



## **CICERO/JACKSON TOWNSHIP PLAN COMMISSION**

### **Plan Commission Meeting Minutes**

November 13<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
- Chris Lutz
- Marc Diller
- Mark Thomas
- Eric Hayden
- Aaron Culp - Legal Counsel
- Frank Zawadzki - Plan Director
- Terri Strong - Recorder

##### **Absent:**

Dennis Schruppf (joined late)  
Jenna Majors

#### **Declaration of Quorum:**

President Strong declared a quorum with 7/9 members present.

#### **Approval of Minutes:**

Mr. Lutz made motion to approve minutes from October 9<sup>th</sup>, 2024, meeting as presented. Mr. Thomas second. All present in favor.

#### **Public Comment:**

President Strong invited public to address Board for any item not on tonight's agenda.

Kimberly Chance 3161 E. 246th Cicero. Thanked the Board for posting minutes for the public online for those unable to attend, appreciate the transparency. Want to address the Overlay District, do not oppose in principle, however, bring to attention items related to water and sewer. Reported via Northern Hamilton County Preservation Facebook post regarding meeting with county. Concern for the overlay district document is the requirement to hook up to water and sewer. Sewer is requirement of state statute, but water is not. Concern for many residents that want to keep their wells, they are not interested in recycled water. I want to bring to attention as the ordinance is written, not making it a requirement.

Mr. Culp explained that these standards would not apply to residents but are for commercial purposes. Mrs. Chance stated she understands, but if not clearly stated it could be changed from what she understands. Not the expert but feels it will be



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an issue for the Utility District and does not want it to be an issue for Cicero. Mr. Culp stated this is strictly for commercial not residential.

President Strong suggested a modification to the agenda for New and Old business to be swapped.

Mr. Thomas made motion to adjust agenda for Old Business to after New Business. Mr. Massonne second. All present in favor.

### New Business:

**Petitioner:** Meticulous Holdings LLC

**Property address:** 22698 State Road 19, Cicero, IN 46034

**Docket:** PC-1124-43-C3

An Aesthetic Overlay District application has been submitted for the property located at 22698 State Road 19, Cicero, IN 46034.

Tim Fox 22698 St. Road 19, Cicero. Looking to modify a couple of improvements to the property. Handout passed out. In need of a hoop house which is a greenhouse, a permanent greenhouse. Space to store seasonal flowers, spring annuals, summer annuals, and fall flowers. Currently using roadways in the barn, which is taking a lot of space. We want to build 96x20feet hoophouse, utilizing a shade cloth to allow rainwater to soak through, wanting to also use bare ground, not stone as the floor surface. Rainwater and how we water, would go directly to the ground. It is permanent structure but once we build a new barn this could be relocated. The three evergreens and privacy panels on the east side of the hoophouse would soften the view from Hwy 19. Privacy panels would be what would be seen with the evergreens to soften the look. Mr. Massonne questioned the information handed out. The one with the yellow highlighting is the one discussed. Mr. Fox stated that he was not going to use it to store year-round, it would only be used seasonal. Do not plan to use the plastic, we plan on continuing to use the mulch bed areas for shrub storage if needed. Mrs. Gillespie questioned "takes a vacation" meaning take the cover off. Mr. Fox stated no would leave the shade cloth in place unless winds are an issue. Mr. Thomas asked if open ended. Mr. Fox stated yes, may use a second cloth for the west end winds. Mr. Hayden questioned what the Board is looking at. President Strong stated the greenhouse, privacy fencing, and shrubs. Mr. Lutz questioned the materials handed out. The proposed future new office and new barn causing confusion on materials handed out. Only thing in question is the proposed hoop house. Discussion commenced on the materials handed out showing the future. Mr. Fox explained that the location is for convenience of watering, until new items are to be built. Mr. Thomas asked how far off 19, is the hoop-house. Mr. Fox answered can't answer, the picture is not too scale. Explained comparison to barn.

Mr. Hayden made motion to approve PC-1124-43-C3 to add the hoop house/greenhouse per the plan with the trees and privacy screening. Mr. Thomas seconded the motion.

Mr. Massonne-approve, Mr. Lutz-approve, Mr. Diller-approve, Mr. Thomas-approve, Mr. Hayden-approve, Mrs. Gillespie-approve, Mr. Strong-approve. 7-0

President Strong stated approve, continue to work with Mr. Zawadzki on necessary items. Also thanked Mr. Fox for what he has previously done when before the Board, and he had always done what has said would be done. Mr. Fox stated he can't wait to build in the future.

**Petitioner:** KP's Trailer/Eric Scherer

**Property address:** 22610 State Road 19, Cicero, IN 46034

**Docket:** PC-1124-44-C3

An Aesthetic Overlay District application has been submitted for the property located at 22610 State Road 19, Cicero,





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IN 46034.

Eric Scherer 22610 State Road 19, KP's Trailers. Per the BZA last year, one of the conditions was to get signage in 2024. Blue square on slide is the location of the sign with landscaping. Per 10.5 foot back from easement and will be following all the items for monument sign. Listed as 60 sq feet per side, no more than 6 feet above base that it is mounted on, and 10 feet from rite away on St. Rd. 19. Example of sign shown as well.

Mr. Thomas questioned if approved to operate business out of home. Mr. Scherer stated correct. Mr. Culp added that the trailer was allowed until permanent signage was arranged. Mr. Scherer stated correct, and the trailer would then go away with signage, also permit was equipment to go away. Would like to keep the equipment there but know that is not for this Board, have skid steer out there, so following the permit allowance to keep until sign is installed then trailers and equipment would be removed from the front of the property. President Strong stated would ask you continue to work with Mr. Zawadzki for any changes. Mr. Lutz asked if there were any comments from Mr. Zawadzki. Mr. Zawadzki stated this sign does fit the monument standards to the letter. The BZA had placed the condition to have this during this calendar year. The monument sign is permitted along with landscaping, which is what is being presented to the letter. President Strong asked for details on lighting plans for the sign. Mr. Scherer stated LED lighting in the landscape, verify 30–45-degree angle away from road. In the landscape currently, I'm not sure if solar or electric at this point. Mr. Massonne said he thought looked great, concern for maintaining. Mrs. Gillispie asked when it would be done. Mr. Scherer stated after approval, will contact sign company, not sure of lead time but before end of December.

Mr. Hayden made motion to approve Docket PC 1124-44-C3 as presented. Mrs. Gillispie second.

Mr. Thomas-approve, Mr. Hayden-approve, Mrs. Gillispie-approve, Mr. Massonne-approve, Mr. Diller-approve, Mr. Lutz-approve, Mr. Strong-approve. 7-0

### Old Business:

Overlay District discussion. President Strong reminded everyone that they agreed to move forward with the boundaries for newly established Overlay District. Talked about the boundaries would be defined by the created Hamilton County TIF district on the east side of US 31. Also, Cicero/Jackson Township district would be extended to include area from 276<sup>th</sup> to 296<sup>th</sup>. That area is not part of the HC TIF district. Identified on the map as the bright yellow area. Discussion also included last month's possibility of using HC document as template to start. President Strong continued with recap of last month and asked how the group wanted to proceed, item by item or open discussion. Mr. Culp stated he understood why request for residential protection was brought up, the language has not been added as intended. The language would be to make clear it is only in the event that commercial development takes place. There is a paragraph that makes clear it is not intended to say we want commercial development, but this would kick in if commercial development was proposed/approved. President Strong added that this is driven by listening to the residents in the Township and town, a placeholder for the future.

Mr. Lutz questioned if there was issue using current standards. Mr. Culp explained the current overlay design standards are based for here in town. We are not sure they are the standards we want to use along 31 may want different. They are standards that would be used in the event of a parcel through a rezone or a variance if a parcel becomes commercial. This would require this board to review the project. We are not adopting the County's Permitted Uses; our intent is to not allow new permitted uses at all. Mr. Thomas clarified that this is preliminary before the Comprehensive Plan is done, for them to come before us. Mr. Culp stated he would look at this as a bridge before the process is complete. President Strong explained that currently they would not have to come before us for aesthetics, they would go before the BZA for Land Use, or Special Exception, and they could pretty much build what they want. If we use the current ordinance, it will get them before us but does not have specific standards. By creating Overlay District and putting standards in place today, they would know that we require a specific standard. Example given as stone façade on front, or more buffering on resident side, etc. Also to protect the residents in the area. Mr. Hayden questioned requirement of two-story building and the gas station. President Strong explained that if it was a one-story they would have to seek a variance, depending upon the ordinance. Mrs. Gillispie





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questioned the primary façade facing US 31 versus the neighborhood. President Strong stated last meeting, Mr. Lutz discussed this last month as potential for two façades. Mr. Lutz stated what we are trying to come to consensus tonight. Mr. Lutz stated he felt the document wasn't perfect but a starting point especially with the speed that we are trying to get the document in place. Mr. Massonne stated it sounds like we make modifications now and more in the future. Examples given from 69, Carmel, Westfield regarding landscaping, 100 feet from right away. Mr. Lutz stated he feels the buffer zone needs to be enlarged. Discussion commenced on some of the other town's requirements. Mr. Lutz maintained that it needed to be more of a rural feel instead of industrial. Mr. Hayden stated he felt 31 is the gateway to Hamilton County and needed to consider that. Mr. Massonne stated he feels east, and west should be primary sides, all facing US 31 and/or east should resemble building fronts. Many agreed. President Strong stated he is taking notes, and what he is hearing is Mr. Hayden wants to start with the document and incorporate the items we have discussed so far today. Or do we want to start from scratch? Consensus was to start with the document. Mr. Culp suggested coming back with a draft next month, then going to public hearing portion. President Strong recapped his notes on the comments. Using the document/map as reference, discussion commenced on the buffer zone comments made earlier. Discussion on having two primary sides, 31 side along with the potential of an access road facing residential or other businesses. Mr. Zawadzki clarified that the 31 side would be the natural looking buffer, and the other primary façade (east) would be a more manicured look. Mr. Thomas stated there could be the potential of three façades.

Mr. Thomas asked if there were any other conversations besides McClure's. President Strong stated he is not aware of any other than rumors that a hotel might go in. Mrs. Gillispie questioned if a hotel would this cover concerns. President Strong stated as we start to look ahead we will have permitted uses and tying into different designs. Mr. Thomas stated after the Amory is done he would say things are coming.

Mr. Lutz stated we go forward with a one story would it go to the BZA. Mr. Culp answered go through the BZA or we have to modify our ordinance. What could be done is to identify a separate category. President Strong would that be after this is done, to separate into as an example of four districts. Mr. Culp said yes, it would be a good thing after the Comp Plan. Mr. Lutz questioned if he went with this document, and someone came with a one story would it be legally possible. Mr. Culp stated hard to say with an abstract example. Development Standards Variance guidelines discussed.

Mr. Thomas questioned what if identified what businesses would be one story gas stations, restaurants and added that to the document. Mr. Lutz expressed concern for speed of document implementation. Mr. Hayden shared information regarding Carmel and standards and BZA requirement. Discussion ensued. Mr. Massonne and Mr. Thomas questioned the height requirement for one story. President Strong stated we didn't want to make complicated but could put requirement of 18 feet for one story with max of five story. Discussion ensued on examples. When questioned about County, Mr. Culp shared that they want bigger developments, thus the reason for two story requirements.

Preserve the area along 31 as the bigger developments. Dunbar being the western boundary. Mr. Thomas suggested going with two-story until finalized. Mr. Hayden expressed concern for Cicero. President Strong answered the Comp plan would be done approximately the end of first quarter. Discussion ensued on moving ahead. Mr. Massonne discussed the four bullet points. First page: Leaving one and two, Striking the promoting mixed use development paragraph. Added a general statement: US 31 is a four-lane limited access highway; further purpose of the US 31 Overlay is to preserve the aesthetic qualities of the bordering properties through coordinated developments and architectural standards. Discussion on adding boundaries. Page 2: Setback discussion commenced. President Strong questioned if anticipate residential building along US 31 and impact on the eastern edge. Mr. Massonne stated he wanted to make sure something was there to protect buffer with commercial to residential. Mr. Massonne discussed outside storage; we do not typically allow so strike it from list. President Strong questioned dumpster areas as example. Mr. Thomas stated this could be changed in future with fencing or screening. President Strong questioned possibilities could have a chain-link fence with slats in it. Mr. Massonne stated matching the façade. Discussion ensued on dumpster areas. Mr. Massonne listed next point bullet C section 8, with the look of the buildings. Page 118. Mr. Culp shared what he thought, that the section was to prevent square boxes. President Strong stated he felt it could be left and do research to determine what that section is truly meaning. Mr. Massonne also addressed four corner shapes of buildings section. President Strong stated he feels will have a lot worked out





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before something comes before us. Mr. Lutz added if you made a note of it, throw it out so it plants a seed for future discussions.

Mr. Culp announced Mr. Schrupp has joined the meeting.

Mr. Massonne page 119 DG3, discussion on materials to be required. EFIS requirements and levels. President Strong questioned if it was used for hospitals etc. Mr. Massonne stated there are various levels of EFIS. President Strong questioned if there is level or grade that would be recommended. Mr. Massonne explained that there are different types of EFIS. Same section, item 6, use of masonry materials, add east facing. Page 120 X, retractable awnings would be allowed, Mr. Massonne stated he didn't know what these are. Discussion on fabric/retractable awnings. Mr. Massonne recommended on commercial buildings no guttering. Mr. Zawadzki stated only if a flat roof. Determined to leave gutters for future discussion. President Strong opened discussion on flat roofs, determined to leave for future discussion. Mr. Lutz expressed appreciation for the details and thought Mr. Massonne has brought to the discussion. Mr. Massonne page 122, item 3, looking at screening of mechanical equipment. Landscaping standards for US 31 will send to members. Also do not feel signage standards were hit upon in the document at all. There should be some signage standards in our ordinance. Pathways with frontage roads should be part of a development. President Strong stated he felt page 117 addressed some rezone items but not the aesthetic side. Discussion on whether a committee is needed or Plan Commission role. Mr. Lutz asked if someone could come through to the Plan Commission with hypothetical project and ask questions. Recognizing that Mr. Zawadzki and Mr. Strong act as committee to answer questions prior to Plan Commission. President Strong stated years ago had a committee, where the petitioners would review information prior to going to the Plan Commission. Mr. Lutz questioned if that was needed. President Strong stated hasn't been an issue because we haven't had a lot to deal with but moving forward could be an asset as we get more projects to review and deal with. Looking at thoroughness of information before coming to the Plan Commission. Mr. Lutz asked if Mr. Strong was in favor of establishing a committee. President Strong stated if not with this draft, in the future certainly. Mr. Thomas stated as projects come forward, one is ok but if five, a committee may be needed. President Strong stated could see an Aesthetic committee, a subdivision committee. Being prepared becomes particularly important. Appointed committee, PC members, or others that would be appointed. President Strong indicated previously there were three individuals on the committees.

President Strong addressed that a name for the Overlay district would be needed for Mr. Culp moving future. President Strong stated he used US31/Jackson Township Overlay District for a placeholder. Mr. Culp explained next steps discussed as: more detailed document incorporating items discussed tonight would be at December meeting. If happy with it, would need public hearing in January if satisfied with document. Then if positive recommendation would go to Town Council.

Discussion of height requirements in the document. Mr. Massonne stated he would like 30 days to research. President Strong stated he didn't know standard for a story, so would like to research that as well. Mr. Culp suggested leaving as is and knowing it could be crossed out and changed at next meeting. Mr. Zawadzki stated he doesn't like stories, would prefer a minimum and maximum height requirement. Mrs. Gillispie questioned a warehouse being two stories high inside. Definition of two stories needed. President Strong asked if other topics besides heights that have not been addressed for changes. Mr. Hayden also addressed the setbacks, 45 feet setbacks on the sides to existing residential properties. Boundaries of the district is discussed being more than just US 31.

President Strong stated if have additional comments to please get to Mr. Zawadzki or himself in next week.

**Plan Director's Report:** Mr. Zawadzki highlighted report which was in the packets to the members as follows. October 2024 permit revenue was \$6976 bringing YTD \$53370. October 2023 permit revenue was \$13255 and YTD of \$85465. Difference for month was -\$6279 and YTD -32095. Building permits issued for month were 25 with 18 in town limits, zero new homes





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and 7 in the township with one new home. Estimated cost of permit projects is \$1700889. Next meeting is BZA on November 21.

**President's Report:** President Strong just wanted to thank everyone for the spirited conversation and attendance.

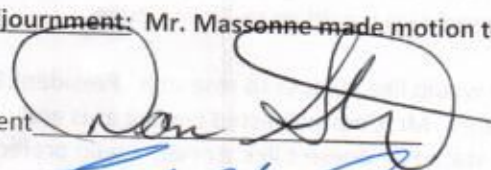
**Legal Counsel's Report:** Mr. Culp shared that Adams Township and Sheridan reorg was approved. January 1, 2025, all of Adams Township and Sheridan will become entity, one town. This will mean the county will lose zoning jurisdiction on the west side of 31. Understanding as of now is that they will continue to use the county ordinances but instead of going thru the county offices, it would go thru Sheridan and a new board. This is an interim step, until new are developed and potential of a Comp plan. Mrs. Gillispie questioned the timing being quick compared to our discussions. Mr. Culp explained three towns each have boards, but also a big difference is the control of zoning which Cicero has control and Sheridan did not. This seems to be a factor in the urgency versus Sheridan.

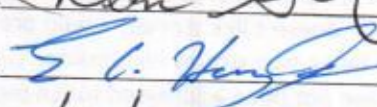
**Board Member Comments:** Mr. Massonne stated can not wait until test well results are ready. President Strong stated we do not have results currently. Mr. Lutz stated not going to discuss until ready to discuss. Mrs. Gillispie questioned if the flyovers gathering information will the results be shared with Cicero. Mr. Lutz stated good question and hopes that their interest would be to help the town out, and at the last meeting they have indicated willingness to share with the towns. After all they represent us, Cicero has not asked the question yet. Meeting Tues or Wednesday they indicated they are willing to work with Cicero. Mr. Thomas questioned the Regional Utility District? (being willing) Mr. Lutz stated yes the Regional Utility District. Mr. Culp questioned who did the overhead water testing. President Strong stated it was Indiana American Water and Hamilton County Utility District working together for the project. Mrs. Gillispie questioned, and they said in the meeting they were working with Cicero and does Cicero know they are working with Cicero. Mr. Lutz cannot characterize what they said. From Cicero's perspective there is a loose discussion taking place. But from Mr. Lutz's perspective, they have demonstrated a unwillingness to work with us in a joint fashion. To the point they made an attempt to take over Cicero Utilities, which was unsuccessful and would say it has not been an optimal relationship since then. Also, used that as opportunity to pull back the million dollars in ARPA money they committed. President Strong stated the real answer is time will tell.

### Next Planned Plan Commission Meeting:

December 11<sup>th</sup>, 2024

11. **Adjournment:** Mr. Massonne made motion to adjourn. Mr. Thomas seconded. All present in favor.

President 

Secretary 

Date 12/11/2024

Location:

Cicero Town Hall  
70 N Byron Street  
Cicero, IN 46034