



CICERO/JACKSON TOWNSHIP PLAN COMMISSION

Hamilton County Tiff
PC-# 0123-01-NC Ian Heuer/Heuer Homes

Plan Commission Meeting Minutes

January 11, 2023

7:00 p.m.

Cicero Town Hall
70 N. Byron Street
Cicero, IN 46034

Roll Call of Members

Present:

- ☐ Dan Strong
- ☐ Chris Lutz
- ☐ Jenna Majors
- ☐ Mark Thomas
- ☐ Harrison Massonne
- ☐ Marc Diller
- ☐ Dennis Schrumpf
- ☐ Eric Hayden
- ☐ Aaron Culp- Legal Counsel
- ☐ Frank Zawadzki- Plan Director
- ☐ Terri Strong - Recorder

Absent:

Corey Burkhardt

1. **Declaration of Quorum:** President Strong declared a quorum with 8/9 members present. Welcome to Eric Hayden as well as two new members, Jenna Majors and Mark Thomas, representing Jackson Township as well as Cicero.
2. **Approval of Minutes:**
Mr. Schrumpf made the motion to approve Minutes from PC Meeting: November 9, 2022. Mr. Lutz second. All present in favor.
3. **Public Comment:** President Strong explained that this is the time for public comment for items outside the items not on the agenda tonight. Seeing no one tonight, will move on.



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4. Old Business: No Old Business

5. President's Report: President Strong offered to move to later in meeting if so desired.

Election of Offices:

Mr. Strong opened nominations for President.

Mr. Schrumpf made motion to elect Mr. Strong for President.

No other nominations.

Mr. Hayden made motion to close nominations. Second by Mr. Lutz.

All present in favor of Mr. Strong as President.

Mr. Strong opened nominations for Vice-President.

Mr. Lutz made motion to nominate Mr. Schrumpf for Vice-President.

No other nominations.

Mr. Massonne made motion to close nominations. Mr. Lutz second.

All present in favor of Mr. Schrumpf as Vice-President.

Mr. Strong opened nominations for Secretary.

Discussion ensued with nomination of Mr. Hayden for Secretary.

Mr. Thomas made motion to close nominations. Mr. Schrumpf second.

All present in favor of Mr. Hayden as Secretary.

President Strong congratulated everyone and shared that the position to the Board of Zoning Appeals previously held by Liz Foley-Nelson would need to be filled. Representative from the Plan Commission would be to be filled. Discussion on restrictions, no TC members, Mr. Strong cannot be due to new role, Mr. Schrumpf is already on the BZA.

Mr. Thomas made motion to appoint Mr. Massonne to the Board of Zoning Appeals. Mrs. Majors second. All present in favor.

6. New Business:

Hamilton County to present information on the formation of a Tax Increment Financing (TIF) District. The Plan Commission will be voting on whether the proposed district complies with the comprehensive plan after hearing the presentation.

Cam Sternes 1 Union Square, Indianapolis. Speaking on behalf of the Hamilton County Redevelopment Commission.



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Looking to establish a new redevelopment area for TIF, known as 31 north. Process is to determine if said area is consistent with the comp plan for the area covered by a plan commission. Also is an area 276th that previously was determined that did not go through this step. So, there are two areas that are being approved by the plan commission. They both come from the same stature and speak to the same requirements that are determined by PC, intending to capture those revenues to enhance infrastructure in the areas consistent with any plans that are covered by the comp plan. That is a summary.

Next step is a resolution to be considered by the Hamilton County Commissioners, after which there will be notification of a hearing, and receive a tax impact statement with impact to property taxes to property owners. Redevelopment Committee would then hold another hearing and then consider a resolution to County for a perpetuity resolution. Several steps to go yet.

President Strong clarified that this does not require a public hearing at the Plan Commission level. If there are any people with questions we would consider. Any Board member with questions?

Mr. Schrumpf asked if any existing property in this TIF district that the town or township is receiving taxes from, will that money remain, will the county receive the TIF money. Mr. Sternes answered that any current revenues will continue to flow to the overlapping units that have been received from that district. The TIF district would only capture the growth from current value to its increased growth over time for the period that exists capped by stature.

Mr. Schrumpf asked what is the cap. Mr. Sternes replied 25 years from the date of any obligation.

Mr. Thomas verified what it is currently is the base and anything forward in tax would go to the county.

Mr. Sternes answered that portion of the property taxes would be captured by Hamilton County Redevelopment Commission for investment and structure improvements. Simplified explanation that essentially the base stays with the town/township.

Mrs. Majors asked after the 25 years, does it come back to the township, and they have to maintain the roads/infrastructure that is put in. Mr. Sternes answered it depends, if the items (road/water main) were to be dedicated to Cicero (example) yes, otherwise the county would continue to own and maintain.

Revenues collected during the period remain with the Redevelopment Commission. However, at the end of the 25 years, the assessed value would be subject to division upon the units. Example given.

Mr. Culp stated it is important to note, the ownership is important to note, currently the township roads belong to the county. County would have to maintain unless they would be annexed out there in the future. Also, the same for whomever owns the utilities out there, they would have to maintain moving forward. It is a bit different because townships don't own utilities and don't build roads like a city/town would.

Mr. Thomas verified that at the end of the 25 years, the monies then go back to the township, any increase in value. Answer was correct. Mr. Thomas questioned if the TIF area at 276th and 31 becomes a part of this zone. Mr. Sternes explained that Indiana has three allowable groups, Rezone Commission, Redevelopment Economic Commission, and Rezone Authority and are all similar to each other. The area at 276th was previously designated by the Hamilton County Rezone Commission and would stay the same. Two different blocks of property.



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Mr. Thomas stated he thought at the beginning of the presentation they were becoming one. Mr. Sternes stated not one, want to double back and clean up the 276th Street approval path. Everyone has been proceeding as if it exists anyway but wants to make sure it has been documented properly. US 31 north, will be tracked separately for TIF. The monies collected are only spent in occurrence with items that serve to benefit or enhance the geography of the area. Not to be spent in other areas of the county.

Mr. Culp added what we are reviewing is not ways to finance but whether we believe the development proposed fits in with our comprehensive plan.

Mr. Strong added the TIF district is the by-product, one reason is to have monies for infrastructure.

Mr. Strong asked if the representatives from Jackson Township, Mrs. Duncan or Mrs. Cook have questions.

Answer was questions were answered and no more at this time.

Mr. Strong stated we have a couple of orders. Never having seen "orders" in years of PC, read through them and understand the process. Explanation of process was stated, and Mr. Strong questioned if any questions by Board.

Mr. Strong stated the 276th Street Economic Development is Order #1-11-2023-01, and the US 31 North Economic Development Area is Order #1-11-2023-02, reminder motion is: if meet the requirements of the comprehensive plan of the Cicero/Jackson Township Plan Commission 1-2 would want to approve, or if board does not think they would meet we would not approve.

Mr. Lutz made motion to approve Order #1-11-2023-01. Mr. Massonne second.

Mr. Lutz-approve, Mrs. Majors-approve, Mr. Thomas-approve, Mr. Diller-approve, Mr. Schrumpf-approve, Mr. Massonne-approve, Mr. Hayden-approve, Mr. Strong-approve. Motion passed 8-0.

Mr. Lutz made motion to approve Order #1-11-2023-02. Mr. Massonne second.

Mr. Diller-approve, Mr. Schrumpf-approve, Mr. Massonne-approve, Mr. Lutz-approve, Mrs. Major-approve, Mr. Thomas-approve, Mr. Strong-approve. Motion passed 8-0.

Docket #PC-0123-01-NC

Petitioner: Ian Heuer/Heuer Homes

Property Address: 120 North Peru Street, Cicero, IN 46034

An Aesthetic Review application has been submitted concerning Article 5 Aesthetic Review Overlay District for the property at 120 North Peru Street, Cicero, IN.

Ian Heuer 25555 Scherer Ave, Arcadia, IN 46030 The existing Gas America site to use the existing structure and split into two suites of offices. Not a lot to do with the aesthetics of the building, adding shed doors to break up the roof line. Mr. Strong reminded that are here to address the aesthetics of the building, may need to get variances in the future but tonight is the aesthetics.



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Mr. Thomas addressed the right street (19) elevation is very flat, know there are bathroom and a window but what is the goal? Mr. Heuer explained the goal is to leave the window, bathroom access from the street side will be eliminated, perhaps adding windows not positive of total inside layout. Mr. Thomas indicated windows would be aesthetically pleasing instead of a flat wall. Mr. Heuer stated reception area on the southeast corner would have a window. Mr. Thomas asked if this is something they need to come back for. President Strong replied that it can be approved based on what is being said this evening or have the option for them to come back before the Board. Mr. Hayden asked about the west side. Mr. Heuer stated would like to add a window but depends on what is found during demo, goal is to have more. Mr. Hayden asked if parking is on the discussion topic. President Strong stated yes. Mr. Hayden asked about property line to the railroad tracks? And what is the plan? Mr. Heuer stated the area with wire is the property line, the cars that currently park on the west side of the wire are on the railroad easement. Mr. Heuer stated proposing a layout for the space not sure have a solution for that side. Mrs. Majors asked previously entrance/exit was on Hwy 19, this plan appears to have entrance only on Cass Street and exit only into the railway easement. Mr. Heuer explained from a safety standpoint always try to avoid more traffic onto 19, after speaking to Frank may have an issue using the easement so may need to reevaluate that strategy. This is what made the most sense safety wise. President Strong explained that the plan showing exiting to the railroad easement would have to have approval by the railroad but would also be an item that goes before the Board of Zoning Appeals, access would not be part of aesthetics. Mr. Culp stated access is determined by the Port Authority, the Plan Commission does not have the right to grant permission. Without something in writing they could close it off at any time. Mr. Lutz stated if someone parks in that easement the town would not be able to do anything. Mr. Thomas asked how many employees are expected and is there enough parking. Mr. Heuer stated currently have 13 spaces and have 6 employees, some are out of office most of day. Expect 4-5 spots taken at any time. President Strong added that Mr. Thomas has good question, 13 employees ordinance requires one for each even if not there, plus one space for every 250 square feet of building. Mr. Heuer stated he was aware of the need for variance for parking. Mr. Heuer estimates the number needed is 18. President Strong stated working with Mr. Zawadzki can help you with this process. Mr. Thomas asked what kind of business are you be operating. Mr. Heuer a home builder and the other suite would be brother that operates a real estate office. Mr. Lutz on right side street elevation, where the sidewalks are what is landscaping plan. Mr. Heuer stated keep landscape area that would between the city sidewalk and the building. Mr. Lutz asked if enhancing the landscape portion, looking to enhance the view especially in aesthetic overlay. Mr. Heuer added Southwest/east corners to enhance. President Strong stated usually see the landscape plan for aesthetics. Mr. Massonne asked about the dormers and signage. President Strong stated signage is typically discussed here and included a couple pictures. Mr. Heuer explained signage would be part of the dormers, backlit with led or whatever the city has standard for. President Strong stated there is a standard for everything. President Strong added regarding signage, currently there is a pole sign, that sign is considered abandoned per ordinance. If you are planning on using, you would need to go through the Board of Zoning. Mr. Heuer stated he was looking to do lamppost type to add lighting for the walk. President Strong stated 100 sq feet as a single tenant but typically businesses have other signage such as hours on the doors, etc. Mr.

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Heuer stated a frosted glass on door, currently have with hours. President Strong asked additional signage in the additional windows. Mr. Heuer stated no. President Strong asked if other questions by board. Hearing none asked what type of lighting is planned, parking lot light or can lighting, etc. Mr. Heuer stated there is a four-foot overhang on southern side planning on can lighting. Also talked about lighting on east side to add for sidewalk, no plans for parking lot. President Strong stated painting building, help us to understand colors of building. Mr. Heuer stated the building to the south is a charcoal gray, looking to do a lighter gray, if roof has to be replaced it would be a black shingle. Dormers would have metal, a black matte.

President Strong asked if other questions by Board and stated does not require a public hearing as an aesthetic review.

Mr. Culp stated where it is located can see the need for signage to indicate the parking is only for his business. Mr. Zawadzki also a one-way sign for parking. Mr. Heuer asked who would be responsible, the town or myself. Answer was his business. Mrs. Majors stated if Port Authority is granted, and access is blocked from Hwy 19 signage isn't needed as you only have one entrance from Cass Street. Mrs. Majors also asked if your hours are 9-5 are you blocking off the Cass Street entrance or open to public use. Mr. Heuer stated not opposed to public use. President Strong suggested if the Board approved, Mr. Zawadzki could have discretion on the additional signage if under the 100 square feet, and perhaps the few other things we haven't seen. Will look for guidance from the Board on how we go forward. Discussion ensued on options.

Mr. Thomas made motion to approve PC 1-11-23-01-NC as presented with Mr. Zawadzki review/approval and signage to not to exceed 100 square feet.

President Strong answered the question -it is a total of 100 square feet, if more is needed would need to be on the BZA docket.

Mr. Lutz second. All present in favor. Passed 8-0.

6. **Plan Director's:** Mr. Zawadzki-permit revenue for December 2022- \$5279, YTD \$175329. December 2021 \$11982 with YTD 2021 \$152859. Monthly revenue was down \$6703 and YTD +\$22470. For December issued 18 building permits of which 12 are within corporate limits and 3 were new homes and 6 in township, no new homes. Projects totaled an estimated \$904,815. Also, to update, Auburn Estates 62 homes in section 1, all are permitted in varying state of construction. Tamarack subdivision section 4 had 69 lots, with only 15 left for permitting. Other news received IDEM MS-4 inspection, official report card came in, received a passing grade with a list of requirements. Due to timing asked for an extension granted until 2/28/23. Have a list and a plan to get completed.
7. **Legal Counsel's Report:** Mr. Culp stated sometime in next few months wants to find time to do a training session. Expect 30-40 minutes for presentation, and same for questions. Will plan on a short meeting day, if anyone has questions or want to add, please email or call.
8. **Board Member Comments:** Mr. Lutz stated regarding the TIF district, we maintain planning jurisdiction being Cicero/Jackson Township. There has been discussion of overlay district as well as comp plan updates.



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While may not receive the tax review still have the impact of what goes out there. President Strong stated regarding the overlay district, we will be reaching out to develop our committee, determine what it looks like. As well as the 276th Street district, we have received questions about zoning already. Planning ahead will be looking at comprehensive plan this summer, ordinance updates, rezoning possible areas. Mr. Lutz challenged board members to be thinking what it looks like, especially as they travel to other communities. President Strong gave example of what side does building face if there is an access road.

9. **President Comments:** President Strong thanked everyone for attending and new member participation. There should be a Findings of Facts sheet in your packet, please take time to fill that out. Appreciate everyone being engaged in the discussion.

10. **Next Planned Plan Commission Meeting:** February 8, 2023, to be held at the following location:

Cicero Town Hall
70 N. Byron Street
Cicero, IN 46034

11. **Adjournment:** Mr. Schrumpp made motion to adjourn. Mr. Diller second. All present in favor.

President: 

Secretary: 

Date: 2/08/2023

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