



## CICERO/JACKSON TOWNSHIP PLAN COMMISSION

### Plan Commission Meeting Minutes

May 15<sup>th</sup>, 2024

Cicero Town Hall

70 N Byron Street

Cicero, IN 46034

#### Roll Call of Members

Present:

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

Absent:

Chris Lutz

1. **Declaration of Quorum:** President Strong declared a quorum with 8/9 members present and thanked all members for attending.
2. **Approval of Minutes:** Mr. Schrumpf added addition to the minutes: on item 5 (new business) it was approved 8-0 with only seven names. Mr. Schrumpf's name to be added as approved. No other additions or corrections.

Mr. Schrumpf made motion to approve Minutes from Plan Commission Meeting on April 10<sup>th</sup>, 2024 with the addition indicated above. Mr. Massonne second. All present in favor.

3. **Public Comment:** President Strong stated now is time for any comments or questions regarding items not on the agenda. No public comment.
4. **Old Business:** No old business.
5. **New Business:**

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## CICERO/JACKSON TOWNSHIP PLAN COMMISSION

**Docket#** PC-0524-02-NC

**Petitioner:** John Lewis (Cicero Chiropractic)

**Property address:** 209 S Peru Street, Cicero, IN 46034

An Aesthetic Review application has been submitted concerning Article 5 Aesthetic Review Overlay District for the property located at 209 S Peru Street, Cicero, IN.

John Lewis 209 S Peru Street, Cicero. Proposing to move sign from current location to middle of plat B. Since sign was damaged in storms, moving from the south side of the property to the middle of the property since adding parking lot on the northside. This would center the sign in the middle of the business. First proposal was a pole sign. After speaking to both Frank and Dan, the pole sign is out. Solution is to take 4x6 buried in ground and then secure poles sticking up from there approximately 4 inches. Allows for some landscaping around bottom of sign. Other packets had lighting, solar, after submitting realized the two large trees will prevent them from working and looking at hardwiring lights like lights previously.

Mr. Thomas asked if placement of sign is where the temp sign is currently. Mr. Lewis answered yes, place to see visibility and ensure no blockage from Spring Street to 19. Have no complaints. The new sign would be smaller than current temporary sign. Mr. Hayden asked four inches from ground, a 2x6 under there, thought we could have a gap of four inches. President Strong replied, we agreed there could be a four-inch gap that would not have to be filled in. Landscaping standards would hide the gap. Mr. Hayden questioned if the 6x6 under would be needed. Mr. Zawadzki replied need to fulfill the ordinance. Mr. Zawadzki stated pole signs are prohibited, a monument sign is defined as bottom edge of sign is on the ground it qualifies as a monument sign. Mr. Hayden expressed concern about the definition. Discussion ensued on definitions. Mr. Zawadzki stated that gap is not mentioned in the ordinance, for the record. Edge of sign can not be more than four inches from the ground. Mr. Hayden was informed that Chapter 16 was the ordinance definition. Mr. Culp talks about from the ground, it doesn't talk about filling in the space, otherwise it would be on the ground and the four inches would be maximum. Mr. Hayden stated he isn't talking about this situation, but it can look a whole lot worse than a gap. Mr. Culp added that he felt it was stated that way to allow landscaping. Mr. Hayden questioned if raised bed is the four inches from that. Mr. Zawadzki stated the original ground level, landscaping is above the ground. Mr. Hayden stated for the rest of the Plan Commission, it is worth looking at our sign ordinances. Other signs observed, including the Town offices sign, are above the ground and could even be considered a pole sign. President Strong stated Mr. Lewis could have put back in place as a pole sign, considered a Legal Non-conforming sign, because it was previously in place prior to ordinance changes. But by moving it, it would lose the Legal Non-Conforming status.

Mr. Hayden questioned if the 6x6 needed to be in place. Mr. Lewis explained the board in question would be above ground four inches, with the poles buried. Mr. Massonne stated like a skirt, the bottom portion permanently affixed.

Determined that the ordinance would need to be reviewed further to prevent issues in the future. Including options on the required landscaping without blocking the actual sign. Mrs. Gillispie stated she thinks of a monument sign of having a cement base that isn't part of the sign. Understanding was reached with Mr. Lewis on his design.

Mr. Hayden made motion to approve PC-0524-02-NC as presented. Mr. Thomas seconded.

Mrs. Gillispie-approve, Mr. Massonne-approve, Mr. Diller-approve, Mr. Schruppf-approve, Mr. Thomas-approve, Mrs. Majors-approve, Mr. Hayden-approve, Mr. Strong-approve 8-0 approved.

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## CICERO/JACKSON TOWNSHIP PLAN COMMISSION

**Docket#** PC-0524-03-NC

**Petitioner:** Gregory Nemeth (Gin Auto Works)

**Property address:** 150 N Peru Street, Cicero, IN 46034

An Aesthetic Review application has been submitted concerning Article 5 Aesthetic Review Overlay District for the property located at 150 N Peru Street, Cicero, IN.

Gregory Nemeth 150 N Peru Street, Purchased this building and want to paint more modern look, gray, blacks. Clean up the parking lot and present a more modern look. The sign would stay in the same location as current sign. Sign dimension 22.75 x 192.25 described as presented. Broken lighting would be replaced, fence has been repaired. Mr. Thomas stated packet says sign would not be lit are you removing the four lights that are shown. Mr. Nemeth stated yes, they would be removed. Mr. Hayden questioned how much square footage of signage is allowed, having this as 364. Mr. Zawadzki stated that should be 32 square feet. Permitted is 36. Mr. Hayden questioned if any other signs, like door signs etc. Mr. Nemeth stated only hours of operations on the doors. President Strong added allowed up to 100 feet of signage. Mr. Massonne questioned the info has two different types of lights are they in different spots. Mr. Nemeth replied the ones have ability to rotate so they don't disturb neighbors. The flat one that does the 360 is the preference, can be aimed down for security. President Strong clarified that the intent with the lighting is to keep for security at night. Mr. Nemeth stated only for security. No additional signage is anticipated by Mr. Nemeth. Mr. Hayden questioned how to word to allow more signage than requested. President Strong stated would not want to leave open ended, however could do "up to" to allow door signage or leave for Frank's discretion additional signage can be approved if door signs were decided.

Mr. Hayden made motion to approve PC-0524-03-NC with a maximum signage of 50 square feet, with the current sign being 32 square feet, anything above needs to go before Plan Director for discussion and approval. Mr. Massonne second. Mr. Schrupf-approve, Mr. Thomas-approve, Mrs. Majors-approve, Mr. Hayden-approve, Mrs. Gillespie=approve, Mr. Massonne-approve, Mr. Diller-approve, Mr. Strong-approve 8-0

6. **Plan Director's Report: Enclosed in your packets.** Mr. Zawadzki summarized as follows: April 2024 permit revenue of \$3624 with YTD of \$14652 compared to April 2023 monthly revenue of \$9758, and YTD of \$32742. This is a decrease for the month of \$6134 and for the year of \$18090. Issued 19 permits, 14 in town limits, zero new homes, and 5 in Township with zero new homes. Estimated cost of projects is \$305258. IDEM requiring Flood Plain Managers to complete certification, have started this process which is a requirement for 2025.
7. **President's Report:** President Strong reported Comprehensive Plan call update, the timeline was requested. Handouts were distributed as well as adding changes will be communicated if there are any in the future from the TEAMS meeting. Mrs. Majors questioned the website being available. President Strong shared that it was confirmed today as being available with American Structure Point. June 1<sup>st</sup> is the Fishing Day and there will be a booth by ASP manned by us to start getting information out to the community. The ball field suggestion was well received and will be adding a booth there. The suggestion of adding QR codes, posters in the community to scan to go to website will be in the works. Want a great job with public outreach to get community involved. Mr. Massonne questioned if Kids Day was advertised as of yet. President Strong will follow up.

President Strong apologized for the sign conversation, felt it brought to the forefront conversations we need to have. Group felt it was good discussion. Mr. Hayden added making the ordinance work doesn't always look good. President Strong don't ever not question if there are items that don't make sense, moving to updating, simplify etc. Mr. Diller questioned if we know when 236<sup>th</sup> is closing. No one is aware of date. Now Little Chicago Road is closed. Tollgate is to start May 29<sup>th</sup>. South from 236<sup>th</sup> to 231<sup>st</sup> area but doing best to keep one lane open.

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8. **Legal Counsel's Report:** Mr. Culp reported that the Town now has two test wells completed, to the east of town. Sewer plant contract has been signed with Reynold's Construction, waiting for final approval. Hoping by July it will be under construction. Going with a BAN (Bond Anticipate Note). Process briefly explained. Rates discussion will take place during the first meeting in June, all the items that impact the rates. Also, one section of annexation which is the church parsonage, which is a voluntary annexation but when done will allow us to connect the trail. Mr. Thomas questioned if Reynold's has the manpower to do since they are working on 31. Mr. Culp said dates are planned but can't move dirt until IDEM. There are some economies of scale with Reynold's doing work in the area. Mr. Hayden questioned Auburn Estates finishing. Waiting on water both Mr. Thomas and President Strong stated.
9. **Board Member Comments:** Mr. Hayden questioned if there was an update to the Winery on 266<sup>th</sup>. Mr. Culp answered they have been before the BZA and denied. The request was for Land Use and to have more yaks than permitted. Both were denied. They do have an option to appeal within 30 days. An appeal the court will review to determine if proper procedures were followed, applied the law correctly and if the evidence supports the decision. Mr. Culp continued by stating when applying to the BZA for Land Use Variance you have to meet five criteria. Mr. Culp explained the criteria. Mr. Hayden questioned if wanted to rezone too commercial. Mr. Culp explained they wanted to make a winery, have events, live music. If the petitioner cannot prove all five criteria, the Board has no choice but to deny. Mrs. Majors explained that she sat in the audience, her interpretation was that they put together a commercial business plan, a commercial sign, commercial parking lot, all to advertise as a commercial business, yet that area is not zoned for commercial use. Mr. Culp explained they knew they had to show hardship, Mr. Zawadzki had explained how important it was, yet they did not address, normally purchase contingent upon approval, appears they purchased and did improvements prior to approval. Mr. Culp added his impression was that since Hamilton County Tourism liked their idea, it was somehow a guarantee they would be approved. Statue for temporary liquor permit was received for their eclipse event. Discussion ensued on the temporary permit and permitting alcohol sales.

Mr. Massonne added that one thing that did come out is a request for Agri-tourism guidelines. Mr. Culp stated our ordinances to not address it and he is hearing more about Agri-tourism in other communities. President Strong said he was going to be disappointed if the topic had not come up and passed out some information to the Board members for consideration for the future on Agri-tourism including map of areas where being allowed. Different communities have different rules consideration on quick approvals or if wanting music as example have to have variance. A lot to consider but have some reading material at your leisure.

10. **Next Planned Plan Commission Meeting:** June 12<sup>th</sup>, 2024

11. **Adjournment:** Mr. Schrupf made a motion to adjourn the meeting. Mr. Massonne seconded the motion. All present in favor.

President: 

Secretary: 

Date: 8/14/24

Location:

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