
To: Lodi Plan Commission
From: Stephen Tremlett, AICP, Zoning Administrator
Subject: Conditional User Permit for Church, 216 S Main Street (Unit A)
Date: July 5, 2022

Request

Approval of a Conditional Use Permit (CUP) at 216 S. Main Street, parcel 11246-231.12, for use of Unit A as a church. See attached application.

Background Information

This property is located in a C-2 zoning district, which allows churches as conditional use. Unit A is the space located on the Main Street level of the building (with dog groomer in the basement of the building). A dentist office previously occupied Unit A. Zion Evangelical Lutheran Church intends to use this as a satellite location to serve church members and potential members in the Lodi area. They intend to use the space later this summer should the City issue the CUP. Per their CUP narrative, they intend to use the building for Sunday morning worship, bible studies and other church or social activities.

The property has potentially two on-site parking spaces along the back paved area, and access to one adjacent front on-street space. Other city parking is available along the back parking lot along Spring Creek. This property and surrounding downtown properties utilize City parking to support their business activity. No minimum onsite parking is required in the C-2 district.

Applicable Zoning & Development Code Regulations

- Chapter 340-32: C-2 Central Business District Core.
- Article X: Conditional Use Standards (340-52, 340-53, 340-53).

Consistency with the City's Comprehensive Plan

No amendments will be necessary.

Consistency with the City's Zoning Code

Chapter 340-54(B): Decision criteria.

The Commission shall consider the following criteria:

(1) Compatibility. The compatibility of the proposed use with existing development within 300 feet of the proposed use and within 500 feet along the same street and development anticipated in the foreseeable future within the neighborhood and conditions that would make the use more compatible. **I do not see a compatibility issue. The exterior of the building will not change, so physical structured capability will not be impacted. Also the activity at the location would not exceed a potential business listed under the permitted uses in C-2 district.**

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July 5, 2022

(2) Consistency with Comprehensive Plan. The relationship of the proposed use to the objectives of the City of Lodi Comprehensive Plan. **While there will be activity brought to the site (vs. a vacant building space), a church is not a preferred use for the 2-block central business district. The Comp Plan and Main Street Corridor Plan suggests a mix of uses with a preference to those that provide economic activity along the street frontage. A church can increase foot traffic at certain times, but overall much less than other C-2 permitted uses.** This property is in the Downtown Mixed Use (DMU) Future Land Use category in the Comprehensive Plan. DMU category represents the entirety of downtown Lodi and accommodates a wide variety of employment, service, retail, government, entertainment and residential uses mostly in multi-story buildings. Policies under the DMU category include retail, service and office user and destination businesses on the street level. The Comp Plan also stated conformity with the Main Street Corridor Plan, which states importance to promote economic and commercial growth by allowing appropriate uses downtown that are the most suitable for facilitating economic activity.

(3) Importance of services to the community. The importance of the services provided by the proposed facility to the community, if any, and the requirements of the facility for certain locations, if any, and without undue inconvenience to the developer, and the availability of alternative locations equally suitable. **Churches do provide a community benefit. There are other locations in the City that allow churches; however, finding a space that meets the needs of the user at a reasonable leasing rate is something to consider.** A church use is permitted in the other commercial districts (C-1 and C-3) and conditionally approved in all residential districts.

(4) Neighborhood protections. The sufficiency of the terms and conditions proposed to protect and maintain the uses in the surrounding neighborhood. **No proposed conditions are being recommended to protect and maintain the uses in the surrounding neighborhood.**

(5) Conformance with other requirements of this chapter. The conformance of the proposed development with all provisions of this chapter. **None identified.**

(6) Other factors. Other factors pertinent to the proposed use, site conditions, or surrounding area considerations that the Commission feels are necessary for review in order to make an informed and just decision. **None identified.**

Recommendation

As discussed above, the primary factor to consider is the consistency with the Comprehensive Plan and the Main Street Corridor Plan. Should Plan Commission elect to approve, I recommend the following conditions.

Approval of the conditional use permit application per the following conditions:

1. A church use shall not occupy both Units A and B, unless a separate conditional use permit application has been submitted and approved.
2. Said conditional use permit expires should the applicant (proposed user) no longer occupy the space.

Sincerely,



Stephen Tremlett, AICP
Zoning Administrator

Enc: Driftless Investments and Property Management LLC – 216 S Main Street (Unit A) Conditional Use Permit Application

City of Lodi Conditional Use Permit Application

◆ 130 South Main Street, Lodi, WI 53555 ◆ Phone (608) 592-3247 ◆ Fax (608) 592-3271 ◆ www.cityoflodi.us ◆

The City of Lodi Plan Commission meets on the second Tuesday of the month at 6:30 p.m. in the Council Chambers of Lodi City Hall. This form must be submitted with one hard copy and one digital version of the items listed in the numbered list below at least 28 days prior to the Plan Commission meeting to accommodate public hearing notification, staff review and agenda placement. The review process will not begin until an application is determined to be complete and the appropriate fee is paid to the City Clerk. In addition to the requirements of this application, the applicant or their agent should attend the Plan Commission meeting to explain the need for the CUP and to answer questions. If you have any questions about the requirements, please contact Steve Tremlett, Zoning Administrator, at (608) 242-6621 or stremlett@msa-ps.com.

Owner Name(s): Driftless Investments and Property Management LLC (Jake Donovan, President)	
Applicant Name (if different than above): Zion Evangelical Lutheran Church of Leeds	
Project Address: 216 South Main St. Unit A	Parcel #: 231.12
Applicant Address (if different than above): W6906 Cty Hwy K, Arlington WI 53911	
Applicant Phone: 608-635-4000	Applicant Email: zionevansecretary@centurytel.net
Property Zoning Designation: C2	Current Property Use: Renovation-previous dentist office.
Conditional Use Request: Zion Lutheran Church would like to use building as a satelite church location.	

A \$550 application fee is required; \$250 for sign permits requiring a conditional use permit. Provide plans that show: the parcel in question, structures on the parcel (including proposed modifications to structures), dimensions of setbacks from the property line, locations of buildings on adjoining properties, a north arrow, and street names. Please attach a narrative that discusses:

1. The purpose of the conditional use request and any characteristics relative to your parcel or location that impact such request.
2. The existing uses of all adjacent properties.
3. The compatibility and impact of the conditional use request with existing development and uses within 500 feet of your property.
4. Any other factors pertinent to the proposed use, site conditions, or surrounding area that may be important for the Plan Commission to consider when reviewing your request.

I (we) certify that all of the above statement and the statements contained in any papers or plans submitted herewith are true to the best of my (our) knowledge and belief. I (we) consent to the entry in or upon the premises described in this application by any authorized official of the City of Lodi for the purpose of securing information posting, maintaining and removing such notices as may be required by law.

Applicant Signature: DocuSigned by: Joe Hanousek E62B23649546416... **Date:** 5/27/2022

Owner Signature: DocuSigned by: Jake Donovan 232843F991BD4C8... **Date:** 5/26/2022
 Jake Donovan, Pres. Driftless Investment and Property Management LLC.

For Staff Use Only	
Date Received:	Fee Paid?
Public Hearing Date:	Public Hearing Publication Dates:
Date Public Hearing Notices Mailed to Adjoining Property Owners:	
Plan Commission Recommendation: <input type="checkbox"/> Denied <input type="checkbox"/> Approved Subject to:	
City Council Decision: <input type="checkbox"/> Denied <input type="checkbox"/> Approved (Res #: _____) Subject to:	

ARTICLE X. Conditional Use Standards

§ 340-52. Intent.

A conditional use is development which would not generally be appropriate within a district but might be allowed in certain locations within the district if specific requirements are met. The compatibility must be judged on the basis of the particular circumstances and may require the imposing of conditions before development or occupancy is permitted. The intent is to allow a reasonable degree of discretion in determining the suitability of a particular development at a specific location.

§ 340-53. Commission action.

The Commission is empowered to recommend a development permit for a conditional use if the following requirements are met. Uses which require such a permit are identified in the district regulations.

A. Procedure. The requests for a permit for a conditional use shall be filed with the Administrator on an official application form and shall be accompanied by the required fee and detailed written and graphic materials fully explaining the proposed development. A public hearing shall be conducted by the Commission.

B. Notice. Notice of the hearing shall be given by a Class 1 legal notice. The Zoning Administrator shall also send written notice of such hearing to the owners of record of all lands situated wholly or partly within 200 feet of the perimeter of the subject property. Such notice shall be sent by regular mail at least 10 days before the date of the public hearing.

C. Conditions. The Commission shall consider possible adverse effects of the proposed conditional use and what additional requirements may be necessary to reduce such adverse effects. The Commission may recommend denial of the request.

D. Issuance and safeguards. The permit for a conditional use shall amend the development permit and shall be attached thereto. In recommending any conditional use, the Commission may prescribe appropriate conditions and safeguards in conformity with this chapter. The Commission may request that the City be provided with either a surety bond, cash escrow, certificate of deposit, securities, or cash deposit prior to issuance of the conditional permit. The security shall be used to guarantee compliance with the conditions of the permit and shall be returned to the developer when a certificate of occupancy is issued.

§ 340-54. Decision criteria.

A. In making a determination on an application for a conditional use, the Commission shall consider all relevant factors specified in other sections of this chapter, including standards for specific requirements for certain land uses and activities.

B. The Commission shall consider the following criteria:

(1) Compatibility. The compatibility of the proposed use with existing development within 300 feet of the proposed use and within 500 feet along the same street and development anticipated in the foreseeable future within the neighborhood and conditions that would make the use more compatible.

(2) Consistency with Comprehensive Plan. The relationship of the proposed use to the objectives of the City of Lodi Comprehensive Plan.

(3) Importance of services to the community. The importance of the services provided by the proposed facility to the community, if any, and the requirements of the facility for certain locations, if any, and without undue inconvenience to the developer, and the availability of alternative locations equally suitable.

(4) Neighborhood protections. The sufficiency of the terms and conditions proposed to protect and maintain the uses in the surrounding neighborhood.

(5) Conformance with other requirements of this chapter. The conformance of the proposed development with all provisions of this chapter.

(6) Other factors. Other factors pertinent to the proposed use, site conditions, or surrounding area considerations that the Commission feels are necessary for review in order to make an informed and just decision.

Narrative for Conditional Use Permit 216 S. Main Street Unit A

Requesting conditional use for church activities. Property is in Zone C2 which does not currently include churches as an approved occupancy.

- 1.) Zion Evangelical Lutheran Church would like to use the space in Lodi (216 S. Main, Unit A) to serve church members and potential members and in the Lodi area. We anticipate starting worship services later this summer (pending approval of this conditional use request and completion of building renovations). Use would likely be Sunday morning worship, bible studies and other church business or social activities.
- 2.) Property to the north and south are offices, other building tenant in 216 S. Main St., Unit B (basement) is a dog groomer.
- 3.) Indoor activities, mostly Sunday mornings and weeknights should have minimal impact on neighboring properties. Bringing people to the downtown area for church should have a positive influence on commerce.
- 4.) Parking spots behind the building are very close and convenient for this property. Bringing people to the downtown area should be good for the businesses in the area.