

Village of Fall Creek
Minutes of Public Hearing & Plan Commission Meeting
July 15, 2019

1. **Call to Order:** 6:00 p.m., Village Hall Meeting Room, 122 E. Lincoln Ave., Fall Creek
2. **Roll Call:** Members Present: Chairman Chester Goodman, Helen Hartmann, Curt Van Auken, Tom Williamson, Dane Zook. Members Absent: Curt Strasburg. Staff Present: Deputy Clerk Joan Drehmel. Also Present: Village Trustee Matt Mattoon and Tim Raap, and 16 citizens.
3. **Certify Open Meeting Law Requirements Have Been Met:** A notice of the meeting and an agenda was posted in the three public places, newspapers were notified, and property owners within 300 feet of 126 S Liberty Street were notified.
4. **Adopt Agenda:**
 - MOTION (Zook/Williamson) to adopt the agenda as printed. PASSED, without negative vote.
5. **Public Hearing Regarding G & A Sports LLC and James Kinsella Petition to Rezone 126 S Liberty Street from Commercial – C1 to Residential Single Family – R1 or Residential Two-Family - R2:** Chairman Goodman opened the public hearing at 6:01 p.m.

James Kinsella of Revival Church is in the process of purchasing the property from G & A Sports LLC. The reason for the rezone request is that a zoning classification of C1 does not allow a church either as a permitted use or a conditional use. R1 and R2 allow it as a conditional use. The members of the church have been meeting in individual homes, and most recently at the school. This property, including the parking lot, would suit their needs with some possible renovations: installing restrooms, constructing office space and modifying the entrance.

Public comments included: a church would be an asset to the community, does this deviate from the Downtown Business District guidelines, would a future owner be able to convert the building to a duplex, and amendments to the current ordinance to allow a church in these zoned areas would be better than rezoning one property.

As there was no other public comment, Chairman Goodman closed the public hearing at 6:32 p.m.
6. **Plan Commission Recommendation Regarding Petition to Rezone:** Chairman Goodman acknowledged the work that was done to establish a downtown business district. He suggested rezoning the property to R2 like the other residential properties in the area and approving the conditional use permit for a church, with the stipulation that when the property is sold, the zoning reverts to commercial and the conditional use permit is void. This way future owners could not put in a duplex without petitioning the Village first.
 - MOTION (Zook/Williamson) recommending approval of G&A Sports LLC and James Kinsella petition to rezone 126 S Liberty from Commercial C-1 to Residential Two-Family R-2. When James Kinsella of Revival Church sells the property, the zoning reverts back to Commercial. PASSED, without negative vote.
7. **Public Hearing Regarding G & A Sports LLC and James Kinsella Petition Requesting a Conditional Use Permit to Allow a Church at 126 S Liberty Street:** Chairman Goodman opened the public hearing at 6:33 p.m. There was no public comment.
8. **Plan Commission Recommendation Regarding Petition for Conditional Use Permit:**

- MOTION (Zook/Reetz) recommending approval of G&A Sports LLC and James Kinsella petition for a conditional use permit to allow a church at 126 S Liberty. The conditional use permit is void when James Kinsella of Revival Church sells the property. PASSED, without negative vote.

9. Adjourn:

- MOTION (Hartmann/Zook) @ 6:35 p.m. PASSED, without negative vote.

Joan Drehmel, Deputy Clerk