PC-0220-001-R3

Petitioner: Ian Heuer

Property Address: 25510 Scherer Avenue

A Minor Subdivision application has been submitted concerning article four (4) of the Cicero/Jackson Township Subdivision Control Ordinances in order to: Subdivide two (2) parcels totaling seventeen and ninety-four one-hundredths (17.94) acres into three (3) parcels.

President Strong asked for representative to address the Board on this petition.

Nathan Althouse, Miller Surveying 948 Conner St. Noblesville. Representing Mr. Heuer. Mr. Althouse addressed the maps provided, taking two parcels and changing to three parcels, working around a cemetery. Seeking this request knowing a variance will be needed for the drives proposing a third drive. There will be renovation on the existing home, with the addition of two new homes. Mr. Althouse pointed out the hill with home placement due to the Cicero Creek and flood zone concerns. President Strong questioned if any questions from the Board. Mr. Zell stated the flood zone, which was answered. President Strong stated concern for septic and utility easement. Mr. Althouse assured that was being addressed and would be behind the easement.

Mr. Zell made motion to open PC-0220-001-R3 for the public hearing. Mrs. Burkhardt second. All present in favor.

No public comment.

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

President Strong asked if any further questions or concerns. Mr. Zell stated made easy with the details provided.

Mr. Martin made motion to approve PC-0220-001-R3 as presented. Mrs. Nelson second.

Mr. Gary-approve, Mrs. Nelson-approve, Mr. Diller-approve, Mr. Schrupf-approve, Mr. Zell-approve, Mrs. Burkhardt-approve, Mr. Martin-approve, Mr. Strong-approve.

Docket # PC-0220-002-DC

Petitioner: Matt Hall - Boathouse

Property Address: 409 West Jackson St.

Aesthetic Review Amendment Regarding Signage and Lighting.

President Strong asked for representation to approach the Board.

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Matt Hall 409 West Jackson, Cicero. Here for signage and lighting approval, including flags. President Strong stated many documents presented and are there pictures. Mr. Hall showed pictures of flags and locations. Conflict on printed materials presented. Mr. Zell asked if there have been complaints. Mr. Taylor stated none that he is aware of. President Strong shared on the lighting that there was another petitioner and we denied lights, and one of the things we need to be concerned with as a board, is the look for the future. Mr. Schrupf stated his is not opposed to the string lights over the docks leading to the lake, certainly helps with safety. Don't have a problem with colored lights on the poles, not convinced about flashing lights. President Strong asked if ok with flashing lights on two poles but not on other spots. Mrs. Nelson stated can see the flashing lights on the end of the docks for safety but not flashing on the poles, could be distracting. Mr. Gary asked if flagpole lights are working. Mr. Hall stated yes. Mr. Gary stated he drives by each morning and doesn't find them distracting and likes the red/green. Mr. Hall stated part of the boating/nautical look, ship looking branding. President Strong agreed that the ones on the docks would look nice and have a purpose. President Strong also stated long conversations prior to Mr. Hall about allowing his predecessor to have 320 sq. feet of signage and would they (the board) allow that for any other business that would go next door. Mr. Martin agreed with safety on the docks. President Strong stated the flag portion, flags by our ordinances is considered signage. Mr. Schrupf stated the water flags don't have an issue almost a separate issue versus signage. President Strong tried to summarize. Mr. Taylor asked for page by page approvals.

President Strong -first picture was dock picture-everyone comfortable with it. Poles and flags discussion, there are two. Mr. Hall stated the picture was with the change of lattice. Mr. Martin questioned that the flags would be the same as the others. Mr. Hall stated yes, and the poles would have flashing red and green lights. Mrs. Nelson stated with the other signage, the flags are almost redundant. Mr. Gary stated he likes with the nautical theme. Mrs. Nelson expressed concern for precedent being set with flashing lights, unless that is the direction the town wants to go. Mrs. Nelson expressed personal concern with lights at night and flashing lights. Mr. Martin expressed the amount to process and would like time to look at it at night/day etc. Mr. Zell concurred. Mr. Martin suggested reviewing after the clarification. President Strong stated go thru the pages and allow what is there to stay until voting of the individual items.

Moving on to the lattice, it will all need to be replaced due to maintenance concerns, dumpster area and top above door.

Everyone was comfortable with the changing out of this material.

Stand up counter on the front by the freezer area. Mr. Hall stated that was a smoker area.

President Strong explained to the Board that items that were planned for summer would be on the table tonight if possible.

Mr. Hall explained delays due to summer business while expressed appreciation for CJ and Dan's assistance.

President Strong stated to Mr. Taylor taking a look at the smoking area and the lights on the building.

Next picture was a walkup window. Mr. Hall stated pull out the area 5ft, for a walkup window. Not a drive thru but to use for am coffee/donuts, desserts, this is a future idea.



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President Strong stated this would be one that would be looked at and may just show up if approved. A time frame could be added by the Board. Mr. Hall stated might not be this year but would like to do. Mr. Schrupp stated could see it being used during the summer. Mr. Hall stated no utilities, just extending the lines of the building by 5 ft.

Mr. Taylor stated regarding the freezer, was installed and painted but it is a change so needed to be under review for aesthetics. Everyone was ok with the looks now that it is painted.

President Strong indicated the lower level enclosed with natural wood. Mr. Hall answered Mr. Zell's question regarding painting by indicating there is already natural wood on the deck and it is aging to match it. Regarding the dumpster area, a roof being added, President Strong stated he understood this is to keep combustibles covered. Mr. Hall explained that the under-deck area was not approved by the Fire Dept. would be replacing the lattice and adding a slight tilt to a roof. Mr. Zell questioned if it was a storage shed. Not enclosed. Mr. Taylor stated it would not be above the current line. Less than six foot high.

Next up was the umbrellas on the deck, since they have advertising on them considered a sign. Have to go to the aesthetics. Downtown commercial portable umbrellas are not allowed but as they have advertising on them aesthetic review has to deal with them. Mr. Hall stated have 7 have had as many as 15. Have sunshades put the umbrellas up as requested by guests. President Strong stated new businesses have not allowed (DeLullo's). Mrs. Nelson stated as they get worn could it be stated they have to be replaced with plain. Discussion ensued on LaCasada and Pizza House current situation. Mr. Zell stated going before the BZA so leave it to them. Discussion on the ordinance for portable signs and whether need to seek variance.

Next is the Swan Dive signs-currently in place-on outside bar. Looking at aesthetic portion and square footage would go to BZA. Next is picnic tables, again this board is the aesthetic portion and the BZA will deal with the outdoor seating portion. Mr. Martin expressed by the boat docks felt it was a great addition. Mrs. Burkhardt asked about umbrellas. Mr. Hall stated sail shades are part of it, they come down with 15 mph winds. Currently used by the public for many restaurants, the far parking lot. Mr. Hall stated they are white, no wording. Mr. Martin asked for clarification will you be serving to the tables. Mr. Hall explained picnic service uses a door by the bar that can be walk up to and not enter the restaurant. President Strong questioned the car service, Mr. Hall explained a tech service that order online. Mr. Taylor stated the markers are needed to be addressed, they are currently not in place. President Strong stated they could table this area to be looked at before next meeting. They do have a number, they have a solar light on top which keeps them on for a few hours, could be removed if necessary. President Strong asked everyone to consider and look at them. President Strong stated asking for six picnic tables and if want more have to come back.

Mr. Zell asked about the banner over the entrance sign, asking how we are handling it, it is a temporary banner. It has been in place for a while, how are we dealing going forward. Mr. Hall asked to get to 65-degree weather. Mr. Hall stated didn't add, just covered a sign. Once it is done won't go back up. Mr. Zell stated allow until mid-May or end of May for weather breaks and a guideline to go by. Mr. Culp suggested June 1.



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President Strong stated if all is captured, will need to come back for the lights on the top of the building. Mr. Taylor added the flags also. Mr. Taylor added the outdoor seating and walk/drive up window is special exception use; the signage and lighting and accessory structure and the freezer are development standards variances.

President Strong summarized.

Mr. Martin made motion to approve PC-0220-002-DC as follows: Approving the walk up window, lights and flags on docks, smoking counter, freezer, new lattice, roof on dumpster, enclosed area on lower west decking, marker lights, umbrellas (BZA approval), two signs in bar area, six picnic tables with sunbrellas. Coming back in a month to discuss/review the lights and flags on the building and the flashing lights. Second by Mr. Schrumpf. All present in favor.

- 6. Plan Director's Report:** Mr. Taylor enclosed in your packets, like to discuss the request to increase .Last increase was 2008, and not all items were increased that time. Spreadsheet shared; neighboring communities compared. Discussion on items. Want to ensure the current homeowners aren't hit however if looking at lower section, the new home fees are quite below the communities of the south. Discussion ensued on some line items. Mr. Zell asked for implementation timeline. Mr. Culps stated is an amended ordinance by the Town Council. Discussion on recommendation to the Town Council time implementation time. President Strong stated needs to be in proper format to make a recommendation and then take to Town Council currently we are just reviewing. Mr. Taylor continued that with the current growth would like to see sooner. Will take discussion of lines in consideration and get with Mr. Culp for legal wording and bring back next meeting. Discussion by Mr. Diller on sign costs, explained the differences. Mr. Taylor stated did a cost analysis and if fees were in place in 2019, would have had increase of over \$14000 in permit fees and \$3000+ in subdivision fees. President Strong asked to address the ad jointer fees. Mr. Taylor gave background of Jackson Township fee structure, was changing a flat fee of \$12,000 per year, proposing taking to \$15000. President Strong shared the reason it changed was for budgeting purposes for Jackson Township. Mr. Martin asked when the last time was there was an increase. Mr. Taylor stated when enacted in 2006. The last time it was considered, in 2015, there was no discussion. Proper steps were discussed to make this a professional discussion, with reasons why, etc. Mr. Taylor expressed his appreciation for the agreement with Jackson Township. Expect the renewal with JT is January 1, 2021.

Mr. Zell appreciated the research Mr. Taylor had done for this meeting. Mr. Taylor stated his appreciation for Mr. Strong's patience. President Strong replied the team does good work.



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7. President's Report: President Strong stated Lennar Homes did go to the Town Council and get their rezone request approved. We should see them in the near future. Current status is for 62 homes, until water and sewer improvement 62 EDU's were approved. Mr. Schrupf questioned the number. President Strong stated the TC listened to this board and Mr. Culp. Appreciate everyone being here and participation.

8. Legal Counsel's Report: Mr. Culp stated several unsafe buildings reports were sent out. By rights all have the chance for a hearing, then town could demo and assess a lien on the property. Mr. Taylor stated one is on Sunset Ct. and the other is a garage on Jackson St. Gentleman for the garage has been in the office to file for a demo permit, will be getting on that one right away. Mr. Schrupf asked about property, Mr. Taylor shared didn't have stated design approval.

9. Board Member Comments: Mr. Martin asked for refresh on the MI Homes status regarding the sidewalks/trails. President Strong shared that they were looking to change due to the US Waterways concerns. President Strong shared that they will come back to address more at a future meeting, looks like drainage, waterways, and lot lines to fix. Mr. Martin asked about the sidewalks. President Strong stated it looked like an 8 ft sidewalk. Mr. Taylor stated looking to do everything in one more meeting with public notice. President Strong also shared that connectivity of the trails came up with the Lennar project and with the US Waterways solutions between the two projects are being discussed. Mr. Schrupf asked who is responsible for vehicles that never move. There is a Subaru on Washington street, has not moved for months. President Strong stated the ordinance is part of the Police Department. Mr. Taylor to pass on the info to Chief Hunter. Mr. Schrupf also asked when the lighting on East Jackson was going to come on. President Strong stated he would love to tell everyone when, waiting on Duke to connect. Mr. Diller shared information regarding the connection areas. President Strong stated when the weather breaks and get several good days in a row, the paving will get done. This is asked numerous times a week. Mr. Zell questioned the business Dark Side Roasters moving to old Walker Hughes Agency. Mr. Zell stated they have said they would be doing curbside service on the street parking, isn't this an issue. Mr. Taylor stated they have not contacted our office, but they will have several hurdles, leave it at that. Mr. Zell asked if there was an update on Arbor Homes. Mr. Taylor stated they are currently working with the town engineer. Mr. Martin asked if there was an update on the water/sewer. President Strong stated his has become his project, working on bids. Also, at March 17 having a rate study and bonding presentation. Mr. Diller getting many complaints on trash from M/I Homes. Mr. Taylor stated have addressed and will continue.

10. Next Planned Plan Commission Meeting: April 15, 2020



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11. Adjournment: Mr. Gary made motion to adjourn. Mrs. Nelson second. All present in favor.

President: _____

Secretary: _____

Date: _____

Location:

Cicero Town Hall

70 N Byron Street

Cicero, IN 46034