

**VILLAGE OF DRESSER  
PLAN COMMISSION MEETING  
TUESDAY, JULY 31, 2012  
6:30 PM**

The meeting was called to order by Rick Flandrena at 6:30 PM. Roll Call was taken: Rick Flandrena, Greg Andrie, Ann Mikl, Paul Koski, Wayne Riba, and Tony Havranek. One position on the Plan Commission currently vacant. Also present Jodi A. Gilbert Clerk and Attorney Tim Laux. The Osceola Sun Newspaper, Mike Murphy, and approximately 40 people from the New Life Christian Community. No other public or press was in attendance. Flandrena asked that everybody stand for the Salute to the Flag.

Flandrena asked if there were any public comments. Greg Mattson introduced himself as an elder for the New Life Christian Community. I thank you for taking the time to do this. I have been a part of this church from the beginning. Wanted to give you some insight to who we are. We are a group of people who struggle with all kinds of different things. We have out grown the Dresser school. We want all of this to be about serving the community – we want to continue to service. It has been asked what benefit do we bring to Dresser. The biggest thing is to serve others – it is not about a building or us. We are and will be praying for the community and all the things that are going on in the community. This building will allow us to have more space and more time for us to get together. We don't want time limits in a building like we currently have at the school. Phil Strapple introduced himself as an elder also. 7 years New Life has been in existence and I have been a part of it for 4 years. Right now we don't have a building to call our home. The opportunity to have our own building has presented itself and we will be able to serve and do a lot more for the community. We will be able to reach out to a lot more people. I understand that one of the issues may be the tax base. We will more than make up for that by reaching out to people. Thank you again and I hope things work out. Hello I am Pastor Tony – I wanted to share a moment with you so you would know about our heart. We are not a church about New Life Christian Community. We are only about Jesus Christ and we want to serve him and he has called us to this community. That is our goal to serve Christ. My name is Louisa and I am a custodian at the school. Working at the school. These people are wonderful people and I do go to their church because I love these people. I can go to this church and still go to my regular church. They reached out to me even though I am not a member of the church. They love people and I have seen that. I am Roger Erickson and I have some comments about the project. I am Erickson Architects and I have been participating in the church and working through this whole building adventure. Mike Murphy who is the current owner of the building is also present tonight. We have a purchase agreement that is close to being in place with Mr. Murphy. Everything is contingent on the Village granting us approval to go forward to use this existing building as a church. There is a slight change in the amount of property that we are purchasing. The amount now includes the chunk of land in the back. It will include the whole parcel – a little over 6 acres. This alleviates the access problem to the back lot. The church would have land for future development if needed. We are here to discuss the possibility of having churches as a conditional use in the B2 zone. Currently churches not listed as a conditional use. When you look at newer zoning codes in other

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municipalities they allow churches in a commercial district. Hudson for instance does allow, but it has some limits next to a residential district. So rather than change the zoning to a spot zoning issue the easiest way would be to modify the existing zone to allow churches as a conditional use. The second part of our request then would be to ask for a conditional use permit. We are basically doing the 2 things at the same time. You may ask why is the church interested in purchasing a night club. From an architect's point of view it simply fits – both from an assembly need and from an occupancy need. It falls under the same building code rules. We could have up to 300-400 people. There is a sprinkler system and it basically is ready to move into after removing the beer signs. It has what a church needs. It especially has the egress needed. There are life safety features such as exit lights. Those things required from a safety point of view. There are other features such as surround sound, which is ready to use. The building has cameras and TVs and many of those things are already in place. Mr. Murphy has been working with us to help get us into this building. If we would build a building 1/2 this size it would be way out of our price range. Over all as far as the building and site goes there are very few changes. No substantial changes to parking even though the lot size has changed. The current parking lot would serve 900 people, but I don't think that many people would be coming. On the exterior there are no changes except cleaning up and fixing. There would be some trimming with the landscape and planting flowers. We would be changing the sign wording. The current sign would stay since it complies with the Ordinance. I believe a lot of that information was forwarded to you. I am here and glad to answer any other questions you may have. Flandrena asked how big is your congregation and numbers on Sunday. Currently we are around 150-170 people. When I have worked on other church projects we have usually anticipated 2 people per car per spot Erickson continued. That would give us occupancy of 300 and we would probably max out at 500 people. Koski asked at what point from a building/parking issues do you max out at. The lot parks 160, which would serve 300-350. At 500 the building becomes too small. Koski stated I sense that this is for the vitality of the church. Has it been increasing? Every year it has been increasing. The goal is not to take people from other churches. We want to make people feel welcome who don't go to church. We are financially blessed at this time. Erickson continued at 170 people we are at a max at the school right now. If a new person comes and there is no where to sit down they won't come back. I believe our numbers would stabilize if we had the new building. Murphy stated when we put the building up it was designed to seat 500 people. Also if they continue to grow they could have more than 1 service if needed on Sundays. Andrie asked if there were any public comments submitted. Gilbert stated that she notified people within 150 feet from the building and there were no comments/or phone calls submitted. Koski asked about the wall between the building and the motel. Erickson stated it is a fire rated wall between the two buildings. Murphy stated that wall is very well insulated and we never had an issue when the bar/restaurant was open with people from the Motel complaining about noise. Havranek asked for some clarification on the tax bill sheet. There were delinquent water/sewer charges. Gilbert explained that those were sent to the tax roll and the county settles with the Village in whole. Currently there are no delinquent water/sewer charges. The meters are usually read at the time of a closing and all bills are settled in full. Koski asked the area in the back is that just grass

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and could it be used for additional parking. The snowmobile trail in the winter goes through there. Flandrena asked are there any other questions. Are there any questions or concerns before moving to a motion? Koski stated what other considerations should we be considering? Flandrena stated that traffic can be an issue. I don't believe we had any complaints from the previous establishment. As Erickson stated the building fits their needs and additional parking is available for a larger congregation in the future. Flandrena stated now is where we need to discuss whether we want to change the zoning to accommodate a church. Havranek asked would this be an addition or a change to the B-2 zone. Laux explained. Right now in our zoning scheme in all communities that have a zoning code when a zone is developed like here it is typical to have the description of the zone of what is allowed, which means no permits/permission is needed it is just allowed. There may be an exception if it is a large commercial or industrial development. Then it is typically to describe the things that are conditional use/special use – now what does that mean is that these things are allowed, but come before a Plan Commission or Board and a discussion takes place. Usually some negotiation happens and some standards that will be met are set up. Some conditions are put on the property to use the property in that zone. Currently we have that scheme in the residential districts. In every one of our residential districts churches are a conditional use. If it is located in a residential district it is allowed with conditions. This location on HWY 35 it is zoned B2 highway commercial. There are the permitted uses and the things listed as conditional uses. Churches are not listed. Zoning law is very particular in uses of property. When people ask for variances such as they say that they want to be close to a side yard line etc... there are no limits except your imagination and when the property continues to be use as residential a variance is usually given. Our Supreme Court in WI on this has been very liberal. The Supreme Court though hasn't made any movement in the use of property. When trying to change a use in a zone there are much higher barriers. The applicant needs to show some kind of hardship for that change or its not going to happen. The results of this is like when a perspective owner like the church who wants to have a use that is not permitted or granted a conditional use the first thing is a recommendation from the Plan Commission to the board that they should do that. If that recommendation goes to the Village Board then a change in the Ordinance is written up and a public hearing date is set – notices are sent to neighbors. We usually do this on a regular meeting night. Once they do the public hearing they take on the recommendation from the Plan Commission. If they agree then the Ordinance is written. Once that is done/it doesn't mean you can't have a parallel discussion. If that comes to pass then a parallel recommendation on the conditional use permit can be put into place. If the zoning Ordinance is changed the board can discuss that at the same time. The zoning code is changed first otherwise some one may say that they didn't like what you did and take this whole thing through the appeal process and take it to circuit court. None of us want to do any of that. Laux continued so that is the long winded explanation – you have to go through the steps. Koski asked are we changing the zone. You are asking to have listed as a conditional use “churches” included in the ordinance Laux stated. We can make a recommendation. Flandrena stated this is a recommendation to the board. Depending on the recommendation you can put it on the August agenda and go from there. We can try to do as quickly as possible. Whether the Plan Commission makes the

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recommendation is up to you folks. Havranek asked who puts the conditions on the conditional use permit. Laux stated the first question is whether you decide to make a recommendation. Second if that is adopted what would be the appropriate conditions. Flandrena asked do you have something in mind. Havranek stated I want to make sure what we are doing. We are being asked to make a recommendation to the board. The board would then adopt the formal change. Laux stated what is what 4a and 4b are all about on your agenda. Flandrena stated is this viable to see this happen. That is why we are here. Laux stated you have a packet of information/print out. Pages 17.19/17.20 of the Ordinance needs to be reviewed. Those are the findings by the Plan Commission to pass onto the Village Board. Koski stated I can see both sides of the decision to be made. There are reasons why not to do this. I don't see a burden on the utilities. Nothing different from before. This may bring more business to Dresser. Flandrena stated this is a non profit and you would loose some tax base. You did point out the up side in that if it grows other things will. Andrie stated personally during the board meeting you brought up the youth programs. You brought that right up and it steered me. I think it is a good thing for the community. Flandrena stated I personally feel it is positive for the community. That venue has struggled in the past. Putting something in there that has youth programs and may develop other programs in the community is a good thing. Homes are being bought by younger families with little kids. Kids a large part of it. If the Plan Commission makes a recommendation give us what you have in mind with kid programs, but that could be a swaying opinion. Flandrena asked are there any more questions or discussion. Riba stated I support and I make a motion. Motion Riba/Flandrena to recommend to the Village Board it considers amending the Dresser Municipal Code Section 17.19 B-2 Highway Commercial District (2) Conditional Uses and Structures to include "Churches". All in Favor. Motion Carried. Thank you there will be no bar fights/and calls in the middle of the night.

Flandrena stated now we need to discuss a motion on the application for a conditional use permit. Laux is there any way this should be handled. Laux stated first I would think it would be an error not to come up with some kind of conditions. Usually the parties negotiate the conditions. We have our Ordinance and Erickson has put together a lot of information and aimed it at addressing the standards in the Conditional Use Permit Ordinance. If you look on page 17-20 subsection (G) – those are the typical things that are considered by a Plan Commission. Those types of concerns that go into the give and take on the conditions for a particular use. So now that the first motion has been made – now for the hard part. Laux continued when you go through this list – I will read it for the folks here tonight. Laux read subsection (G). So those are the kinds of things that need to be addressed. Erickson has submitted a lot of information and commenting on those things would be good. How to be addressed or some conditions need to be put in place. Andrie stated one of things that I thought about is if the church dissolves and it is not a taxable property they could just sit on it forever. If it is a tax entity people want to move it. Nontaxable it would just sit there. That is just something I thought about. Mattson stated we are going to be a part of the Dresser community – we don't want to be a bad neighbor. We don't want to see a building just sitting. We would make sure it was kept up and I can't say that it will never be dissolved. We wouldn't want that also.

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Flandrena stated in regards to the Ordinance in your packets Erickson did provide all of these things. If you read it over the last two pages are where most of this is addressed. Now the other issues – the issue of the intention to be a tax exempt organization. That is the gorilla in the room and it has to be on the table. It is not uncommon for communities around the country when a property goes from tax to a nontax status to address the issue in order to protect the community and usually a part of the taxes are paid into the municipality. Need to look at what the rest of the citizens would be making up for in regards to this tax base. You have a sheet there that is the current tax bill. The Village of Dresser 2011 tax on this property was \$5,498.70. The point is if the New Life Church locates at the Boulevard building then that revenue stream would stop. Since it is a church the Plan Commission has to take that into account along with the other matters in the documents. These are all things to consider. Koski asked what % of the budget does that represent. Flandrena stated that is tough to answer. Koski stated I am just trying to put it in perspective. Laux stated maybe 1%. Flandrena stated not over 1%. It was stated that many people who would be going to the church live in Dresser and we understand that this may increase our taxes. We aren't opposed to seeing our taxes go up. We are already living here. Flandrena stated we need to talk about this. Koski stated if it keeps growing other people may want to live here. Flandrena stated Erickson has pointed out you all of the information and has made it easy for us. Laux stated if you make a recommendation it might be appropriate to have the conditions that Erickson has addressed and if there are any others they should be added to the list for the board to consider. That is if the Plan Commission is happy with these. Make a recommendation either for or against and if for maybe adding PILOT in addition to those conditions listed. Flandrena stated that recommendation once it is sent to the board they can do what ever they want with it. To move this along we need to make a formal motion and vote on it. Havranek stated I am looking for some clarification on issues on standards. When I read through all of this it would be different if we were dealing with a vacant lot. This is already a functioning building and already has a lot of those things listed. In the past what other conditions may have been applied for the Village of Dresser. Laux asked from time to time. Just all of those in the Ordinance or possibly a handful of specific things to the case at hand. Each is different you are not limited to what is listed and it is appropriate to consider what they have responded to. There could be all kinds of things – they have addressed what is asked of them. Flandrena stated it is desirable to them so we should move forward in regards to our ordinances. I don't believe we had any previous concerns with the past business. Gilbert stated the office never received any complaints that should be addressed at this time. Flandrena stated they have addressed signage, landscaping, and I have a sneaky feeling they will make it clean and look like a church and not look like a bar. Laux stated I have a question on the proposal now to buy the whole property. The western most 2/3's is that open field. Do you plan to grade it? Erickson stated it is level to the north there is a wet land area. Most parts are grass I believe as far back as the UFE building. It is unpaved. Laux stated my point being is that appropriate consideration would need to be taken if the property would be graded/paved. We have water issues in the Village and the DNR has its rules and because you did something you have run off on a neighbor's property we want to make sure that is addressed in the conditions to have appropriate permits from DNR/Village

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before you grade or pave that property. Erickson stated I believe the Ordinance states that all parking lots require a review. Laux stated same thing. That requirement may already be in the Ordinance. At any rate a reasonable consideration would be to have appropriate permits/approvals before going forwards. Erickson stated that is what we want to do. Tim stated water can do funny things. Flandrena stated the Ordinances protect the Village. Andrie stated Laux is pointing out that if it is not in the Ordinance we need to spell it out to protect the Village. Pastor Tony stated that any work done on the property will be done under the law. With any change we would do what is required. Havranek stated when looking at this we have 10 pretty concrete conditions to go through line by line and have that be a motion. Can't the motion be to include the verbiage that Erickson included? Havranek stated we should talk through each one. We should outline this to the board. Laux stated yes that is your job. We can make this as specific or general as needed. The conditions should be as specific as contained as possible to New Life Christian Community and any thing else you would want to include in there such as any improvements must meet all codes/ordinances and/or to recommend a PILOT or not. Right now you are at the point. You need to discuss how to word a recommendation to the Village board. Flandrena stated so with a recommendation to the board we can put some additions in or delete some. Laux stated this is only a recommendation. Havranek stated they don't need to adopt as a whole. Flandrena stated how do you want to do it. Havranek stated if we don't spell things out it leaves it open to interpretation. Flandrena stated I like what is there. The board may add a couple of things to it and tweak it. This is just a recommendation and the board will have final say and tweaking if need be. Andrie stated generalize what it is here or modifications to the board for them to consider. Koski stated I don't want to paint them into a box too much. Havranek stated it doesn't put us into a box the applicant may be in a box. We are looking out for the general welfare of the Village. Flandrena stated do you want to dwell on it and upon making a motion send notes to the board. Laux stated no I don't think members should be communicating independently to the board. Flandrena stated the Village residents offer other suggestions. Laux stated you have a system in place set up to consider issues like this and to stay within a structure. If you are not at a point to pick out specific items are you going to recommend the board consider issuing a permit if the Ordinance changes. Motion Riba/Mikl to recommend to the Village Board that the New Life Christian Community be granted a conditional use permit if "Churches" becomes a Conditional Use in the B-2 Highway Commercial District and that representatives from the Village of Dresser and the New Life Christian Community meet to negotiate appropriate conditions for the use of the property located at 201 State Road 35 North PID#116-158, #116-159, #116-294 and that those conditions be presented to the Village Board for its consideration. All in Favor. Motion Carried. Flandrena stated we can chat after the meeting and set up a meeting.

No other items were discussed.

Motion Flandrena/Mikl to adjourn. 7:55 PM. All in Favor. Motion Carried.

Jodi A. Gilbert, Clerk/Treasurer

These minutes have not been approved.