

*Village of Fall Creek*  
*Minutes of Public Hearing & Plan Commission Meeting*  
*August 7, 2023*

1. **Call to Order:** 5:00 p.m., Village Hall Meeting Room, 122 E. Lincoln Ave., Fall Creek
2. **Roll Call:** Members Present: Chairperson Tim Raap, William Boettcher, Heather Glassman, Sheena Kaatz, Evan Nyberg, Curt Strasburg, Curt Van Auken. Members Absent: None. Staff Present: Village Administrator Jared McKee, Clerk/Treasurer Renee Roemhild. Also Present: 4 citizens.
3. **Pledge of Allegiance**
4. **Certify Open Meeting Law Requirements Have Been Met:** A notice of the meeting and the agenda was posted at the three public places. A class-two notice of the public hearing was published in the Leader Telegram.
5. **Adopt Agenda:**
  - MOTION (Strasburg/Kaatz) to adopt the agenda as printed. PASSED, without negative vote.
6. **Recognition of Visitors/Citizen Input:** None.
7. **Public Hearing re: Amendments to Village Code Chapter 267-20 Subdivision of Land re: Lands for Parks and Playgrounds:** Chairperson Tim Raap opened the public hearing by giving some background information, stating about a year ago the Plan Commission had meetings for review of the Comprehensive Plan. As one of the pieces of that process, we were looking at green space requirements and recognized that DNR changes to stormwater requirements have affected that. Fast forward to this June when the topic was discussed again, the Plan Commission gave directions to staff on what they wanted to see, and that is what is being reviewed tonight. Raap stated a notice was published in the newspaper on July 21<sup>st</sup> and July 28<sup>th</sup> regarding this hearing and informing citizens they could request a copy of the proposed amendment at the Clerks Office. Raap stated the main points of the amendment being considered are to get the percentage of green space required to be more in line with other municipalities and to clean up the wording on the fees charged.

Public comment was as follows:

- Vern Ming, 133 Randall Rd, questioned why the ordinance was being changed and talked about developments in other communities that he thought were nice. He was in favor of having green space.
- Julie Stautz, 237 E Wilson Ave, stated she agreed with Mr. Ming's comments.

With no other comments, Chairperson Raap closed the public hearing and gave an overview of the ordinance amendment process. He stated the Plan Commission will now consider the public hearing comments and will discuss the amendment to arrive at a decision of whether to recommend or not recommend the changes, then the possible amendment goes before the Village Board and goes through readings at two public meetings before adoption is voted on, so there are several opportunities for citizens to give any input desired on the proposed amendment.

8. **Plan Commission Consideration of Amendments to Village Code Chapter 267-20 Subdivision of Land re: Lands for Parks and Playgrounds:** Discussion began by talking about the DNR requirements for stormwater. McKee stated that the ordinance's current green space percentage requirements were adopted in 1999 when stormwater could be discharged through underground storm sewer piping to the creek. In 2003, the State DNR enacted stormwater retention regulations that basically required calculation of the average, expected amount of stormwater runoff that would result from all hard surfaces, like roadways and sidewalks, and required any new construction/development to provide adequate greenspace to retain that runoff onsite. No longer could stormwater be piped to the creek. Discussion took place that the Village's Park Plan does say we

have sufficient park space, and do we want to be deterring development? Discussion took place that it may become more than a developer would be willing to deal with if there were two requirements – a standard park space with benches and playgrounds, as well as the DNR’s green space requirement for stormwater runoff. McKee stated there hadn’t been any new residential development for quite a while, but the current phase of the residential development on the Raether property does meet the ordinance requirements. McKee reviewed area communities regarding their policies and found many differences, stating some municipalities have a higher demand for housing, like Altoona, so developers are more willing to go there. Since Fall Creek doesn’t have that kind of market, it may be difficult for us to compete with communities that do not place extra requirements on the developer.

- MOTION (Boettcher/Nyberg) to recommend the Village Board approve the proposed amendments to Chapter 267 Subdivision of Land. PASSED, without negative vote.

**9. Downtown Business District Building & Sign Permit Applications:** The following applications were reviewed in detail:

Hailey Martin, Business Name: Restored Co. LLC, 102 W Lincoln Ave. Request for a sign permit and exterior stucco repair; paint of stucco, wood trim, doors; eyebrow awning removed/replaced. The review of the Village Architect was discussed.

- MOTION (Kaatz/Glassman) to recommend the Village Board approve the applications on the condition that the area where a sign used to be above the doors facing the corner of Lincoln & State be painted to match the color of the stucco siding. The applicant must be made aware of height regulations if a fence is desired as shown on the drawing. PASSED, without negative vote.

Toby Biegel, Business Name: Corner Pub, 102/104 E Lincoln Ave. Request for new osb/commercial vinyl cedar shakes siding on front of building. The review of the Village Architect was discussed. Discussion took place that part of the work was completed before the permit was requested and there were some concerns that what was done did not agree with the intent of the Downtown District Guidelines. A concern over the numerous colors in the façade and trim was discussed, with Mr. Biegel stating painting the trim at the roofline would be very costly for him to paint unless he did it when he already had scaffolding up for replacement of the roof.

- MOTION (Strasburg/Kaatz) to recommend the Village Board approve the application if the applicant paints everything that is currently painted green to white, putting a time limit for painting the trim by the roofline of 5 years for him to accomplish that. Clarification was given that it included everything on both the Lincoln and State St sides of the building and if he sells the property, it must be done before completion of the sale. Clarification was again given that the part by the windows that are currently green will not be painted white, but will be replaced with the gray colored shake siding. PASSED, roll call vote: Glassman-yes, Kaatz-yes, Nyberg-yes, Raap-no, Strasburg-yes, Van Auken-abstain, Boettcher-no.

Boettcher removed himself from his seat on the Plan Commission because it would be a conflict of interest as he owns the building at 125 E. Lincoln Avenue.

Julie Stautz, Business Name: Red Fern Café, 125 E. Lincoln Ave. Request for a sign permit was reviewed. Discussion took place that Lincoln Avenue was a state highway, so the State would regulate whether or not the sign could project off the building.

- MOTION (Kaatz/Glassman) to recommend the Village Board approve the sign application as presented. PASSED, without negative vote.

**10. Adjourn @ 6:27 p.m.**

Renee Roemhild, Clerk/Treasurer