

**VILLAGE OF SUSSEX
SUSSEX, WISCONSIN**

Minutes of the Plan Commission meeting held on January 19, 2017.

Chairman Goetz called the meeting to order at 6:30 p.m.

Members present: Annette Kremer, Deb Anderson, Roger Johnson, Pat Tetzlaff, Steve Pellechia, Amanda Schauer, and Greg Goetz.

Members excused: None

Others present: Administrator Jeremy Smith, Attorney John Macy, Assistant Development Director Kasey Fluet, Village Engineer Judy Neu, Administrative Services Director Casen Griffiths, applicants and members of the public.

Consideration and possible action on the public hearing and minutes of the Plan Commission meeting of December 15, 2016 and on the minutes of the joint public hearing and of the joint meeting of the Village Board and Plan Commission meeting of December 15, 2016.

A motion by Johnson, seconded by Kremer to approve the public hearing and minutes of the Plan Commission meeting of December 15, 2016 and on the minutes of the joint public hearing and of the joint meeting of the Village Board and Plan Commission meeting of December 15, 2016.

Motion carried.

Comments from Citizen Present

Jen Barnish, W238N6751 Hidden Oaks, requested to know how many lots, condos and apartments are being proposed for development in Sussex. In the November Plan Commission meeting minutes it was stated that sidewalks would be installed in Prides Crossing and wondered if sidewalks would eventually be installed in the Majestic Heights subdivision. She stated her disappointment that the Village's 2035 Master Plan had not been updated in 2012 due to the economic uncertainty of the Great Recession and that economic uncertainty is not a reason to not update the plan. At the December Plan Commission meeting, she was concerned that only one member of the Plan Commission had walked the proposed development property, and stated that it was important for the Commissioners to know the land when they take action on potential development. Having two members on both the Village Board and the Plan Commission, was in her opinion, not advised and each body should not have individuals sitting on both.

Consideration and possible action on a Plan of Operation and site plan for Fantastic Sams (W249N5245 Executive Drive).

Kris Zehren, W249N5245 Executive Drive, stated that she plans to operate a hair salon. The business would have between 8 and 10 employees. Mrs. Fluet reviewed the Plan Staff memo (copy attached), stating the proposed use is permitted in the B-3 Highway Business District. The salon will lease 1,400 sq. ft. and hours of operation will be Monday through Friday, 9:00 a.m. to 8:00p.m., Saturday 9:00 a.m. to 6:00 p.m. and Sunday 10:00 a.m. to 6:00 p.m. Parking meets code requirements.

A motion by Pellechia, seconded by Kremer to approve the Plan of Operation and site plan for Fantastic Sam's (W249N5245 Executive Drive), with the 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.

Consideration and possible action on a Plan of Operation and site plan for Kneaded Time Massage, LLC (N63W23583 Main Street).

Sandy Reichard, N63W23583 Main Street, stated that her business is massage therapy. Mrs. Fluet reviewed the plan staff memo (copy attached) stating that the proposed used is permitted in the B-4 Central Mixed Used District. The leased space is approximately 400 sq. ft. Hours of operation will vary from Monday through Friday and by appointment on Saturday. The parking meets code requirements.

Mr. Pellechia asked if the hours of operation were really only going to be 2 1/2 hours each day. Ms. Reichard stated that for now there would be limited hours, but there is a possible expansion of hours in the future. Mr. Goetz asked if that would come back to the Plan Commission. Mr. Smith stated that staff would handle a revision to the plan of operation hours.

A motion by Kremer, seconded by Anderson to approve the Plan of Operation and site plan for Kneaded Time Massage (N63W24025 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.

Conceptual review of a Conditional Use, Plan of Operation, site, architectural, lighting, and landscape plan for Venturespace storage condo units to be located on vacant land, south side of Silver Spring Drive across from Quad Graphics.

Mike Frede, W330N4191, Nashotah was present before the Plan Commission. Mr. Goetz stated that he did not feel that the proposed design was up to high architectural standards. Mr. Frede stated that proposed materials on the buildings included LP siding, cedar shake on the walls. All the buildings will have a brick belt. Mr. Goetz asked how the buildings would be owned. Mr. Frede stated that it is a condo association, each building has two units and the units are purchased. In other similar developments, nearly half of the buildings are under one owner. Mr. Goetz noted that there are homes that about this property and that the design and landscaping of the property should be esthetically pleasing. Mr. Johnson asked that since the property is a condo association, then the owners cannot do anything to the buildings. Mr. Frede stated that every owner will have to come to the Plan Commission for a review of their business. All the buildings will be consistent and the owners do not have control over the exterior of the building.

Ms. Kremer asked what the proposed sizes of the buildings are. Mr. Frede stated that the buildings are 3,000 sq. ft. and if split would be 1,500 sq. ft. The structure would be clear span. The owner would have control over what is built and stored in the building. Ms. Kremer asked how the Village could approve the land for storage units, when there's a possibility that businesses would be located in the buildings. Mr. Smith stated that each individual business would have to obtain a plan of operation prior to their locating on the property, and the business use would have to conform to the Village's zoning ordinance.

Mr. Goetz noted that these types of units are located in Delafield. Mr. Frede stated that they are valuable to small business as they are flexible in their use. The Delafield units sold out in eight months. Ms. Schauer asked how parking issues were resolved in the Delafield location. Mr. Frede stated that additional parking was added, but these types of units do not require much parking.

Mr. Johnson noted that the Village is sensitive to the architectural standards of these proposed buildings, as this is seen as a gateway to the Village.

Mrs. Fluet reviewed the Plan Staff memo (copy attached), the site is zoned as M-1, and storage facilities are a conditional use in the M-1 District. The developer is required to bury power lines, build all road, utilities and stormwater facilities for the entire project. All of the plans require review by the Architectural Review Board. Comment and feedback should be provided about the building architecture. Because the buildings are to be sold as condominiums, the developer will need to receive approval of a condo plat and bylaws.

Mr. Goetz noted that the plans from Delafield should be shown to the Architectural Review Board and a fence should be built on the west side of the property to screen the property from the residential properties. Mr. Johnson stated that he would like to see more attractive landscaping and would not want to schedule a public hearing for the CUP until the Plan Commission has had a chance to review revised plans after review by the ARB. Mr. Pellechia requested that the developer be prepared at the next meeting to have details on the condo association and how that would work regarding zoning complaints. Ms. Kremer stated that she would like to see details regarding waste pick up. Mr. Johnson stated that he would like to see what the proposed signage would look like and how it will work between buildings.

Mr. Smith noted that the Village handles zoning issues on a complaint basis, and would work with the property owner to resolve any issues. Mrs. Fluet noted that the buildings will be required to have a uniform sign format.

The consensus of the Plan Commission was for staff to provide the comments to the ARB and to have the developer return to the Plan Commission in February for another conceptual review.

Conceptual review of Conditional Use, Plan of Operation and site plan for Burn Boot Camp- Lake Country (W248N5250 Executive Drive).

Chad Larget, W248N5250 Executive Drive, stated that his business is a fitness center that caters to just women. Workouts are high intensity 45 min sessions. They will also be selling nutritional supplements and retail apparel. Childcare facilities will also be provided.

Mrs. Fluet reviewed the plan staff memo (copy attached). The facility is zoned as BP-1 Business Park District, which is a conditional use. Hours of operation will be Monday through Friday, 5:00 am to 11:00 am and 4:00 pm to 7:00pm, Saturday 7:00 am to 11 am), no classes on Sunday. The site has adequate parking.

Mr. Pellechia stated that he is concerned about the childcare and that it would be just for the tenants and would like to see a plan to make sure that it's safe.

The consensus of the Plan Commission was to direct staff to schedule the public hearing for the February Plan Commission meeting.

Discussion of screening and landscape standards of subdivisions along arterial and collector roads.

Mr. Smith stated that staff had been directed to provide information on landscape standards for subdivisions. Staff provided the Plan Commission with a rendering of the landscape plan for Woodside ridge, showing the plantings along Good Hope Road and Woodside Road. Staff provided a video showing the differences between landscape screening for Coldwater Creek, Majestic Heights and Braddock Place.

Mr. Goetz stated that one of the reasons to examine this was to see if the Village wanted to have more stringent landscape standards. Mr. Pellechia stated that he felt that Woodside Ridge had a good landscape plan. Ms. Kremer stated that the reason that Woodside Ridge may appear more barren is that it was a farm field.

The consensus of the Plan Commission was to review the item and continue the discussion at the next meeting.

Consideration and possible action on CSM's and Plats: None

Other Items for future discussion: Landscape standards of subdivisions along arterial and collector roads.

A motion by Goetz, seconded by Pellechia to adjourn the meeting at 7:26 p.m.

Motion carried.

Respectfully Submitted,

Casen J. Griffiths
Administrative Services Director/
Clerk-Treasurer



N64W23760 Main Street
Sussex, Wisconsin 53089
Phone (262) 246-5200
FAX (262) 246-5222
Email: info@villagesussex.org
Website: www.villagesussex.org

MEMORANDUM

TO: Plan Commission

FROM: Kasey Fluet, Assistant Development Director

RE: Plan Commission meeting of January 19, 2017

DATE: January 12, 2017

All Code Sections in this memo refer to the Sussex Municipal Code Chapter 17 version dated March 25, 2014 with subsequent amendments thereto.

01. **Roll call.**
02. **Consideration and possible action on the public hearing and minutes of the Plan Commission meeting of December 15, 2016 and on the minutes of the joint public hearing and of the joint meeting of the Village Board and Plan Commission meeting of December 15, 2016.**
03. **Comments from citizens present.**
04. **Consideration and possible action on Permitted Uses and Site Plans:**
 - A. **Consideration and possible action on a Plan of Operation and site plan for Fantastic Sams (W249N5245 Executive Drive Ste. 204).**

This site is zoned B-3. The beauty salon services is a permitted use in the B-3 Highway Business District in accordance with Section 17.048 (A)(5)(b). The salon will offer hair cutting and styling services as well as sell hair products. They will lease 1,400 square feet in the second building of the Sussex Gateway complex, building two is 14,500 square feet. Hours of operation will be Monday through Friday 9:00 a.m. to 8:00 p.m., Saturday 9:00 a.m. to 6:00 p.m. and Sunday 10:00 a.m. to 6:00 p.m.

The complex has 170 parking stalls. The number of stalls meets the code requirement for shopping complex over 30,000 square feet to have five spaces per 1,000 square feet of leasable area. The site has sufficient parking for all users.

Any signage for this site will need to be reviewed by the Building Inspector.

Policy Question:

1. Are there any concerns with the Plan of Operation?
2. Are there any concerns with the property?

Action Items:

1. Act on the plan of operation and site plan.

Staff Recommendation: Staff recommends the Plan Commission approve the Plan of Operation and site plan for Fantastic Sams (W249N5245 Executive Drive Ste. 204); a finding that the use and structures meet the principals of 17.1002(A-H); and subject to the standard conditions of Exhibit A.

B. Consideration and possible action on a Plan of Operation and site plan for Kneaded Time Massage LLC (N63W23583 Main Street).

This site is zoned B-4. The message treatment services is a permitted use in the B-4 Central Mixed Use District in accordance with Section 17.0419 (C)(5)(b). The massage therapist will offer massage treatments for her clients. She will lease approximately 400 square feet in the 4,800 square foot multi-tenant building. Hours of operation will vary from Monday through Friday and by appointment on Saturday. This site has 53 parking stalls 41 are allocated to other users, per code 3 stalls are required for this user.

Any signage for this site will need to be reviewed by the Building Inspector.

Policy Question:

1. Are there any concerns with the Plan of Operation?
2. Are there any concerns with the property?

Action Items:

1. Act on the plan of operation and site plan.

Staff Recommendation: Staff recommends the Plan Commission approve the Plan of Operation and site plan for Kneaded Time Massage (N63W24025 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.

05. Consideration and possible action on Conditional Uses and Plans:

A. Conceptual review of a Conditional Use, Plan of Operation, site, architectural, lighting and landscape plan for Venturespace storage condo units to be located on vacant land, south side of Silver Spring Drive across from Quad Graphics.

This site is zoned M-1. The indoor storage facility is a conditional use in the M-1 Industrial District in accordance with Section 17.0506 (A)(7)(a)(2). The proposal is to construct 15 storage buildings each at 3,000 square feet, for phase 1 the plan is to construct buildings 1-5. The Developer will be required to bury the existing power lines and other overhead facilities across the frontage of the lot, build all the road, utilities and stormwater facility for the entire project.

All of the plans still require ARB review and will be on the ARB agenda for February 1.

Site

- The site will have a total of 24 parking stalls, with 2 stalls in front of each building, the ten parking stalls must be constructed for phase 1.
- Site includes 6 foot sidewalk along Silver Spring.
- Must receive necessary permits from the County and DNR.
- Subject to final review by Village Engineer.
- Site does not include a dumpster enclosure, should this be required?

The Developer is requesting a waiver of Section 17.0603 I, Parking Requirements, to not install curb or barrier along the edge of pavement. The Plan Commission will need to discuss and make a decision on this request.

Architectural

- Building(s) meet height and required setbacks
- Will be constructed of hardiplank, brick and cedar shake shingles.
- The buildings will need to be sprinklered.

The buildings facing Silver Spring lack significant architectural details. The Developer provided renderings of the buildings constructed in Delafield which show much more architectural details. Should additional brick or windows be added to the buildings along Silver Spring? Should the building design be consistent for all buildings on site? Comment and feedback for the ARB should be provided about the building architecture.

Lighting

- Lighting does not spill out onto neighboring properties.
- Pole height not to exceed 25 feet, bases are to be buried or if exposed they shall be painted to blend in with the surroundings or have a decorative base.
- Need to provide cut sheets of lights to be used.

Landscape

- The east, west and south side of this property are screened with woods. The proposed landscape is sufficient.

Should a fence be added along the perimeter of the property that abuts the residential property?

The proposal for this project is to develop commercial condominium units. Each space will have a large overhead door and option for an office and bathroom. Because these buildings will be sold as condominiums the Developer will need to receive approval of a condo plat and the bylaws. Each individual unit owner will need to come before the Plan Commission for approval of their business use of the property prior to occupancy of the space. This is necessary to ensure compliance with codes for uses and safety of stored materials, etc.

Policy Question:

1. Are there any concerns with the Conditional Use application?
2. Are there any concerns with the property?
3. Are there any concerns with the plans? Any direction for the ARB regarding the plans?

Action Items:

1. Direct staff to schedule the public hearing.

Staff Recommendation: Staff recommends scheduling the public hearing for the February Plan Commission meeting.

B. Conceptual review of Conditional Use, Plan of Operation and site plan for Burn Boot Camp – Lake Country (W248N5250 Executive Drive).

This site is zoned BP-1. The fitness facility is a conditional use in the BP-1 Business Park District in accordance with Section 17.0506 (A)(2)(c). The fitness facility will offer fitness classes, provide childcare for class participants and sell nutritional supplements and retail apparel. Hours of operation will be Monday through Friday 5:00 a.m. to 11:00 a.m. and 4:00 p.m. to 7:00 p.m. Saturday 7:00 a.m. to 11:00 a.m. no classes on Sunday.

This site has 187 parking stalls 105 are allocated to other users and this user requires 20 per code.

Any signage for this site will need to be reviewed by the Building Inspector.

Policy Question:

1. Are there any concerns with the Conditional Use application?
2. Are there any concerns with the property?

Action Items:

1. Direct staff to schedule the public hearing.

Staff Recommendation: Staff recommends scheduling the public hearing for the February Plan Commission meeting.

06. Consideration and possible action on Zoning and Planning Items:

A. Discussion of screening and landscape standards of subdivisions along arterial and collector roads.

Staff was directed to provide information on the landscape standards for subdivisions. Included in the packet is the approved landscape plan for Woodside Ridge. The plan indicates trees and evergreens within the landscape easement along Good Hope Road and Woodside Road. The plan included protecting the existing mature trees meet current design standards and is consistent with what was done for Coldwater Creek along Woodside Road, and was more intense than the landscaping required along Majestic Heights and Braddock Place. The major difference is that for Coldwater Creek the trees are now 15 years old vs. new and the homes and individual yards are now all landscaped, while Woodside Ridge is still under construction. Woodside Ridge also has a requirement that each homeowner add at least three additional trees to their lot, when the home is built, which will add to the landscaping. This allows the homeowner some discretion on the style and location.

There are no right or wrong solutions and any decision means trade-offs between different priorities. We have a video to show that depicts the existing conditions. Before the Plan Commission dives into answers it would be crucial for the Plan Commission to discuss what goals they are hoping to achieve. Also please keep in mind this is a discussion about similar uses (single family to single family). The standards are much higher where you have a single family next to industrial as an example.

Policy Question:

1. What outcomes are you looking for with respect to screening and landscaping of subdivisions and why?
 - A. Total Perimeter Screening from Day 1.

- B. Total Perimeter Screening Long Term
 - C. Entryway Beautification
 - D. Protection of Existing Trees/Tree Lines
 - E. Mix of Tree Types
 - F. Flexibility with use of backyard space
 - G. Flexibility of landscaping style
 - H. Visibility of neighborhoods for safety/aesthetics
2. What impacts are caused by addressing those outcomes and where are those points where desired outcomes and impacts balance in your mind? Here are some of the impacts.
- A. Significant berming to screen from day 1
 - B. Disturbance of existing Trees/Tree line
 - C. Impact on stormwater design
 - D. How much land unusable due to berming (not available for activity).
 - E. Homeowners ability to select their landscaping for their yard.
 - F. Connectivity of neighborhoods (isolation vs open the “no fences” concept).
 - G. The costs, how much is too much, and who takes care of long term maintenance.
 - H. Is it solving a short term problem with over regulation?
3. Does this issue need to be looked into further?

Action Items:

- 1. If after discussing 1 and 2 above the Plan Commission answers yes to question 3, then formation of a work group would be appropriate to explore the issue thoroughly.

Staff Recommendation: Staff’s only recommendation is for the Plan Commission to carefully consider the matter prior to adjustments to ensure changes will deliver the desired outcomes without too significant of impact on other priorities of planning.

07. Consideration and possible action on CSM’s and Plats:

08. Other Items for future discussion.

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

- 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.