

**VILLAGE OF SUSSEX
SUSSEX, WISCONSIN**

Minutes of the Plan Commission meeting held on March 15, 2022

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

Members present: Village President Anthony LeDonne, Commissioner Jim Muckerheide via zoom, Commissioner Mike Knapp, Trustee Greg Zoellick, Commissioner Roger Johnson, and Commissioner Deb Anderson.

Members excused: Commissioner Mike Schulist.

Others present: Attorney John Macy, Administrator Jeremy Smith, Assistant Administrator Kelsey McElroy-Anderson, Village Engineer Judy Neu, IT Coordinator Diane Bruns, Interim Village Clerk Jennifer Moore 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 15, 2022.

A motion by Johnson, seconded by Zoellick to approve the minutes of the Plan Commission meeting of February 15, 2022 as presented. Motion carried 6-0.

Consideration and possible action on plan of operation for La Cabana Cortez (N63W23590 Silver Spring Drive).

The petitioner, was not present and Village Administrator Smith provided a brief description of the plan of operation for La Cabana Cortez.

Mr. Smith reviewed the Plan Staff Memo (copy attached); stating this site is zone B-4. They want to establish catering kitchen. They have 600' for the catering kitchen, 2 employees per shift, and adequate parking spaces as required. They meet their permitted use in the district and when they want to expand they will have to return to the Plan Commission.

A motion by Johnson seconded by Anderson to approve of the plan of operation for La Cabana Cortez (N63W23590 Silver Spring Drive) subject to the standard conditions of Exhibit A.

Motion carried 6-0.

Consideration and possible action on plan of operation for Ace Hardware (N64W24236 Main Street).

President LeDonne recused himself from this item and Commissioner Roger Johnson chaired this item.

The petitioner, Jodi LaDonne was present and provided a brief description of the plan of operation for Ace Hardware. The empty space next to the current store is empty and they want to utilize that spot for outdoor living/lawn and garden.

Site is zoned B-4, hardware store is a permitted use. Because it is a vacant space, there is \$10,000 grant eligibility for the Main Street Grant.

A motion by Knapp seconded by Zoellick to approve of the plan of operation for Ace Hardware (N64W24236 Main Street) 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:

None

Consideration and possible action on CSM's, Plats, Zoning and Planning Items:

Consideration and possible action on a CSM splitting parcel SUXV0273998001 into 2 lots and establishing right of way within the Highlands Business Park (Highlands Court),

Mark Lake, Petitioner, is present. This CSM divides the north half to develop and the southern half shows a dedicated outlot for storm water management for the overall property, identifies easements and wetlands, and dedicates Highlands Court. Divides the current lot into two parcels, residential and industrial to the south.

Plan Commission Comments: None

A motion by Anderson seconded by Zoellick to recommend approval to the Village Board of the CSM splitting parcel SUXV0273998001 into 2 lots and establishing right of way within the Highlands Business Park (Highlands Court.) subject to the standard conditions for CSM approval, meeting all comments and conditions of the village engineer, compliance with the developers agreement, payment of all fees, and subject to the standard conditions of Exhibit A.

Motion carried 6-0.

Consideration and possible action on a CSM splitting lot 3 of CSM 1296 into 2 lots (Richmond Road).

Mark Lake, Petitioner, is present – This CSM is the residential portion of the previous CSM. Taking part of lot 2 and adding lot 1 with a future plat. Additional wetlands and water courses have been identified.

Plan Commission Comments: None

A motion by Johnson seconded by Anderson to recommend approval to the Village Board of the CSM splitting lot 3 of CSM 1296 into 2 lots (Richmond Road) subject to the standard conditions for CSM approval, meeting all comments and conditions of the village engineer, compliance with the developers agreement, payment of all fees, and subject to the standard conditions of Exhibit A.

Motion carried 6-0.

Consideration and possible action recommending a Rezoning Ordinance establishing RS-3 zoning for lands shown on the Preliminary Plat, and a Preliminary Plat for Redford Hills Subdivision (Richmond Road).

Wetlands and tree preservation areas will be stated and on owner's properties.
Storm water outlot identified and will be owned by the village.

There will be walkability between the subdivision and Business Park but no road between the two so trucks don't use residential streets.

Staff does not intend a subdivision park in this quadrant but there will be one on the other side of Richmond Road.

Richmond Road will likely move from its current location at a future date.

This subdivision is below the phasing threshold for phasing subdivision.

Owners will have a tree preservation requirement on their plats. Village will have enforcement power under deed restrictions. Association will also have enforcement power.

A motion by Johnson, seconded by Anderson to recommend approval to the Village Board AN ORDINANCE TO CONDITIONALLY REZONE CERTAIN LANDS IN THE VILLAGE OF SUSSEX FROM A-1 AGRICULTURAL DISTRICT WITH ENVIRONMENTAL OVERLAYS TO RS-3 SINGLE FAMILY RESIDENTIAL DISTRICT, WITH ENVIRONMENTAL OVERLAYS for lands shown on the Preliminary Plat, and a Preliminary Plat for Redford Hills Subdivision (Richmond Road). Motion carried 6-0

Consideration and possible action on monument sign for Vista Run Subdivision (CTH VV).

A motion by LeDonne, seconded by Zoellick to approve the monument sign for Vista Run Subdivision (CTH VV).

Motion carried 6-0

Other items for future discussion

Request from citizen regarding pool/unique situation will be placed on the next agenda

Adjournment

A motion by Anderson seconded by Zoellick to adjourn the meeting at 7:12p.m. Motion carried 6-0.

Respectfully submitted,

Jennifer Moore
Interim Village 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. _____

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