



CICERO/JACKSON TOWNSHIP PLAN COMMISSION

BZA-1122-31-NC Rudy's Re: Cycle Shop/Joe Rudy

BZA-1122-32-NC Rudy's Re: Cycle Shop/Joe Rudy

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BZA Meeting Minutes November 17, 2022 7:00 p.m.

Roll Call of Members

Present:

- ☐ Mike Berry
- ☐ Scott Bockoski
- ☐ Liz Foley-Nelson
- ☐ Dennis Schrumph
- ☐ Steve Zell
- ☐ Aaron Culp - Legal Counsel
- ☐ Frank Zawadzki - C/JT Plan Director
- ☐ Terri Strong- Recorder

1. Declaration of Quorum: President Bockoski declared a quorum with all members present.
2. Approval of Minutes:
Mr. Zell made motion to approve minutes as presented for September 22, 2022. Mr. Berry second. All present in favor.
3. Old Business: None
4. New Business:
President Bockoski stated new business is three items all linked together. Will proceed by reading all three dockets and discuss together, voting on each individually after discussion.

Docket #: BZA-1122-31-NC

Petitioner: Rudy's Re: Cycle Shop/Joe Rudy

Property Address: 49 S. Peru Street, Cicero, IN 46034

A Land Use Variance application has been submitted concerning Article 4.1 "NC" District Intent of the Cicero/Jackson Township Zoning Ordinance: To allow the property to operate a bicycle shop with outdoor seating whereas a bicycle shop with outdoor seating is not a Permitted Use or a Special Exception Use in the "NC" district.

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A Development Standards Variance application has been submitted seeking relief from Article 7.13 Section PK-03 paragraph 1 to: Not have the parking lot paved with asphalt or other durable material.

Docket #: BZA-1122-33-NC

Petitioner: Rudy's Re: Cycle Shop/Joe Rudy

Property Address: 49 S. Peru Street, Cicero, IN 46034

A Development Standards Variance Application has been submitted seeking relief from Article 7.13 Section PC-03 paragraph 5 to: The interior of all parking lots shall be landscaped with one (1) deciduous shade tree per ten (10) parking spaces (or for any part of 10 spaces).

Chairman Bockoski asked if petitioner is present.

Joe Rudy owner/operator of Re: Cycle shop in town. Bicycle shop in the making for two years, took over the business on Cumberland. Opportunity to move to town on St. Rd. 19. Trails coming to the area, working with Hamilton Heights youth seemed to be the right time. Hoping to have grand opening in the spring, goal for decking is to have seating available for trail users. Outside work coming along and inside moving ahead as well.

Mr. Zell stated he thought it had gone through the Plan Commission, could get feedback be done so we don't cover the same things, save time. Mr. Zawadzki stated had gone before the Plan Commission for Aesthetic Review, with items for outside being approved, couple points raised. For the record: security lighting up and running, couple missing siding pieces will be fixed, signage approved, bottom of deck left exposed was asked for it to be enclosed. Concern for trash being able to gather. Four tables and four chairs (16 total) were approved, crumbling concrete will be addressed as well. Plan Commission asked that the bikes currently being stored in the back be enclosed, Mr. Rudy agreed to do that as well. (Or removed was stated by Mr. Rudy). Mr. Berry asked if there were any employees. Mr. Rudy stated that is the hope, currently we do not, 2-3 potentially. Mr. Rudy stated potential room for 3 additional workstations in the garage, the house is the retail portion. If we get up and running in next year or two, anticipate 1-2 retail employees, with 2-3+ repair stations.

Mr. Zell asked for days/hours of operations. Mr. Rudy stated 9-6 operating hours closed Sunday/Monday, perhaps changing it up if needed. Chairman Bockoski stated impressed with plan and what you are encouraging. Regarding afterhours activities have a couple concerns/questions. Will the house be occupied? Mr. Rudy stated only the retail no occupants. Chairman Bockoski saw the plan for water filling station, will this be available after hours. Mr. Rudy explained positioning and it would be available 24/7. Chairman Bockoski added he is concerned for hours of operation, living outside of town in the township, Sundays is a big trail use day. Would encourage you to look at Sunday hours. Also encourage some camera usage, especially on the deck area.



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Chairman Bockoski questioned Mr. Culp and Mr. Zawadzki on the second item being to not have asphalt or durable surface. If it wasn't paved wouldn't the tree be a moot point?

Mrs. Foley-Nelson asked how many parking spaces are there currently. Mr. Rudy stated 2/3 in the back, even if paved the whole back yard would be 6-8 safe spots at most. Mrs. Foley-Nelson questioned ordinance requirements. Mr. Culp answered one tree for one to ten spots, and in trying to have only one hearing is why this is part of today's request. Mr. Berry asked for rationale on not paving. Mr. Rudy answered costs, significant costs. When initial planning reviewed requirement would be asphalt as well as drainage concern. Residential home to the north and concern for future water runoff to this home if backyard was paved. When researched costs put the end to full paving. Mr. Rudy explained the three diagonally in the alley is enough for his business, had thoughts of offering to others for use if paved but costs prohibiting at this time. If there would be a partnering option in the future would discuss due to the costs.

Mr. Berry questioned the packet for drawings of parking. Mr. Rudy explained one spot in front of the garage, currently parking at an angle behind the garage in the grass. Mr. Berry questioned if putting anything there. Mr. Rudy stated gravel.

Mr. Zell offered to Chairman Bockoski option for discussion regarding paving, consideration of revisiting in two years, after business is on its feet. Chairman Bockoski agreed, discussion on current parking and needs of patrons. Mr. Rudy explained the current public parking that is available directly in front of the building. Mr. Schrumpf added that the restaurant parking needs would rise about the time this business would be closing. Mr. Zell expanded upon his comment, not completely comfortable with not having any asphalt in the rear. And this isn't something we haven't done in the past, revisiting as part of conditions. Mr. Zawadzki asked for clarification, would be reviewing in two years painting and durable materials. Mr. Zell agreed.

Mr. Zell made motion to open public hearing on this matter. Mr. Schrumpf second. All present in favor.

Chairman Bockoski stated public hearing is now open. Reminding anyone wanting to speak on this matter make sure you have signed in, step to podium and state name and address. No public comments.

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

Chairman Bockoski asked if any Board comments. Mr. Zell verified seating numbers and if required a limit. Discussion on Plan Commission recommendation of 16. Chairman Bockoski asked Mr. Culp for wording for the two-year review. Mr. Culp suggested an approval valid for two-year timeframe requiring a return to the Board for variance approval to be extended, terminated, or modified. This way it is clear to everyone what is expected.

Mr. Zell made motion to approve Docket#- BZA-1122-31-NC as presented with the following condition:

Outdoor seating limited to 20 seats. Mr. Berry second.

Mr. Bockoski-yes, Mr. Berry-yes, Mrs. Foley-Nelson-yes, Mr. Schrumpf-yes, Mr. Zell-yes. Motion carries.



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Mr. Culp stated recommendation of the motion: The Docket# BZA-1122-32-NC would be approved with the condition that valid approval is for two years after which would be reevaluated to determine whether the approval would be extended, modified, or terminated.

Mr. Schrumpf replied so moved.

Mr. Zell approve, Mr. Schrumpf approve, Mrs. Nelson approve, Mr. Berry deny, Mr. Bockoski approve. Motion carried 4-1.

Mrs. Foley-Nelson made motion to approve BZA-1122-33-NC as presented. Mr. Zell second.

Mr. Schrumpf approve, Mr. Zell approve, Mr. Berry approve, Mrs. Foley-Nelson approve, Mr. Bockoski approve. Motion carries.

6. Plan Director's Report: Mr. Zawadzki gave summary of directors' report. Permit revenue for month of October 2022 \$9099 ytd \$162231. October 2021 month revenue was \$12501 and ytd 2021 \$121033. For the month revenue was down \$3402 and up ytd \$41198. In October issued 33 building permits- 25 in town limits and 8 in township. Estimated costs of projects \$3.4 million. Other updates, Auburn Estates 62 lots in section one only 4 left. In Tamarack there are 69 lots in section four with 18 left for permitting. Also last few months dealing with IDEM audit regarding MS-4, which is storm water runoff, overall good report expected with just a couple opportunities.

7. Chairman's Report: Chairman Bockoski reminded everyone that January would be time for elections.

8. Legal Counsel's Report: None

9. Public Comment: Chairman Bockoski asked if any public comment.

Steve Smith Cicero Fire Department 1359 Stringtown Pike, changes in Fire Dept and one of the things is planning. Trying to meet with all the 501-C3's, now trying to fill the gap with the departments for planning/safety purposes.

10. Board Member Comments: No comments.

11. Next Planned BZA Meeting: December 22, 2022

12. Adjournment: Mr. Schrumpf made motion to adjourn. Mr. Zell second. All present in favor.

Chairman: Michael By

Secretary: Deanna Schrumpf

Date: 1/19/23

Location:



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Red Bridge Park Community Building
697 West Jackson Street
Cicero, IN 46034