

**VILLAGE OF SUSSEX
SUSSEX, WISCONSIN**

Minutes of the Plan Commission meeting held on July 20, 2021

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

Members present: President Anthony LeDonne, Commissioners Jim Muckerheide, Roger Johnson, Mike Schulist, Deb Anderson and Trustee Greg Zoellick

Members excused: Commissioner Mike Knapp

Others present: Attorney John Macy, Assistant Development Director Kasey Fluet, Village Engineer Judy Neu, Administrative Assistant Anne Pulvermacher, IT Coordinator Diane Bruns, 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 June 15, 2021.

A motion by Schulist, seconded by Johnson to approve the minutes of the Plan Commission meeting of June 15, 2021 as presented. Motion carried 6-0

Consideration and possible action on a Plan of Operation and site plan for Visu-Sewer, Inc. N61W23195 Silver Spring Drive.

Keith Alexander, President of Visu-Sewer, W230N4855 Betker Dr. Pewaukee, WI was present to provide a brief plan of operation.

Mrs. Fluet reviewed the Plan Staff Memo (copy attached); stating this site is zoned B-3. The general Construction services contractor is a permitted use in accordance with Section 17.0418 (A)(5)(j) in the B-3 Highway Business District. Visu-Sewer will purchase the 12,500 square foot building previously owned by Zell Machine. Hours of operation will be Monday through Friday 7:00 a.m. to 5:00 p.m. This site is not allowed any outside storage. This site has 6 parking spaces with and per code they should have 6 stalls. Visu-Sewer plans to put a new roof on the building, reside the building, replace the garage doors, new outdoor lighting, fix up the landscaping, and clean the property up as needed. Any signage for this site will need to be approved by the building inspector.

Plan Commission Comments: None

Public Comments: None

A motion by Johnson, seconded by Anderson approve the Plan of Operation and site plan for Visu-Sewer, Inc. N61W23195 Silver Spring Drive; a finding the use and structures meet the principals of 17.1002(A-H), subject to the standard conditions of Exhibit A. Motion carried 6-0

Consideration and possible action on a covered parking structure at The Courtyard South parking lot W235N6350 Hickory Drive.

Kelly Schlife, Project Manager of Ganther Construction, 4825 County Rd. A, Oshkosh, WI was present and provided a brief description of the covered parking structure (design included in meeting packet).

Mrs. Fluet reviewed the Plan Staff Memo (copy attached); stating this site is zoned B-4. The Courtyard plans and design have previously been approved. A request from the owner has been presented for a covered accessory structure over eleven stalls on the south side of the building for the tenants to park their cars under. This type of

structure can be allowed in the B-4, and it is up to the Plan Commission to determine if the structure as designed meets the standards of consistent with the building architecture and meets the intent of the design standards.

Plan Commission Comments: Commissioner Muckerheide had concerns about ice/snow falling off the structure's roof and also inquired if additional lighting would be added. Commissioner Johnson hopes this structure will match the design of the buildings. Most Commissioners agreed with the open concept for the structure, however, Commissioner Johnson wished the structure be enclosed. Additionally, trees around the structure were requested.

Public Comments: None

A motion by Anderson, seconded by Johnson to table the possible action on a covered structure at The Courtyard south parking lot until the designer is able to present an updated structure based on the feedback received.

Motion carried 6-0

Reconvene the public hearing for a Legal Non-Conforming Conditional Use, Plan of Operation and site plan for Sussex Convenience, gas station and car wash N62W23456 Silver Spring.

The Petitioner was not present.

A motion by LeDonne, seconded by Muckerheide to table this item until next month's meeting held August 17th when the Petitioner is present and can review their updated site plan.

Motion carried 6-0

Consideration and possible action on a Legal Non-Conforming Conditional Use, Plan of Operation and site plan for Sussex Convenience, gas station and car wash

The Petitioner was not present.

A motion by LeDonne, seconded by Muckerheide to table this item until next month's meeting held August 17th when the Petitioner is present and can review their updated site plan.

Motion carried 6-0

Consideration and possible action on Final Plat Addition No. 4 for Sussex Preserve Subdivision.

Mrs. Fluet reviewed the Plan Staff Memo (copy attached); stating this site is zoned RS-3 with a PDO. This Final Plat Addition No.4 is part of the next phase for platting 14 single family lots in the Sussex Preserve subdivision. The approval of this Plat is for lots with road and utility improvements. Building permits may be issued once staff is satisfied all the conditions of the Developers Agreement and Chapter 18 are met and once the Plat is recorded with the Registry of Deeds. The subdivision still has 44 single family lots remaining to be platted.

Plan Commission Comments: None

A motion by Johnson, seconded by Schulist to recommend to the Village Board approval of Final Plat Addition No. 4 for Sussex Preserve Subdivision conditioned upon the obligations of the Developers Agreement being met, final review by the Village Engineer and subject to the standard conditions of Plat approvals and Exhibit.

Motion carried 6-0

Discussion of the B-4 District, Map, Code and Downtown Development Plan.

Village Engineer Judy Neu led the Plan Commission into discussion by reviewing the B-4 district map (see meeting packet) and its boundaries. Mrs. Neu added the intent of this district is the orderly design and appropriate development of the central mixed use district as designated by the CDA, in conformance with and to implement the Downtown Design and Development Plan. The zoning district allows a mix of retail, residential and office uses. Mrs. Neu continued the discussion by providing an outline of the Development Plan, noting the final draft was completed in 2004, and a supplementary document (Main Street Vision and Action Strategy) was adopted in 2011. Major concepts of the plan are included in the meeting packet.

Trustee Zoellick noted there is not necessarily a need for more apartment buildings downtown, but perhaps condominiums. Commissioner Johnson suggested a study group be formed to review the current Downtown Development Plan or have the CDA review the plan. President LeDonne also suggested the Commission receive

input from the Historical Society and agreed to have the CDA review and potentially update the Downtown Development Plan.

No action was taken on this item.

Other items for future discussion

None

Adjournment:

A motion by Muckerheide, seconded by Schulist to adjourn the meeting at 7:34 pm.

Motion carried 6-0

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.

