

**VILLAGE OF SUSSEX
SUSSEX, WISCONSIN**

Minutes of the Plan Commission meeting held on March 16, 2021

President LeDonne called the meeting to order at 6:30 p.m.

Members present: President Anthony LeDonne, Commissioners Deb Anderson, Roger Johnson, Jim Muckerheide, and Mike Knapp

Members excused: Trustee Scott Adkins

Others present: Village Administrator Jeremy Smith, Assistant Village Administrator Kelsey McElroy-Anderson, Village Attorney John Macy, Assistant Development Director Kasey Fluet, Deputy Clerk Caren Brustmann and applicants.

A quorum of the Village Board was not present at the meeting.

Consideration and possible action on the minutes on the Plan Commission meeting of February 16, 2021.

A motion by Anderson, seconded by Muckerheide to approve the minutes of the Plan Commission meeting of February 16, 2021 as presented. Motion carried 5-0

Consideration and possible action on a Plan of Operation and site plan for Life's Ruff LLC d/b/a Central Bark (N64W22600 Main Street).

Applicants Matt & Ashley Sander, W227N6193 Sussex Rd, Sussex, were present and provided a brief plan of operation.

Mrs. Fluet reviewed the Plan Staff Memo (copy attached); stating this site is zoned B-3. The animal boarding business is a permitted use in accordance with Section 17.0418 A. 5. (k) in the B-3 Highway Business District. The owners of Central Bark have been operating in Sussex since 2007. The owners will purchase the empty 5,900 square foot building formerly (Lake Country Detailing). The building and outdoor space will allow them to expand their business to accommodate up to 110 dogs. Hours of operation are M-F 6:30 a.m. to 6:30 p.m. Central Bark has between 10-12 employees. This site has 21 parking stalls, which is sufficient for this use.

Plan Commission Comments: Commissioner Muckerheide inquired if a sound barrier was going to be implemented. Also, Commissioner Knapp inquired if the dogs are left unattended.

Public Comments (in person or zoom): None

A motion by Johnson, seconded by Muckerheide to approve the Plan of Operation and site plan for Life's Ruff LLC d/b/a Central Bark (N64W22600 Main Street) a finding that the use and structures meet the principals of 17.1002(A-H), and subject to the standard conditions of Exhibit A. Motion carried 5-0

Consideration and possible action on a Plan of Operation and site plan for Behr Enterprises (W227N6240 Sussex Road).

Applicant Chris Behrmdt, W227N6240 Sussex Rd, Sussex, was present and provided a brief plan of operation.

Mrs. Fluet reviewed the Plan Staff Memo (copy attached); stating this site is zoned M-1. The Manufacturer and machining company is a permitted use in accordance with Section 17.0422 A. 4. (e) in the M-1 Industrial District. Behr Enterprises is relocating their expanding business from Waukesha to Sussex, they have purchased the former 43,000 square foot Sharp Packaging building in the Industrial Park. At this new location they will manufacture/fabricate various custom and repeating metal products, they will also lease 10,000 square feet of building space to Sharp Packaging for their continue operations. Hours of operation is 5:00 a.m. to 4:30 p.m. M-Sat. This site has 50 parking stalls, sufficient for the 20 employees. Also the new owner should be aware of the cross access easement with the building to the north.

Plan Commission Comments: None

Public Comments (in person or zoom): None

A motion by LeDonne, seconded by Anderson to approve the Plan of Operation and site plan for Behr Enterprises (W227N6240 Sussex Road) a finding that the use and structures meet the principals of 17.1002(A-H), subject to the standard conditions of Exhibit A. Motion carried 5-0

Conditional Use Public Hearing(s) and consideration and possible action on Conditional Use Permits and Plans on the following items:

There were no public hearings.

Introduction of site and use plan for the 77 acres west of Highland Business Park.

Mark Lake spoke on behalf of Wangard Partners, Inc., 1200 N. Mayfair Rd, Milwaukee, and introduced a proposal to develop property adjacent to the existing Highlands Business Park Phase 1, which has recently finished construction along STH 164. The proposal is to develop this 75.5 acres of land, currently known as the Brown Farm, which was recently annexed to the Village of Sussex. The Brown Farm is proposed to be developed with three distinct uses. The proposed uses being a traditional Business Park with roughly 600,000 s.f. of large format industrial/manufacturing buildings (3-4 buildings), UCO/LCO Conservancy, and Rs-3 Single Family Residential District. The property is naturally divided into these uses by a large hill with scenic vistas to the South and East.

Wangard will be the developer for Phase II of the Highlands Business Park and the residential area will be developed by a yet to be determined residential developer. For further detailed portions of the proposed project and site plan; (copy attached)

Mrs. Fluet reviewed the Plan Staff Memo (copy attached); stating based upon the commentary, the Developer will likely file a formal land use and zoning application and site plan for consideration next month.

Other items for future discussion - None

Adjournment:

A motion by LeDonne, seconded by Anderson to adjourn the meeting at 6:56 pm.

Motion carried 5-0

Respectfully Submitted,

Caren Brustmann
Deputy Clerk

Exhibit “A”

Village of Sussex Plan Commission

Standard Conditions of Approval Plan of Operation and Site Plan

The Plan Commission for the Village of Sussex authorizes the Building Inspector to issue a building permit to the Petitioner and approves the general layout, architectural plans, ingress and egress, parking, loading and unloading, landscaping, open space utilization, site plan and plan of operation subject to the following conditions:

1. Presentation compliance. Subject to Petitioner operating the premises at all times in substantial conformity with the presentation made to the Village Plan Commission, as modified or further restricted by the comments or concerns of the Village Plan Commission.
2. Inspection compliance. Subject to the Petitioner submitting to and receiving the approval from the Village Administrator, written proof that the Village Building Inspector and Fire Chief have inspected the subject property and have found that the subject property is in substantial compliance with applicable federal, State, and local laws, statutes, codes, ordinances, policies, guidelines and best management practices, prior to this approval being effective.
3. Regulatory compliance. Subject to the Petitioner and Owner fully complying with all Village, County of Waukesha, State of Wisconsin and federal government codes, ordinances, statutes, rules, regulations and orders regarding the premises, including but not limited to compliance with Section 17.1000 of the Village of Sussex Zoning Code entitled “Site Plan Review and Architectural Control,” as determined by Village Staff.
4. Satisfaction of Engineer. Subject to the Developer satisfying all comments, conditions, and concerns of the Village Engineer regarding the Petitioner’s application prior to this approval being effective.
5. Required plans. Subject to the Developer submitting to and receiving written approval from the Village Administrator of all of the following plans as deemed necessary by the Village Administrator:
 - A. Landscaping plan
 - B. Parking plan
 - C. Lighting plan
 - D. Signage plan
 - E. Traffic plan
 - F. Grading plan

Amendment approved at the Plan Commission meeting on July 17, 2014

- G. Tree preservation plan
- H. Open space plan
- I. Water plan
- J. Surface and stormwater management plan

- K. Sewer plan
- L. Erosion control plan
- M. _____
- N. _____
- O. _____

P.

6. Screening of All Dumpsters. Subject to the Petitioner and Owner screening all dumpsters as required by the ordinance to the satisfaction of the Village Administrator.

7. Payment and reimbursement of fees and expenses. Subject to the Petitioner and Owner paying all costs, assessments and charges due and owing to the Village of Sussex either by the Petitioner or imposed on the subject property, including, but not limited to, real estate taxes, personal property taxes, utility bills, special assessments, permit fees, license fees and professional fees which shall include all costs and expenses of any type that the Village incurs in connection with Petitioner’s application, including the cost of professional services incurred by the Village (including engineering, legal and other consulting fees) for the review of and preparation of the conditions of approval, attendance at meetings or other related professional services for this application, as well as for any actions the Village is required to take to enforce any of the conditions of this approval due to a violation of these conditions by the Petitioner or the Owner, as authorized by law.

8. Condition if the Property is in the B-4 Central Business District. If the property is in the B-4 Central Business District, the Petitioner shall comply with the standards and conditions found within the Village of Sussex Downtown Design and Development Plan and other plans as may be approved from time to time by the Community Development Authority in its role as a Redevelopment Authority to guide development within the Village’s Downtown.

9. Subject to acceptance. The Owner by requesting a permit either directly or through an agent, and accepting the same is acknowledging that they have received a copy of this conditional approval, that they understand and accept the same, and that upon failure to satisfy these conditions this approval is void, and the same is deemed to not have been approved, and the Petitioner will therefore need to re-commence the application process.

10. Any official named in this document can appoint a designee to perform his or her duties.