



**CICERO/JACKSON  
TOWNSHIP  
PLAN COMMISSION**

**Plan Commission Meeting Minutes**

**June 10, 2020 7:00 p.m.**

**Due to the COVID-19 guidelines the meeting was held at**

**Red Bridge Community Center**

**697 W Jackson Street**

**Cicero, IN 46034**

**Roll Call of Members**

Present:

Dan Strong

Jack Russell

David Martin

Liz Nelson

Marc Diller

Dennis Schrupf

Stephen Zell

Corey Burkhardt

Aaron Culp - Legal Counsel

C.J. Taylor - Plan Director

Terri Strong - Recorder

Absent:

Greg Gary

1. **Declaration of Quorum:** President Strong declared a quorum with 8 of 9 members present.



**CICERO/JACKSON  
TOWNSHIP  
PLAN COMMISSION**

2. **Approval of Minutes:** Mr. Zell made motion to approve meeting minutes from March 11, 2020 as submitted. Mr. Martin second. All present in favor.
3. **Public Comment:** No Public Comment.
4. **Old Business:** President Strong requested the Board to combine the MI Homes new business and old business to have only one presentation. Board approved. MI Homes moved to new business. No other old business.
5. **New Business:**

**Docket #:** PC# PC-0520-004-NC (Aesthetic Review)

**Petitioner:** Alfredo De Leon, dba La Cascada Restaurant

**Property Address:** 400 W Jackson Street Cicero, IN. 46034

An Aesthetic Review application has been submitted regarding the change to the exterior paint color and trim of the building that is restaurant establishment.

Alfredo De Leon petitioner representing, stated wanting permission to change colors on building. President Strong stated everyone had packet with colors. Mr. Russell asked for clarification on color of green, did it match the area where Mexican Restaurant is currently. Mr. De Leon stated yes, bit darker. Mr. Zell asked what the other color is. Mr. Taylor stated better able to see on the screen. Dark Green with brown, sheet shared. No public hearing required, President Strong asked if further questions by Board Members.

**Mr. Russell made motion to approve PC-0520-004-NC as presented. Mr. Zell second.**

**Mr. Russell-yes, Mr. Martin-yes, Mrs. Nelson-yes, Mr. Schruppf-yes, Mr. Diller-yes, Mr. Zell-yes, Mrs. Burkhardt-yes, Mr. Strong-yes**

President Strong stated the color changes were approved and questioned if work was being done on dumpster area as well. Mr. DeLeon stated yes, so customers do not see. Mr. Zell asked if night lighting was being addressed, from a public safety concern. Mr. DeLeon stated yes, he would look at that. President Strong stated colors approved.



**CICERO/JACKSON  
TOWNSHIP  
PLAN COMMISSION**

**Docket #:** PC# PC-0520-005DC

**Petitioner:** Brett Morrow

**Property Address:** 93 West Jackson Street Cicero, IN. 46034.

An Aesthetic Review application has been submitted regarding the change to the exterior paint color and trim of the building.

Brett Morrow 10 West Jackson, like to get rid of awning, replace with black awning building will be white. Discussion on current materials and plans for the building. Purple to be removed, building painted white, if awning it would be black. Mr. Morrow stated Darkside Roasters or office space is the current plan.

**Mr. Russell made motion made to approve PC-0520-005DC. Mrs. Burkhardt second.**

**Mr. Martin-yes, Mrs. Nelson-yes, Mr. Schruppf-yes, Mr. Diller-yes, Mr. Zell-yes, Mrs. Burkhardt-yes, Mr. Strong-yes, Mr. Russell-yes.**

**Docket #:** PC# PC-0220-002-NC (Aesthetic Review) **Flags and lights to be reviewed.**

**Petitioner:** Matt Hall, dba Boathouse Restaurant

**Property Address:** 409 West Jackson Street Cicero, IN. 46034

An Aesthetic Review application has been submitted regarding lights and signage of the building that is restaurant establishment, The Boathouse, property location 409 West Jackson Street Cicero, IN. 46034.

Petitioner not present. President Strong verified that since this was a requested Board review of flags and flashing lights could they proceed without petitioner. Mr. Culp stated yes petitioner knew of hearing.

**Mr. Russell made motion to approve PC-0220-002-NC flags and lights. Mrs. Nelson second.**

**Mrs. Nelson-yes, Mr. Diller-yes, Mr. Schruppf-yes, Mr. Zell-yes, Mrs. Burkhardt-yes, Mr. Russell-yes, Mr. Martin-yes, Mr. Strong-no.**

**Docket #:** PC-1119-026-PD-R3 (Rezoning/PUD)

**Petitioner:** M/I Homes of Indiana, LP "Tamarack"

**Property Address:** 0 Tollgate Rd.

A Rezoning/PD application has been submitted by M/I Homes of Indiana, LP for the Subdivision of "Tamarack" at property address 0 Tollgate Rd Cicero, IN. 46034.

**Mr. Zell made motion to untable PC-1119-026-PD-R3 Mr. Schruppf second. All present in favor.**



## CICERO/JACKSON TOWNSHIP PLAN COMMISSION

Mr. Jonathon Issacs with M/I Homes Noblesville, IN. Two items to discuss of adjustment to lower section and the other is to adjust the 8 ft path due to drainage. Area C standards as well as signage are part of discussion, removing asphalt from Tollgate Rd signage to Morse Landing opening.

Originally approved 42 single family or 64 villas. Opted to go with the villas.

Area B 70 ft lots, originally 107, with area C at 61. PUD capped at 276.

Adjustments made to Area B due to local standard discrepancy, Area B wound up with 96.

Mr. Issacs continued to explain delays in returning are due to roadside, US waterway protected, Lennar coming in as well, road cut matches our road cut. Pulling street back on the end will increase the buffer to the neighbors. In the fall, 70' lots with 8500 sq. ft was received with an overwhelming no from the Council. 69 units varied lot size 70, 75, 80, 85's. Lots are greater than 10000 sq. feet with larger common area, all of this is in the lower area. Setbacks stay the same. Summary provided to Board in packet, color coded map of lot sizes also provided. Five home lots that will include additional architectural standards to the rear, this came from working with the neighbors. Could be a sunroom or walk out basement with a deck. Roof pitch and front standards discussed for Area C only (Included in packet).

President Strong discussed the corner lots and how the front standards would be affected. Mr. Issacs stated that would include modifications and need to spell it out not two fronts.

Signage package was discussed.

The path was explained 5 ft. sidewalk in concrete is currently there, the plans stated 5 ft. path and an 8 ft path was committed. This will be corrected when the asphalt is done. The path will end at the entrance to the neighborhood. Agreement with Lennar to create a crosswalk between neighborhoods to 231<sup>st</sup> street but not to Morse Landing Drive.

Primary Plat is holding up the project on sewer etc. Looking for this approval tonight.

President Strong stated the dockets would be handled as two separate items as this one does not require public hearing. Board does have the latitude to allow comments if they so desire.

Mrs. Burkhardt asked how the signage would look. Mr. Russell stated Greystone has signage on one and a blank the other. Mr. Schrupf stated he does not have an issue with two on the main but suggested a single double sided on Tollgate. Discussion ensued. President Strong reminded that this is a recommendation to the Town Council, either favorable or unfavorable. Mr. Russell stated he would like to take individually.

**Signage** consensus is two signs on 236<sup>th</sup> but one sign on Tollgate that could be two sided.

Mr. Taylor asked if the **crosswalk** is in the PUD. Mr. Issacs stated they would match Lennar's language.

Mr. Taylor started discussion on the corner lot requirements.

The five-foot **concrete path** will be removed, and eight-foot path will be added in asphalt including crosswalk. Options for signage was discussed- Town Council requirements.



**CICERO/JACKSON  
TOWNSHIP  
PLAN COMMISSION**

Mr. Issacs stated will add second texture of siding on the **corner lots**. Front will have three textures in this area and corner lots will have second texture of siding. Discussion on what this would look like-gable siding. **Lot size-** Mr. Russell shared his perspective of home value in Section D from pricing out a home, wanting to share that if anyone was worried about value, the quality and lot size as well as items discussed will maintain the value. Mr. Martin asked for refresh of why they are here, the sizing. President Strong President Strong stated while no public hearing needed, Mr. Cox has been helpful in sharing community concerns.

Joe Cox, 1050 Morse Landing Dr. appreciate the work, communication and utilizing the feedback received. This looks like a much better plan than originally discussed for this area. Also, drainage should be improved with the retention pond pulling away from existing neighborhoods, however, would ask that the commission review after grading is done. Thank you for the work that has been done.

Dennis Johnson Morse Landing Dr. of the two this is a much better plan; drainage is a concern and discussion of trees. Mr. Issacs currently where there are no trees, our plan is 2 for 100ft evergreen to be added. Mr. Issacs shared current Morse Landing swells/ditch concerns and distance that it has to travel. Discussion on plan was shared, concerning tile as well as swells and potential solutions.

President Strong reminded that working with other property owners to assist with this one area. Further discussion on potential options. Mr. Issacs and parties discussed the grade of the property and positioning of the pond. President Strong did explain that the Drainage Board is involved when questioned. Mr. Culp explained the county tax. Mr. Zell stated to echo that glad to see the changes to the plan. Mrs. Nelson expressed that this plan is better but the water/drainage and what can be done is still an opportunity as progress is made.

President Strong asked for a recommendation to take to the Town Council.

**Mr. Russell made a favorable recommendation to send the Docket #1119-026-PD-R3 to the Town Council with the rezone amended PUD, the sign package (two signs on 236<sup>th</sup> and one on Tollgate that can be two sided), and removing the existing path. Mr. Zell second.**

**Mr. Schrupf-approve, Mr. Zell-approve, Mrs. Burkhardt-yes, Mr. Russell-yes, Mrs. Nelson-yes, Mr. Diller-yes, Mr. Martin-yes, Mr. Strong-yes Recommendation will go to the Town Council next Tuesday.**

Mr. Zell thanked the individuals for working diligently with M/I Homes for the benefit of the neighborhood and great to see citizens involved.



**CICERO/JACKSON  
TOWNSHIP  
PLAN COMMISSION**

**Docket#:** PC-0520-003-R3 (Plat Amendment)

**Petitioner:** M/I Homes of Indiana, LP

**Property Address:** 0 Tollgate Rd.

A Plat Amendment application has been submitted by M/I Homes of Indiana, LP for the Subdivision, "Tamarack III and IV" (Plat Amendment) at property address 0 Tollgate Rd Cicero, IN. 46034.

Jonathon Issacs 8345 Woodfill Crossing here to amend Plat and lot layout for Area C and A2, as presented earlier. Mr. Martin stated felt worked hard to eliminate concerns and come with a quality plan. Mr. Russell echoed with having opportunity to see many neighborhoods and while excellent have made this a Cicero unique neighborhood, excellent job.

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

While tons of people present, no public comment.

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

Mr. Culp asked that the motion included contingent upon Town Council approval.

**Mr. Schrupf made motion to approve PC-05-20-003-R3 Plat Amendment contingent upon Town Council approval. Mr. Diller second.**

Mr. Issacs expressed concern for the Area A-A2 portion, the changes made referencing the villas and the lot line movement. Stating the approval must be by the Plan Commission not administrative. Mr. Culp stated motion could be withdrawn and remade.

**Mr. Schrupf withdrew his motion to approve. Mr. Diller withdrew his second.**

**Mr. Schrupf made motion to approve PC-05-20-003-R3 Plat Amendment with Section C PUD contingent upon Town Council approval. Mr. Diller second.**

**Mrs. Nelson-yes, Mr. Diller-yes, Mr. Zell-yes, Mrs. Burkhardt-yes, Mr. Russell-yes, Mr. Martin-yes, Mr. Schrupf-yes, Mr. Strong-yes.**

President Strong stated replat is good, with amendment documents will be available prior to Tuesday with the corner lots as well as the crosswalk. Mr. Issacs stated yes, tomorrow. President Strong thanked him for working with everyone on the project.

- 6. **Action Items:** Introduction of Aesthetic Districts by Mr. Jack Russell. Mr. Russell stated last time gave some ideas and concepts but wanted to look at processes prior to making changes. There are three pieces wanted to discuss and after this will work with Mr. Taylor for a more formal presentation. First is currently we have aesthetic review on commercial but not on residential per our ordinance. First



**CICERO/JACKSON  
TOWNSHIP  
PLAN COMMISSION**

recommendation is that certain districts would like to require aesthetic review. In addition, would like to recommend creating a committee for reviewing commercial and residential aesthetic review. This would have maybe three people on the committee so the petitioner could have another layer to review and get guidance from prior to coming to Commission. Third is the rezone of our downtown. One of the problems everyone hears about in their downtowns is parking. If there is a piece to draw away from Jackson, then parking becomes more visible. Extending commercial district, to include Buckeye north and Cass street south to Main Street as example would be zoned commercial. President Strong added that have people looking for commercial zoning, however many properties along Jackson are likely to not change hands. They have looked at properties on like Cass but do not want to take the time or additional expense to go through the process. Mr. Russell also shared conversation about parking perhaps on one side of the street so residents are not affected. The make up of the committee was discussed. Mr. Culp stated he would have to verify the legalities of the proposed changes. Mr. Zell asked if the districts were still on the table. Mr. Russell stated yes and gave examples. Stage one is districts with names, second the aesthetics standards. Mr. Taylor shared his perspective of quicker process. Mr. Schrupf stated the parking would need to be looked at closely as they may park in/on front yard as parking. Mrs. Nelson asked if residents were polled. Mr. Russell stated he has discussed with family; the concern is some are well maintained but several that need attention. Concerns for poverty level ownership however if changed hands then could fall under the new ordinance. Mr. Culp stated grandfathering could be made a condition. Discussion ensued on the points of establishing a residential aesthetic review area. Mr. Taylor stated some homes would actually gain value by being commercial zoning. President Strong reminded that we would be an advising board, approval would be based on Town Council approval. Mr. Culp asked about the Comp Plan renewal. President Strong stated update due 2021/2022. Discussion ensued on pro's and con's of changing from a real estate perspective. Mr. Culp stated a mixed-use district could be another solution. Mr. Russell stated the committee research and discussion could have a big impact. Mr. Culp stated pulling into some planning process could be very beneficial such as the Comp Plan. Mr. Russell stated wanted to start out conversation and potential, Jackson St. has seen a lot of money spent on it, but there are other areas that could benefit and add to our town. President Strong stated there are items behind the scenes, with tif districts and such to think ahead for commercial areas.

- 7. **Plan Director's Report:** Mr. Taylor Enclosed in your packets. Considering, had a good May, issued 34 permits. Back to normal operations at the office with social distancing guidelines. President Strong asked for questions, seeing none, stated Mr. Taylor will need guidance from the Board. The petitioner was not here tonight from the Boathouse and there were some items to be discussed with



## CICERO/JACKSON TOWNSHIP PLAN COMMISSION

Mr. Hall. During the Covid-19 he was given latitude on items hearing from others with concerns about these items and knowing he will be 100% based on the Governor's mandates. Things are not approved by the Plan Commission and BZA that these items need to come down. Utilizing July 6<sup>th</sup> as the date to say they need to come down until processes are done for approval. Mr. Taylor would like some direction on these items. Mr. Taylor listed the following: sign over entrance, picnic tables, string lights over picnic tables, signage along road for tailgating (most have been removed). Many of these have not been approved, we do not want to be anti-business, and do not want to hinder during this pandemic. However, he has had a habit of doing a bunch of items and then asking for forgiveness or not even that until I (Mr. Taylor) have addressed that they are items that need approval by the Boards. Mr. Taylor stated he would like direction from the Board, do I have them remove items that has not been approved. Mr. Martin asked if he responds, Mr. Taylor answered not really, it takes time. Mr. Russell asked if there have been any instances resulting in fines. Mr. Taylor stated not yet. Mrs. Nelson stated she appreciated working with business during Covid, however it could take precedence in the future. Mrs. Nelson stated we should follow normal procedures, not

- fair to other business owners that are putting out signage etc. Mr. Schruppf stated more than fair
- with allowing and while do not want to sound anti-business, enough is enough and procedures should
- be followed.
- Certainly, do not want to drive any business away and we have rules for valid reasons- and they
- should be followed. Mr. Martin stated has been given a lot of string to get going and during Covid
- and should use the system as it is designed. Mrs. Nelson stated he has to be a good neighbor. Mrs.
- Burkhardt expressed concern for the time spent on constant visiting of his and other businesses to
- ensure not expending. Mr. Zell stated felt needed be fair and want to see location flourish as site has
- historically struggled. We have allowed and worked with him in the beginning time to follow the
- rules. Not sure Covid rules are being followed, just by driving by. Appears business is booming even
- with Covid restrictions, want to be partners but cannot be all one side. Mr. Taylor stated have had
- many conversations, as has Mr. Strong to be non-controversial.

Mr. Taylor wanted to ensure he had the support of the Board to take next steps. Mr. Zell questioned how many times has he been on the docket and not shown up, respect for authority. Discussion on other businesses impacted. Mr. Russell do not feel anti-business and allowing is shame on us. We do not want to be viewed as having two standards. Discussion ensued on impact. Mr. Russell expressed concern for waiting until July 6<sup>th</sup>. Eliminate all the items that have not been approved right away, waiting three weeks is too long. The assets he has with this business is not fair to the others without the assets. Discussion ensued on the other businesses and the processes they follow. President Strong stated Mr. Taylor got good feedback, discussing why the July 6<sup>th</sup> date. July 4<sup>th</sup> is when the governors mandate would expire, so since these things were added due to Covid felt that was the right day. Mrs.





## CICERO/JACKSON TOWNSHIP PLAN COMMISSION

Burkhardt asked if allowing other businesses to add signage etc. due to Covid. Mr. Taylor stated that Erika's and 10 West asked the Town to put signs for pick up only and that was allowed. Mr. Taylor stated some other minor items. Mr. Taylor explained that he has not come to us to ask, items have popped up and we have gone to him, he states need for my business to survive. Discussion ensued on Covid and long-term impact on processes. Mr. Strong shared the learnings that temporary means different things to different people. Mr. Taylor stated he would summarize in a letter the items that will be allowed and not be allowed. Mr. Culp suggested adding the fine wording. President Strong expressed that this situation some latitude has been given but do not want Mr. Taylor to think that he does not have the support of the Board to do his job.

**8. President's Report:** President Strong thank you to everyone for attending and taking time to address these concerns. Also discussed staying at Red Bridge during this time, everyone agreed at least until September. Appreciate everyone's forward thinking and sharing their opinions on topics.

**9. Legal Counsel's Report:** Mr. Culp stated the only detail not covered is Sunset Court the burned building, action has been taken and process being followed.

**10. Board Member Comments:** Mr. Schrupf was contacted by an individual to close Jackson from DeLullo's to Big Dogs for seating for restaurants. Mr. Schrupf stated he would share this request and explained that he was not sure how the residents on the side streets would like this because of traffic. President Strong stated a couple of weeks ago this was discussed, especially due to what was happening in Indianapolis. The conversation was around public safety especially the semi's etc. President Strong stated this board would not make the decision, but the Town Council would take input from public safety before making this type of decision. Mr. Schrupf stated it seems everyone was on the same page. Mr. Zell asked for follow-up on Yeary property on HWY 19, is anything getting done. Mr. Martin asked if we could do anything. Mr. Culp stated extensions have been done. Millersburg with abandoned vehicles, state has a new law and county has a junk vehicle law-progress has stopped. Mr. Zell asked about storage buildings on the west side. Mr. Taylor stated approx. a month ago, after he finished his home he would be working on this project. Mr. Zell expressed concern for completion of approved projects. Mr. Taylor stated giving a date on the approval is one to assist in the future. President Strong stated have to look at outdoor storage rules for the Yeary project. Land use variance within a time frame exercised or variance is lost is the best avenue for the future.



**CICERO/JACKSON  
TOWNSHIP  
PLAN COMMISSION**

11. **Next Planned Plan Commission Meeting:** July15, 2020 at Red Bridge Park at 7:00 p.m.

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

President: \_\_\_\_\_

Secretary: \_\_\_\_\_

Date: \_\_\_\_\_

Location:

Red Bridge Community Center

697 W Jackson Street

Cicero, IN 46034

- 
- 
- 
- 
- 
- 
- 
- 
-