



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

**AGENDA
PLAN COMMISSION
VILLAGE OF SUSSEX
THURSDAY, JUNE 16, 2016
AT 6:30 P.M.
VILLAGE HALL, N64W23760 MAIN STREET-LOWER LEVEL**

Pursuant to the requirements of Section 19.84, Wis Stats., notice is hereby given of a meeting of the Village of Sussex Plan Commission, at which a quorum of the Village Board may attend in order to gather information about a subject which they have decision making responsibility. The meeting will be held at the above noted date, time and location. Notice of Village Board Quorum, (Chairperson to announce the following if a quorum of the Village Board is in attendance at the meeting: Please let the minutes reflect that a quorum of the Village Board is present and that the Village Board members may be making comments under the Public Comments section of the agenda, during any Public Hearing(s) or if the rules are suspended to allow them to do so.)

1. Roll call.
2. Consideration and possible action on the minutes of the Public Hearing and of the Plan Commission meeting of May 19, 2016.
3. Comments from citizens present.
When speaking, citizens should state their name and address for the record and be concise with their comments and presentation.
4. Consideration and possible action on Permitted Uses and Plans:
 - A. Consideration and possible action on a Plan of Operation and site plan for Ichiban Sussex LLC (N65W24838 Main Street).
 - B. Consideration and possible action on a Plan of Operation and site plan for Malabar Coast Coffee & Tea (N63W23217 Main Street).
 - C. Consideration and possible action on a Plan of Operation and site plan for Embellish Salon (N63W23217 Main Street).
5. Consideration and possible action on Conditional Uses and Plans:
6. Consideration and possible action on CSM's and Plats:
 - A. Consideration and possible action on a Condominium Plat for Sussex Civic Campus (N64W23760 Main Street).
7. Consideration and possible action on Zoning and Planning Items:
 - A. Consideration and possible action on an Ordinance to repeal and recreate Section 17.0800 entitled "Signs" of Chapter 17 Zoning Code.
 - B. Discussion and possible action on property maintenance issues of homeowner Joseph Balcerek N66W24015 Champeny Road.
8. Other items for future discussion.

9. Adjournment.

Greg Goetz
Chairperson

Jeremy Smith,
Village Administrator

Please note that, upon reasonable notice, efforts will be made to accommodate the needs of disabled individuals through appropriate aids and services. For additional information or to request service, contact Jeremy Smith at 246-5200.

VILLAGE OF SUSSEX
SUSSEX, WISCONSIN

Minutes of the public hearing held by the Plan Commission on May 19, 2016

Chairman Greg Goetz called the hearing to order at 6:33 p.m.

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

Members excused: Roger Johnson

Others present: Administrator Jeremy Smith, Attorney John Macy, Assistant Development Director Kasey Fluet, and Administrative Services Director Casen Griffiths.

Chairman Goetz read the notice of public hearing to which is to hear from citizens present on the following matters:

To consider an application for a conditional use permit for earth movement within a shoreland area from Sussex IM for property located on the north side of CTH K and east of Executive Drive which is considered a conditional use in accordance with Section 17.0214. The petitioner and property owner is Sussex IM.

Mark Hetzfeldt, N173 W21010 Northwest Passage Way, Jackson, representing Design 2 Construct and the owners of Sussex IM, stated that there are two parcels. The site is surrounded by wetlands and floodplain. The access points for the property will be across from Swan Road and a right in/right out drive for trucks along Highway K. The building will be a precast structure 25-28 ft. tall with a smooth finish.

Mr. Smith noted that the reason for the public hearing is due to the fact that work and grading is being done within 300 feet of the shoreland. The project is not in a floodplain or wetland and the use is permitted for the property.

Chairman Goetz opened the public hearing to comments from citizen present. There was no one present who wished to be heard.

A motion by Goetz, seconded by Tetzlaff to close the public hearing at 6:39 p.m. Motion carried.

Chairman Goetz read the notice of public hearing which is to hear from citizens present on the following matters:

To consider an application for a conditional use permit for Piggly Wiggly, N63W23735 Main Street, for a ground sign with electronic message area which is a conditional use in the B-4 Central Mixed Use District in accordance with Section 17.0506 (A)(16)(a). The petitioner and property owner is The Boys Property LLC.

Chairman Goetz opened the public hearing at 6:39 p.m.

John Doyle, 927 Marvel Ave, Woodstock, Illinois representing Doyle Signs and the owners of the Piggly Wiggly stated that the proposed sign is an electronic message center. The sign meets the requirements of the Village's ordinance and will not affect visibility.

Mr. Goetz asked if the sign's base would have lannon stone. Mrs. Fluet stated that it would look like the bridge and also match the wall that will be constructed on Main Street.

Chairman Goetz opened the public hearing to comments from citizen present. There was no one present who wished to be heard.

A motion by Pellechia, seconded by Kremer, to close the public hearing at 6:42 p.m. Motion carried.

Chairman Goetz read the notice of public hearing which is to hear from citizens present on the following matters:

To consider an application for a conditional use permit for Sussex Civic Center, N64W23760 Main Street, for a ground sign with electronic message area which is a conditional use in the B-4 Central Mixed Use District in accordance with Section 17.0506 (A)(16)(a). The petitioner and property owner is The Village of Sussex.

Chairman Goetz opened the public hearing at 6:43 p.m.

Jeremy Smith, N64W23760 Main Street, Village Administrator representing the Village of Sussex stated that the sign will be across the street from the Piggly Wiggly sign. The sign will be used by the Village and the library and the base will match the lannon stone on the building.

Chairman Goetz opened the public hearing to comment from citizens present. There was no one present who wished to be heard.

A motion by Pellechia, seconded by Tetzlaff to close the public hearing at 6:44 p.m. Motion carried.

Chairman Goetz read the notice of public hearing which is to hear from citizens present on the following matters:

To consider an application for a conditional use permit to reduce the floodway or floodplain in the cross sections from south of CTH K to north of Clover Drive which is considered a conditional use in accordance with Chapter 14 Section 14.970. The petitioner is The Village of Sussex and an application has been filed with FEMA.

Chairman Goetz opened the public hearing at 6:44 p.m.

Jeremy Smith, N64W23760 Main Street, Village Administrator representing the Village of Sussex stated that the state had remapped the floodplain and impacted properties. The Village redid a study to determine actual flood elevations and this was put into the DNR's model. The new model has removed properties from the floodplain.

Chairman Goetz opened the public hearing to comments from citizens present. There was no one present who wished to be heard.

A motion by Pellechia, seconded by Kremer to closed the public hearing at 6:46 p.m. Motion carried.

Respectfully Submitted,

Casen J. Griffiths
Administrative Services Director

VILLAGE OF SUSSEX
SUSSEX, WISCONSIN

Minutes of the Plan Commission meeting held on May 19, 2016.

Chairman Goetz called the meeting to order at 6:47 p.m.

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

Commissioners excused: Roger Johnson.

Others present: Administrator Jeremy Smith, Attorney John Macy, Assistant Development Director Kasey Fluet and Administrative Services Director Casen Griffiths.

Consideration and possible action on the minutes of the public hearing and Plan Commission meeting of April 21, 2016.

A motion by Tetzlaff, seconded by Kremer, to approve the minutes of the Plan Commission meeting of April 21, 2016 as submitted. Motion carried.

Comments from citizens present. There was no one present who wished to be heard.

Consideration and possible action on a plan of operation and site plan for Graceful Esthetics, N61W23198 Silver Spring Drive.

Ms. Ann Meyer, N470W19831 Ridgeway Drive, Slinger was present on this matter. Ms. Meyer stated that she is an esthetician. The business is a small day spa/skin care business. She will be the only employee of the business. Mrs. Fluet reviewed the Plan Staff Memo on this matter (copy attached).

A motion by Anderson, seconded by Pellechia, to approve the Plan of Operation and site plan for M.J. Graceful Esthetics (N61W23198 Silver Spring Drive); a finding that the use and structures meet the principals of 17.1002(A-H); subject to the Building Inspectors conditions and the standard conditions of Exhibit A. Motion carried.

Consideration and possible action on a site, architectural building, lighting and landscape plans for an addition to Lannon Stone Products (N52W23096 Lisbon Road)

Hans and Heidi Dawson, of Lannon Stone Products, N52W23096 Lisbon Road, were present on this matter. Ms. Dawson stated that the addition was to allow of an expansion of the business. The addition will include private offices. Mrs. Fluet reviewed the Plan Staff Memo on this matter (copy attached).

A motion by Kremer, seconded by Goetz, to approve the site, architectural building, lighting and landscape plans for the addition to Lannon Stone Products (N52W23096 Lisbon Road); 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.

Consideration and possible action on a Conditional Use for ground sign with an electronic message area for Piggly Wiggly (N63W23735 Main Street).

Mr. John Doyle was present on this matter. Mrs. Fluet reviewed the Plan Staff Memo on this matter (copy attached) and stated that in the conditional use is a statement that Piggly Wiggly will remove the existing pole sign.

Ms. Kremer asked if the sign is too close to the sidewalk and if it would obstruct visibility of the sidewalk for individuals trying to turn out of the grocery store parking lot. Mr. Smith noted that the intersection is signalized with the stop line behind the sidewalk. There would not be an issue with visibility.

A motion by Tetzlaff, seconded by Anderson to approve the Conditional Use to allow the ground sign with electronic message area for Piggly Wiggly (N63W23735 Main Street) and a finding the use and structure meet the principles of 17.1002(A-H); subject to the standard conditions of Exhibit A and the Building Inspector issuing a sign permit. Motion carried.

Consideration and possible action on a Conditional Use for a ground sign with an electronic message area for Sussex Civic Campus (N64W23760 Main Street).

Mrs. Fluet reviewed the Plan Staff Memo on this matter (copy attached), noting that there may be a change with regards to the open/close sign for the library. Mr. Pellechia asked if there was a reason, with changes that may be made, that this item was coming to the Plan Commission now rather than a later date. Mr. Smith noted that the sign has to be put out for bid. Mr. Pellechia noted his concern that the Village may be accused of treating itself differently with this sign application. Attorney Macy noted that this was not any different than other sign approvals; staff reviews signs to ensure substantial compliance and minor changes are not required to come back to Plan Commission.

A motion by Tetzlaff, seconded by Schauer to approve the Conditional Use to allow the ground sign with electronic message area for Sussex Civic Campus (N63W23735 Main Street) and a finding the use and structures meet the principals of 17.1002(A-H); subject to minor changes in the final design can be approved by the Village Administrator, the standard conditions of Exhibit A and the Building Inspector issuing a sign permit. Motion carried.

Consideration and possible action on a Conditional Use for the modification of the flood elevation for Pewaukee River of cross section between CTH K and Clover Drive.

Mrs. Fluet reviewed the Plan Staff Memo on this matter (copy attached).

A motion by Pellechia, seconded by Kremer to approve the Conditional Use to allow the reduction of the floodplain and a finding the use and structures meet the principles of 17.10012(A-H); subject to the standard conditions of Exhibit A. Motion carried.

Consideration and possible action on a Conditional use, Plan of Operation, site, architectural, lighting, landscape plan and CSM for Sussex IM (north side of CTH K and east of Executive Drive).

Mrs. Fluet reviewed the Plan Staff Memo on this matter (copy attached) and stated that staff has placed in the conditional use that the metal wall panel to be up for up to five years, if at which point expansion of the building has not occurred, the metal wall panels would need to be replaced with an appropriate material. Mr. Pellechia asked if it would be possible for the applicant to ask for an extension if they're not able to expand within the next five years. Mr. Smith noted that they are able to ask for an extension.

A motion by Goetz, seconded by Kremer to recommend approval of the CSM to the Village Board and to approve the Conditional Use, Plan of Operation, site, architectural building, lighting and landscape plans for Sussex IM (north side of CTH K and east of Executive Drive); to approve the metal wall panels with

the condition the panels are to be removed five years from the date of occupancy and replaced with material matching the rest of the building, if the wall is not replaced on or before the five years, the building owner will be subject to daily fines until the situation is rectified, and structure meet the principals of 17.1002(A-H); subject to Sussex IM entering into a developers agreement, the conditions of the ARB, final review by the Village Engineer, Tree Preservation plan to be reviewed by the Tree Board and the standard conditions of Exhibit A. Motion carried.

Consideration and possible action of a CSM for the Town of Lisbon, extra territorial review, north of Northview Drive east of Maple Avenue to create a lot and outlot.

Mrs. Fluet reviewed the Plan Staff Memo (copy attached), noting that the parcel is in the Town of Lisbon and will remain in the town. The outlot is to be the location of the stormwater ponds for the Johanssen Farms Subdivision.

A motion by Tetzlaff, seconded by Pellechia to recommend to the Village Board to approve the CSM to create an outlot and Lot 1 for the property in the Town of Lisbon, north of Northveiw Drive east of Maple Avenue, subject to final review by the Village Engineer and the standard conditions of CSM approval and Exhibit A. Motion carried.

Consideration and possible action of a CSM for Sussex Town Center, located east of HWY 164 and south of Main Street/CTH VV.

Mrs. Fluet reviewed the Plan Staff Memo (copy attached). The CSM is to create Lot 1, 2 and 3 of the remaining development. Lot 1 will be the Kwik Trip; Lot 3 will be the site of the relocated US Cell tower.

A motion by Goetz, seconded by Kremer to recommend to the Village Board to approve the CSM to create Lots 1, 2 and 3 for the property located east of HWY 164 and south of Main Street/CHT VV subject to the final review of the Village Engineer and subject to the Developer entering into a Developer's Agreement for the construction of the improvements and standard conditions of CSM approval and Exhibit A. Motion carried.

Consideration on creation of a working group to review and make a recommendation to amend the sign code Section 17.0800.

Mr. Smith reviewed the U.S. Supreme Court decision which changed the way municipalities are able to regulate signage. The Village's sign code relating to content or the implied regulation needs to be reviewed and adjusted to comply with the ruling. Staff has completed a draft of recommended changes to Section 17.0800 and is recommending that a workgroup be formed to address all the items of recent change.

Chairmen Goetz, Ms. Kremer and Ms. Schauer volunteered to serve on the workgroup.

Other Future Items for Discussion

None

A motion by Kremer, seconded by Pellechia, to adjourn the meeting at 7:28 p.m. Motion carried.

Respectfully Submitted,

Casen J. Griffiths
Administrative Services Director



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MEMORANDUM

TO: Plan Commission

FROM: Kasey Fluet, Assistant Development Director

RE: Plan Commission meeting of May 19, 2016

DATE: May 6, 2016

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 Plan Commission meeting on April 21, 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 Graceful Esthetics (N61W23198 Silver Spring Drive).

This site is zoned B-4. The spa service business is a permitted use in the B-4 Central Mixed Use District in accordance with Section 17.0419 (C)(5)(b). The business will occupy 1,000 square feet of the 2,000 square foot building. Hours of operation will be Monday through Thursday 8:00 a.m. to 8:00 p.m., Friday 8:00 a.m. to 5:00 p.m. and Saturday 8:00 a.m. to 3:00 p.m. This site has 10 parking stalls with 5 allocated to another user this user requires 5 parking stalls and the site has additional unmarked parking.

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 Graceful Esthetics (N61W23198 Silver Spring Drive); a finding that the use and structures meet the principals of 17.1002(A-H); subject to the Building Inspectors conditions and the standard conditions of Exhibit A.

B. Consideration and possible action on a site, architectural building, lighting and landscape plans for an addition to Lannon Stone Products (N52W23096 Lisbon Road).

This site is zoned Q-1. The addition to the office building is a permitted use in the Q-1 Quarry District in accordance with Section 17.4023 (B)(3). Lannon Stone Products is

submitting to add 2,500 square foot to the existing 3,600 square foot office building for their growing needs. The addition meets the setback requirements and the plans for the site, building, lighting and landscape were reviewed by the ARB at the May 4, 2016 meeting and the following motion was made:

A motion by Tetzlaff, seconded by Granicki to recommend to the Plan Commission to approve the site, building, lighting and landscape plans for an addition to the Lannon Stone Products office building. Motion carried.

Policy Question:

1. Are there any concerns with the plans?
2. Are there any concerns with the property?

Action Items:

1. Act on the plans.

Staff Recommendation: Staff recommends the Plan Commission approve site, architectural building, lighting and landscape plans for an addition to Lannon Stone Products (N52W23096 Lisbon Road.); 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. Consideration and possible action on a Conditional Use for a ground sign with an electronic message area for Piggly Wiggly (N63W23735 Main Street).

This site is zoned B-4. The ground sign with an electronic message area is a conditional use in the B-4 Central Mixed use district in accordance with Section 17.0506 (A)(16)(a). Piggly Wiggly will remove the existing pole sign and replace it with a new ground sign with an electronic message area and locate this new sign on the east entrance of the site. In order for the Plan Commission to grant a CU the sign must also meet the requirements of Section 17.0807 (C).

16. *Electronic Message Signage. In addition to the requirements for an electronic message sign as stated in Section 17.0807 (C) the following criteria must be met:*

(a) In the B-4 Central Mixed Use District, B-1 Neighborhood Business and I-1 Institutional districts, the message sign is part of a ground sign. The Plan Commission must make the finding the sign is reasonably located and screened from residential view so as not impact the safety or welfare of any residential properties.

- C. *Electronic Message Signs are a special privilege sign granted under unique circumstances for orderly and pleasing development. The signs are intended to promote the effective display of brief messages in a clear and pleasing manner.*

1. These signs are permitted for single tenant buildings in the B-2, B-3, BP-1, OP-1, OP-2, I-1 and M-1 Districts. The Plan Commission must find the following for a permit to be issued:

*a. The message sign is part of a ground or monument sign. ... **The message sign is part of the ground sign.***

*b. The sign will not interfere with the visibility of any traffic signal. **The sign is setback sufficiently that it will not interfere with visibility of a traffic signal***

*c. The character and design of the sign is compatible with the general area and building, and that the impact of such a sign will not visually impact any nearby residential areas. **The sign base and pillar will be integrated with the Main Street project as part of the dividing wall between the parking lot and the sidewalk.***

d. The electronic message sign is an essential component of the operations of the business

as determined by the sole discretion of the Plan Commission. **The electronic message sign will be a component of the business.**

2. *These signs are a conditional use under Section 17.0506(A)(16) in the B-1, B-4, and I-1 Districts, and for multi-tenant buildings in the B-2, B-3, BP-1, OP-2, and M-1 Districts.*

The ground sign with electronic message was reviewed by the ARB at the May 4, 2016 meeting and following motion was made:

A motion by Granicki, seconded by Schauer to recommend to the Plan Commission to approve the ground sign with electronic message area for Piggly Wiggly with the side pillar to be flat with a stone cap.

The Public Hearing was held prior to this meeting and it would be appropriate for the Plan Commission to address any relevant concerns of the Plan Commission from said public hearing during this point in the agenda.

The Village process allows the CU to be granted at this meeting by Plan Commission discretion. Staff has prepared a CU document for consideration at this meeting.

Policy Question:

1. Are there any concerns with the ground sign with electronic message area?
2. Are there any concerns with the CU?
3. Does the sign meet all the requirements of Section 17.0807 (C)?

Action Items:

1. Act on the CU and the ground sign with electronic message area OR
2. Provide additional comments for inclusion in the CU and direct staff to bring back for the June Plan commission

Staff Recommendation: Staff recommends approval of the Conditional Use to allow the ground sign with electronic message area for Piggly Wiggly (N63W23735 Main Street) and a finding the use and structures meet the principals of 17.1002(A-H); subject to the standard conditions of Exhibit A and the Building Inspector issuing a sign permit.

B. Consideration and possible action on a Conditional Use for a ground sign with an electronic message area for Sussex Civic Campus (N64W23760 Main Street).

This site is zoned B-4. The ground sign with an electronic message area is a conditional use in the B-4 Central Mixed use district in accordance with Section 17.0506 (A)(16)(a). Due to the new building and drive location the Sussex Civic Campus will erect a new ground sign with an electronic message area. This sign will be located on the east side of the new drive location. In order for the Plan Commission to grant a CU the sign must also meet the requirements of Section 17.0807 (C).

16. *Electronic Message Signage. In addition to the requirements for an electronic message sign as stated in Section 17.0807 (C) the following criteria must be met:*

(a) In the B-4 Central Mixed Use District, B-1 Neighborhood Business and I-1 Institutional districts, the message sign is part of a ground sign. The Plan Commission must make the finding the sign is reasonably located and screened from residential view so as not impact the safety or welfare of any residential properties.

C. *Electronic Message Signs are a special privilege sign granted under unique circumstances for orderly and pleasing development. The signs are intended to promote the effective display of brief messages*

in a clear and pleasing manner.

1. These signs are permitted for single tenant buildings in the B-2, B-3, BP-1, OP-1, OP-2, I-1 and M-1 Districts. The Plan Commission must find the following for a permit to be issued:

a. The message sign is part of a ground or monument sign.... **The message sign is part of the ground sign.**

b. The sign will not interfere with the visibility of any traffic signal. **The sign is setback sufficiently that it will not interfere with visibility of a traffic signal**

c. The character and design of the sign is compatible with the general area and building, and that the impact of such a sign will not visually impact any nearby residential areas. **The sign base and pillar will be integrated with the Main Street project as part of the dividing wall between the parking lot and the sidewalk.**

d. The electronic message sign is an essential component of the operations of the business as determined by the sole discretion of the Plan Commission. **The electronic message sign will be a component of the business.**

2. These signs are a conditional use under Section 17.0506(A)(16) in the B-1, B-4, and I-1 Districts, and for multi-tenant buildings in the B-2, B-3, BP-1, OP-2, and M-1 Districts.

The ground sign with electronic message was reviewed by the ARB at the May 4, 2016 meeting and following motion was made:

A motion by Schauer, seconded by Tetzlaff to recommend to the Plan Commission to approve the ground sign with electronic message area for Sussex Civic campus.

The Public Hearing was held prior to this meeting and it would be appropriate for the Plan Commission to address any relevant concerns of the Plan Commission from said public hearing during this point in the agenda.

The Village process allows the CU to be granted at this meeting by Plan Commission discretion. Staff has prepared a CU document for consideration at this meeting.

The ground sign with electronic message sign will be sent for bid to various sign contractors, the final sign design will look as close to the rendering but might have some adjustments for font sizes of letters, the overall size of the sign and electronic message area will be the size as depicted in the rendering.

Policy Question:

1. Are there any concerns with the ground sign with electronic message area?
2. Are there any concerns with the CU?
3. Does the sign meet all the requirements of Section 17.0807 (C)?

Action Items:

1. Act on the CU and the ground sign with electronic message area OR
2. Provide additional comments for inclusion in the CU and direct staff to bring back for the June Plan commission

Staff Recommendation: Staff recommends approval of the Conditional Use to allow the ground sign with electronic message area for Sussex Civic Campus (N63W23735 Main Street) and a finding the use and structures meet the principals of 17.1002(A-H); subject to minor changes to the final design can be approved by the Village Administrator, the standard conditions of Exhibit A and the Building Inspector issuing a sign permit.

C. Consideration and possible action on a Conditional Use for the modification of the flood elevation for Pewaukee River of cross section between CTH K and Clover Drive.

The reduction of the floodway or floodplain is considered a conditional use in accordance with Chapter 14 Section 14.970. Stormwater Solutions Engineering, LLC was hired to conduct a floodplain analysis of the Pewaukee River from the cross sections south of CTH K to north of Clover Drive. The objective of this study is to accurately depict the floodplain during flooding events in this area. Reducing the floodplain in this area is appropriate based upon field study and actual results and will support economic development. This study showed a lower modeled base flood elevation of up to 1.5 feet in some places.

The Village Engineer has begun the process with FEMA to revise the Flood Insurance Rate Maps.

The Public Hearing was held prior to this meeting and it would be appropriate for the Plan Commission to address any relevant concerns of the Plan Commission from said public hearing during this point in the agenda.

The Village process allows the CU to be granted at this meeting by Plan Commission discretion. Staff has prepared a CU document for consideration at this meeting.

Policy Question:

1. Are there any concerns with the modification to the floodplain?
2. Are there any concerns with Conditional Use?

Action Items:

1. Act on the Conditional Use.
2. Provide additional comments for inclusion in the CU and direct staff to bring back for the June Plan commission

Staff Recommendation: Staff recommends approval of the Conditional Use to allow the reduction of the floodplain and a finding the use and structures meet the principals of 17.1002(A-H); subject to the standard conditions of Exhibit A.

D. Consideration and possible action on a Conditional Use, Plan of Operation, site, architectural, lighting, landscape plan and CSM for Sussex IM (north side of CTH K and east of Executive Drive).

This site is zoned BP-1. The injection molding business will use this location for general manufacturing of product which is a permitted use in the BP-1 Business Park District in accordance with Section 17.0420 (A)(5)(e). The first phase of the new building will be 81,000 square feet and they plan to construct the second phase addition of 60,000 square feet within the very near future.

In accordance with Section 17.0214 any earth movement within a shoreland area requires the petitioner to receive a conditional use under Section 17.0500. The site plan indicates grading in the area of the building for phase one. Section 17.0214 additionally states that no tree cutting and shrubbery clearing within 100 feet is permitted except that paths and trails that do not exceed ten feet in width can be established within the 100' buffer area.

The Plan Commission gave staff guidance about the metal wall panel to have a condition placed within in the CU that allows the metal panels for up to five years, if at which point the expansion has not occurred the metal wall panels would need to be replaced with an appropriate material matching the rest of the building. This is included in the draft CU.

Sussex IM is purchasing two parcels and combining them into one parcel to create an 18 acre lot. The CSM will contain language for an easement for the path dedicated to the Village of Sussex.

The plans for the new building were reviewed by the ARB at the May 4, 2016 meeting and following motion was made:

A motion by Tetzlaff, seconded by Granicki to recommend to the Plan Commission to approve the site, architectural building, lighting and landscape plan with the following conditions

- *Adjust sidewalk width along parking lot and add curb or barrier at parking lot.*
- *Submit a rendering of the dumpster enclosure and approval to be made by the ADD.*
- *Metal panel to match the color of the prefinished precast walls. Metal panel wall will be allowed for a period of no more than 5 years after the date of occupancy is granted.*
- *Add windows to the west side of phase 2 spacing to match the front elevation.*

The Public Hearing was held prior to this meeting and it would be appropriate for the Plan Commission to address any relevant concerns of the Plan Commission from said public hearing during this point in the agenda.

The Village process allows the CU to be granted at this meeting by Plan Commission discretion. Staff has prepared a CU document for consideration at this meeting.

Policy Question:

1. Are there any concerns with the CU and plan of operation?
2. Are there any concerns with the site, architectural, lighting and landscape plans?
3. Are there any concerns with the time limit for the metal wall?
4. Are there any concerns with the CSM?

Action Items:

1. Act on the CU, the plans and CSM OR
2. Provide additional comments for inclusion in the CU and direct staff to bring back for the June Plan commission

Staff Recommendation: Staff recommends approval of the CSM to the Village Board, and to approve the Conditional Use, Plan of Operation, site, architectural building, lighting and landscape plans for Sussex IM (north side of CTH K and east of Executive Drive); to approve the metal wall panels with the condition the panels are to be removed five years from the date of occupancy and replaced with material matching the rest of the building, if the wall is not replaced on or before the five years, the building owner will be subject to daily fines until the situation is rectified; and a finding the use and structures meet the principals of 17.1002(A-H); subject to the conditions of the ARB, final review by the Village Engineer, Tree Preservation plan to be reviewed by the Tree Board, and the standard conditions of Exhibit A.

06. **Consideration and possible action on CSM's and Plats:**

A. Consideration and possible action of a CSM for the Town of Lisbon, extra territorial review, north of Northview Drive east of Maple Avenue to create a lot and outlot.

This parcel is in the Town of Lisbon and will remain in the Town of Lisbon. The outlot will be the location for the stormwater ponds for the Johanssen Farms Subdivision.

Ownership of the outlot will need to be transferred to the Village of Sussex prior to the final plat approval.

Policy Question:

1. Are there any concerns with the CSM?

Action Items:

1. Act on the CSM.

Staff Recommendation: Staff recommends the Plan Commission recommend to the Village Board to approve the CSM to create an outlot and Lot 1 for the property in the Town of Lisbon, north of Northview Drive east of Maple Avenue, subject to final review by the Village Engineer and the standard conditions of CSM approval and Exhibit A.

B. Consideration and possible of a CSM for Sussex Town Center, located east of HWY 164 and south of Main Street/CTH VV.

This site is zoned B-2. This is the second CSM to create Lot 1, 2 and 3 of the remaining development. Lot 1 will be the future site of the Kwik Trip, Lot 3 will be the site of the relocated US Cell tower.

Prior to any development on Lot 1 or 2 the cell tower must be moved to Lot 3. The Village Engineer has submitted some language correction to the surveyor.

Policy Question:

1. Are there any concerns with the CSM?

Action Items:

1. Act on the CSM.

Staff Recommendation: Staff recommends the Plan Commission recommend to the Village board to approve the CSM to create Lot 1, 2 and 3 for the property located east of HWY 164 and south of Main Street/CTH VV subject to the final review of the Village Engineer, and subject to the Developer entering into a Developer's Agreement for the construction of the improvements, and the standard conditions of CSM approval and Exhibit A.

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

A. Consideration on creation of a working group to review and make a recommendation to amend the sign Ordinance Chapter 17 Section 17.0800.

The U.S. Supreme Court has dramatically changed the legal landscape concerning the regulations of signs. Due to these new regulations items in our sign code relating to content or the implied regulation therein need to be reviewed and adjusted or removed from the code to comply with the Court's ruling.

A draft of the recommended changes to the sign code Section 17.0800 is included in the packet and because these changes are significant, staff is recommending a workgroup is formed to address all the items of the recent changes and ensure the communities intent for quality development is maintained.

Policy Question:

1. Are there any concerns with creating a workgroup?

Action Items:

1. Create a workgroup to work on the amendment to the sign code.

Staff Recommendation: Staff recommends the Plan Commission create a workgroup to review the sign code to make recommendation for the amendment to Section 17.0800.

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.



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 June 16, 2016

DATE: June 3, 2016

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 minutes and of the Plan Commission meeting on May 19, 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 Ichiban Sussex LLC (N65W24838 Main Street).

This site is zoned B-2. The restaurant is a permitted use in the B-2 district in accordance with section 17.0417 (A)(1)(b). The restaurant will have a new owner and is required to receive approval from the Plan Commission. No change to the Plan of Operation is indicated and the hours of operation will remain the same. The new owner has applied for a liquor license.

This site has sufficient parking for all the users.

Policy Question:

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

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 Ichiban Sussex LLC (N65W24838 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.

B. Consideration and possible action on a Plan of Operation and site plan for Malabar Coast Coffee & Tea (N63W23217 Main Street).

This site is zoned B-4. The restaurant is a permitted use in the B-4 Central Mixed Use District in accordance with Section 17.0419 (C)(1)(c). Malabar will lease approximately 1,700 square feet of space in the 13,000 square foot retail building facing Waukesha Avenue at Mammoth Springs. The space will have indoor seating for 30-34 customers and outdoor seating in the plaza area between the two retail buildings. Hours of operation will be Monday through Friday 6:00 a.m. to 9:00 p.m. and 7:00 a.m. to 9:00 p.m. Saturday and Sunday. The menu will offer coffee, tea, specialty drinks, pastries and sandwiches. The site has sufficient parking for both the residential and retail buildings with 190 parking stalls and on street parking is also available.

The business must apply for an Outdoor Establishment Permit.

Policy Question:

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

Action Items:

2. 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 Malabar Coast Coffee & Tea (N63W23217 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.

C. Consideration and possible action on a Plan of Operation and site plan for Embellish Salon (N63W23217 Main Street).

This site is zoned B-4. The hair salon is a permitted use in the B-4 Central Mixed Use District in accordance with Section 17.0419 (C)(5)(b). Embellish Salon will lease approximately 1,700 square feet of space 13,000 square foot retail building facing Waukesha Avenue at Mammoth Springs. The salon will be a full service salon offering services for hair, nails, facials and massage therapy. Hours of operation will be Monday through Thursday 9:00 a.m. to 9:00 p.m., Friday 7:00 a.m. to 8:00 p.m., Saturday and Sunday 9:00 a.m. to 5:00 p.m. The site has sufficient parking for both the residential and retail buildings with 190 parking stalls and on street parking is also available.

Policy Question:

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

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 Embellish Salon (N63W23217 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:

06. Consideration and possible action on CSM's and Plats:

A. Consideration and possible action on a Condominium Plat for Sussex Civic Campus (N64W23760 Main Street).

The Condominium Plat for the Sussex Civic Campus is necessary to combine the former Mindemann property and the Village Hall property and allow the S.O.S. to purchase their space. The Condo Plat will also describe rights and common areas for the other tenants of the new Civic Campus building. The Village owns everything outside of the S.O.S. space inside the building itself.

Policy Question:

1. Are there any concerns with the Condo Plat?

Action Items:

1. Act on the Condo Plat.

Staff Recommendation: Staff recommends the Plan Commission recommend to the Village Board to approve the Condominium Plat for Sussex Civic Campus (N64W23760 Main Street), subject to final review by the Village Engineer and the standard conditions of Condominium Plat approval and Exhibit A.

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

A. Consideration and possible action on an Ordinance to repeal and recreate Section 17.0800 entitled "Signs" of Chapter 17 Zoning Code.

At the May Plan Commission meeting a workgroup was appointed to discuss the changes needed to the sign code because of the recent U.S. Supreme Court ruling on the regulation of signs.

Most of the recommended changes in the Ordinance to the sign code are driven by the requirements of the U.S. Supreme Court ruling based on communities can no longer regulate sign content. The workgroup did however review and make some recommended changes to the code about size and location.

The Ordinance shows the track changes of the code, with the strike through section areas to be removed and the sentences underlined to be added.

Policy Question:

1. Are there any concerns with the Ordinance?

Action Items:

1. Act on the Ordinance.

Staff Recommendation: Staff recommends the Plan Commission recommend to the Village Board to approve the Ordinance to repeal and recreate Section 17.0800 entitled "Signs" of Chapter 17 Zoning Code.

B. Discussion and possible action on property maintenance issues of homeowner Joseph Balcerek N66W24015 Champeny Road.

This site is zoned RS-4. This is a property with some property maintenance issues that the neighbors would like addressed. Village staff has been addressing violations since 2014. In 2014 Mr. Balcerek received three letters stating his property was in violation of the grass height ordinance. In 2015 two letters were sent for violating the ordinance of not removing his garbage cans within 24 hours after collection and not keeping them screened from view. In June 2016 Mr. Balcerek again received a letter stating his property was in violation of the grass height ordinance. The property owner has struggled to maintain the property during this entire time period.

The adjacent property owners asked for this item to go before the Plan Commission so they could express their frustration about Mr. Balcerek's property and seek additional direction and steps to bring the property into compliance with the Village's Property Maintenance ordinance.

In particular, the bushes around the house should be trimmed, all weed growth removed, the grass maintained at appropriate heights and the homeowner should repair or remove the broken clothes line and flower box.

Mr. Balcerek has been invited to explain his situation and the neighbors who have raised the complaint will also be present to explain their positions. It would be appropriate for the Plan Commission to give direction to staff on if additional enforcement steps should be taken at this time. If a problem isn't being resolved the Village could do the following:

1. Do nothing.
2. Have staff reiterate the standards with a compliance date?
3. Have staff reiterate the standards with a compliance date and notification that daily fines will start upon the failure to complete and maintain.
4. Recommend to the Village Board to start daily fines or start a summons and complaint.

It is always the Village's goal to get voluntary compliance and have neighbors resolve their issues, but sometimes additional steps are necessary to resolve these matters.

Policy Question:

1. Is the property being properly maintained?
2. If the property is not being properly maintained should additional steps be taken to see compliance with the standards?
3. What additional steps would be appropriate at this time?

Action Items:

1. Give direction to staff.

Staff Recommendation: Staff recommends the Plan Commission give direction to staff regarding the items they want the property owner to address, establish a timeframe for bringing the property into compliance and the next step to be taken if the property owner does not comply.

08. Other Items for future discussion.



PLAN OF OPERATION

To be used for a business with changes or new business in an existing building.

Is this request to be considered for a Conditional Use? no If yes, is this a new CU? _____

(Conditional Use Permits require a Public Hearing)

OR an amendment to a CU? _____

Tax Key # 231997002

Zoning: B2

Address of Tenant Space: N65W24838 main st

1. Name of Business: Ichiban Sussex LLC

Business N65W24838 main st Sussex WI 53089 ~~920-234-9179~~ 917-929-9091

Address City, State, Zip Phone #

Fax # Email address BJLin BJLin1982@gmail.com

2. Business owner contact information:
Contact Bao Jian Lin

Address 213 Duncraig Dr Lynchburg VA 24502 917-929-9091

City, State, Zip Phone #

Fax # Email address

3. Building/Land owner contact information:
Contact McAdams Realty

Address 252 East Highland Milwaukee 847-417-4475

City, State, Zip Phone #

Fax # Email address

4. Number of Employees/Shifts: 5 Employees Shifts

5. Days of Operation:

Put an X in box that applies:
Hours
Open for business

Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
X	X	X	X	X	X	X
11:00-10:00				11:00-10:30	11:00-10:30	12:00-10:00

6. Is this an extension of an existing operation? no
7. On a separate sheet of paper explain your business use and/or the change to your business. Attach a list of all items to be sold, produced or stored on the premises.
8. Is a liquor license or any other special license to be obtained from the Village Board or State Licensing Agencies? yes Do you need an Outdoor Establishment Permit? no
 If yes, explain: _____
 If yes, please obtain and complete permit application.
9. If your proposed operation will utilize a liquor license, what types of entertainment are you proposing? none
10. Do you feel there will be any problems such as odor, smoke or noise resulting from this operation? no If yes, explain: _____
11. Dimension of area to be occupied _____ Total square footage _____
 If applicable list square footage according to 1st floor 2272 2nd floor _____

Please provide a copy of the site plan showing parking and layout of the building and if a multi tenant building, label the space which will be occupied by your business.

12. Parking:
 Total Number of Parking Spaces _____ Number of spaces needed per code _____
 Number of spaces allocated for employee parking _____
 Dimensions of parking lot _____ Is parking lot paved? _____

13. Signage: What type of signage are you proposing for your business?
wait sign
 If applicable, complete a Sign Permit application and submit to the Building Inspection Dept. Please refer to Chapter 17.0800.

I have reviewed a copy of the Zoning Ordinance in the Village of Sussex and hereby agree to abide by the same, as well as any and all terms and conditions of any permit issued pursuant to this application.

I do swear to or affirm that all statements contained herein are true and correct to the best of our knowledge.

[Signature]

 Name

4/14/16

 Date

 Title or Position

I am aware and approve of the business to be operating in the building owned by _____.

 Name

 Date

 Title or Position

Ichiban restaurant is a fast food Asian cuisine restaurant and will offer sushi. We have applied for a liquor license to sell beer, liquor and wine.

Pick N Save.

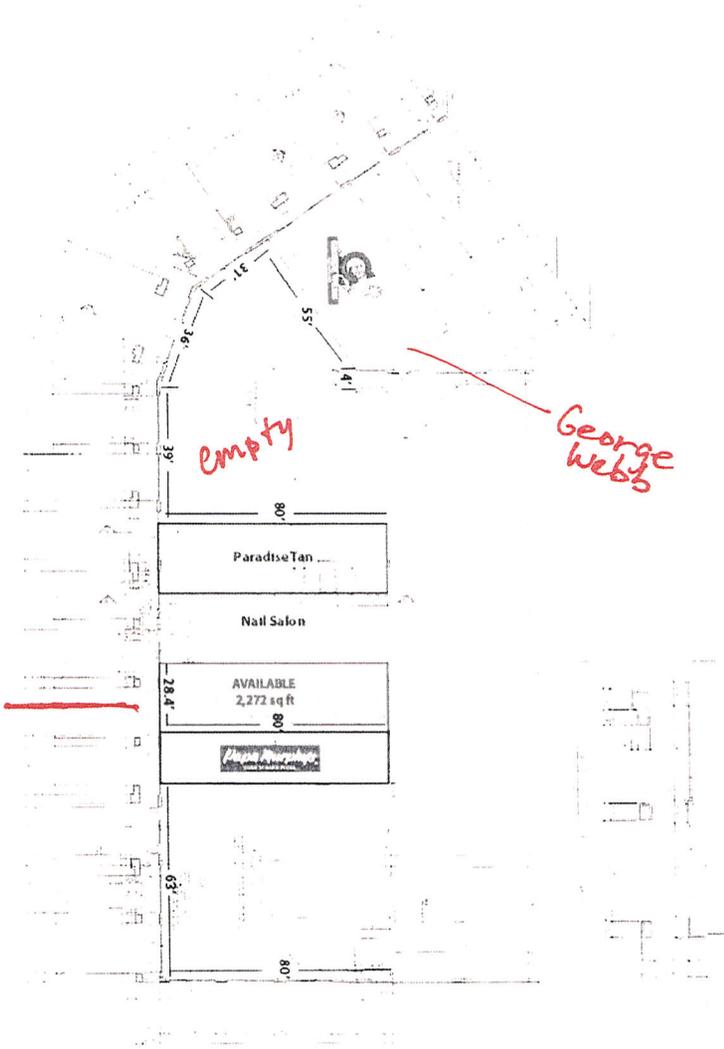


EXHIBIT A

Ichiban



PLAN OF OPERATION

To be used for a business with changes or new business in an existing building.

Is this request to be considered for a Conditional Use? No If yes, is this a new CU? _____

(Conditional Use Permits require a Public Hearing)

OR an amendment to a CU? _____

Tax Key # _____

Zoning: B-4

Address of Tenant Space: N63 W23207 Main Street Sussex, WI 53089

1. Name of Business:

Business
 606 Old Indian Mound Trail Sun Prairie, WI 53590 608-834-8101
 Address City, State, Zip Phone #
 na jw.malabarcoast@gmail.com
 Fax # Email address

2. Business owner contact information:

N63 W23207 Main Street Sussex WI 53089
 Contact
 606 Old Indian Mound Trail Sun Prairie, WI 53589 608-834-8101
 Address City, State, Zip Phone #
 na jw.malabarcoast@gmail.com
 Fax # Email address

3. Building/Land owner contact information:

Arthur Sawall
 Contact
 N63 W23207 Main St #200 Sussex, WI 53089 262-932-4083
 Address City, State, Zip Phone #
 262-395-4119 info@sawalldevelopment.com
 Fax # Email address

4. Number of Employees/Shifts: 10 2
 Employees Shifts

5. Days of Operation:

Put an X in box that applies:

Hours Open for business

Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
X	X	X	X	X	X	X
6am-6pm	6am-6pm	6-6	6-6	6-6	7am-7pm	7am-7pm

9 9 9 9 9

6. Is this an extension of an existing operation? No
7. On a separate sheet of paper explain your business use and/or the change to your business. Attach a list of all items to be sold, produced or stored on the premises.
8. Is a liquor license or any other special license to be obtained from the Village Board or State Licensing Agencies? No Do you need an Outdoor Establishment Permit? No
 If yes, explain: _____
If yes, please obtain and complete permit application.
9. If your proposed operation will utilize a liquor license, what types of entertainment are you proposing? Na
10. Do you feel there will be any problems such as odor, smoke or noise resulting from this operation? No If yes, explain: _____
11. Dimension of area to be occupied 26x60 Total square footage 1643
 If applicable list square footage according to 1st floor _____ 2nd floor _____

Please provide a copy of the site plan showing parking and layout of the building and if a multi tenant building, label the space which will be occupied by your business.

12. Parking:
 Total Number of Parking Spaces ? _____ Number of spaces needed per code ? _____
 Number of spaces allocated for employee parking ? _____
 Dimensions of parking lot ? _____ Is parking lot paved? Yes

13. Signage: What type of signage are you proposing for your business?
\$ To be determined later
 If applicable, complete a Sign Permit application and submit to the Building Inspection Dept. Please refer to Chapter 17.0800.

I have reviewed a copy of the Zoning Ordinance in the Village of Sussex and hereby agree to abide by the same, as well as any and all terms and conditions of any permit issued pursuant to this application.

I do swear to or affirm that all statements contained herein are true and correct to the best of our knowledge.

Jason Wessels [Signature] May 25, 2016
 Name Date
 President- Pewaukee Coffee LLC
 Title or Position

I am aware and approve of the business to be operating in the building owned by MAMMOTH SPRINGS LLC

[Signature] 6-2-16
 Name Date
 MEMBER
 Title or Position

BREAKFAST SANDWICHES

\$3.30

- BACON, EGG, & CHEESE ON A BUTTER CROISSANT
- SAUSAGE, EGG, & CHEESE ON A BUTTER CROISSANT
- HAM, EGG, & CHEESE ON A BUTTER CROISSANT

WRAPS & SALADS

- **VERY BERRY: \$5.95**
TURKEY BREAD, MAYO, TOMATO, LETTUCE, CARROTS, CRANBERRY ORANGE RELISH
- **CHIEF JOHN: \$6.50**
HAM, TURKEY, SALAMI, PROVOLONE CHEESE, TOMATO, SPICY GIARDINIERA, MAYO, ITALIAN SEASONING
- **ITALIAN: \$5.95**
GENOA SALAMI, PROVOLONE, PEPPEROCINI, TOMATO, LETTUCE, OLIVE OIL DRESSING, ITALIAN SEASONING
- **THE HOOK: \$5.95**
TURKEY BREAD, PROVOLONE, BACON, TOMATO, LETTUCE, MAYO
- **THE CLVB: \$6.50**
TURKEY BREAD, HAM, PROVOLONE, BACON, TOMATO, LETTUCE, MAYO
- **BLT \$5.95**
BACON, LETTUCE, TOMATO, MAYO
- **MECHANICAL BULL \$6.50**
ROAST BEEF, PROVOLONE, GREEN PEPPERS, FRENCH'S FRIED ONIONS, MAYO SERVED WARM
- **CHICKEN BACON RANCH \$5.95**
CHICKEN BREAD, BACON, TOMATOS, LETTUCE, RANCH DRESSING SERVED WARM
- **CHICKEN CAESAR \$5.95**
CHICKEN BREAD, LETTUCE, CAESAR DRESSING, PARMASEAN CHEESE
- **ROUGH RYDER \$6.50**
ROAST BEEF, SALAMI, HAM, PICKLES, PROVOLONE, TOMATOS, MAYO, MUSTARD, FRENCHS ONIONS
- **THE GOBBLER \$5.95**
TURKEY, BACON, PROVOLONE, CRANBERRY RELISH, TOMATO, MAYO

COMBO YOUR MEAL FOR \$1.00

CHOOSE TWO:

CHIPS ~ 12oz COFFEE ~ BOTTLE OF WATER ~
FRUIT ~ SEASONAL SALAD

PASTRIES

- CINNAMON ROLL WITH ICING \$2.50
- MUFFINS \$2.25
- WHEAT FREE MUFFINS \$2.75
- WHEAT FREE SCONES \$3.00
- SCONES \$2.50
- SCONE BITE \$3.50
- FILLED SCONES \$3.00
- COFFEE CAKE \$2.50
- OATMEAL \$3.95
- FRESH BAKED COOKIES \$1.50
- SUSIE'S NATURE BARS \$2.49
- SWEET BREADS \$2.25
- BISCOTTI \$2.25

DRINK EXTRAS

- ALMOND OR SOY MILK: \$.69
- FLAVOR SYRUPS: \$.50
- EXTRA ESPRESSO SHOT: \$.69

DAILY SPECIALS:

- MONDAY:** SAVE \$.50 ON BREAKFAST SANDWICH WITH DRINK PURCHASE
- TUESDAY:** FREE FLAVOR SHOT
- WEDNESDAY:** \$2.00 16oz HOT OR ICED TEA
- THURSDAY:** \$2.50 12oz LATTES & CAPPUCCINOS EXCLUDES FLAVOR SHOTS
- FRIDAY:** \$1.00 OFF ANY LUNCH WRAP OR SALAD
- SATURDAY:** 10% OFF WHOLE BEAN COFFEE
- SUNDAY:** DOUBLE PUNCHES ON DRINK CARDS!!!

malabarCOAST
COFFEE & TEA

MENU

HOURS OF OPERATION:

MONDAY-FRIDAY

6am TO 6pm

SATURDAY

7am TO 4pm

SUNDAY

8am TO 2pm

ADDRESS:

1463 CAPITOL DRIVE
PEWAUKEE, WI 53072

PHONE:

262.696.4658

DRIVE THRU
&
WIFI

Brewed Coffee

- **COFFEE OF THE DAY:** \$1.50 \$1.95 \$2.24
FULL CITY/FRENCH ROAST/DECAF
- **COFFEE WITH STEAMED MILK**
\$2.55 \$2.90 \$3.60
HALF COFFEE OF THE DAY
HALF STEAMED MILK
- **RED EYE:** \$2.45 \$2.65 \$3.00
COFFEE WITH ESPRESSO SHOTS
- **JOE-TO-GO:** \$16.99
96OZ OF COFFEE IN A PORTABLE BOX, WITH CUPS,
CREAM, AND SUGAR SERVES 8-12OZ CUP

Espresso Drinks

- **DOUBLE ESPRESSO:** \$2.05
- **AMERICANO:** \$2.15 \$2.65 \$3.10
ESPRESSO WITH WATER
- **CAPPUCCINO:** \$3.10 \$3.75 \$4.15
EXTRA ESPRESSO, HALF STEAMED MILK,, HALF
FROTHED MILK
- **LATTE:** \$3.10 \$3.75 \$4.15
ESPRESSO, STEAMED MILK, CROWNED WITH
FROTH
- **MOCHA:** \$3.70 \$4.25 \$4.75
ESPRESSO, STEAMED MILK, DARK CHOCOLATE
SAUCE, TOPPED WITH WHIPPED CREAM
- **WHITE CHOCOLATE MOCHA:**
\$3.70 \$4.25 \$4.75
ESPRESSO, WHITE CHOCOLATE SAUCE, STEAMED
MILK, TOPPED WITH WHIPPED CREAM
- **CARAMEL MOCHA:** \$3.85 \$4.45 \$4.95
ESPRESSO, CARAMEL SAUCE, DARK CHOCOLATE
SAUCE, STEAMED MILK, TOPPED WITH WHIPPED
CREAM
- **CARAMEL MACCHIATO:** \$3.75 \$4.40 \$4.85
ESPRESSO, VANILLA SYRUP, STEAMED MILK,
CROWNED WITH FROTH AND CARAMEL DRIZZEL
- **TUXEDO MOCHA:** \$3.70 \$4.25 \$4.75
ESPRESSO, STEAMED MILK, WHITE CHOCOLATE
SAUCE, DARK CHOCOLATE SAUCE, TOPPED WITH
WHIPPED CREAM

Specialty Drinks

- **MOCHA STEAMER:** \$3.10 \$3.60 \$3.95
COLD PRESS COFFEE, STEAMED MILK, DARK
CHOCOLATE SAUCE, HAZELNUT SYRUP
- **CHAI LATTE:** \$3.15 \$3.75 \$4.25
SWEETENED SPICED BLACK TEA WITH STEAMED
MILK
- **VANILLA CHAI LATTE:** \$3.15 \$3.75 \$4.25
SWEETENED SPICED BLACK TEA WITH VANILLA
AND STEAMED MILK
- **HOT CHOCOLATE:** \$2.90 \$3.40 \$3.75
STEAMED MILK, CREAM, DARK CHOCOLATE SAUCE,
CHOCOLATE SYRUP, TOPPED WITH WHIPPED
CREAM
- **CUSTOM STEAMER:** \$3.10 \$ 3.55 \$3.95
COLD PRESS COFFEE, STEAMED MILK AND YOUR
CHOICE OF SYRUP FLAVOR
- **MILK STEAMER:** \$2.75 \$3.25 \$3.50
STEAMED MILK WITH SYRUP OF YOUR CHOICE (NO
COFFEE)
- **DRINK OF THE MONTH**
EACH MONTH WE CREATE A NEW DRINK AND
FEATURE IT FOR THE ENTIRE MONTH
- **SUGAR-FREE PROJECT**
A NON-FAT DRINK MADE WITH SUGAR-FREE SYRUP
FEATURED FOR THE WHOLE MONTH

Iced Drinks – Served Over

Ice

- **ICED COFFEE:** \$1.50 \$1.95 \$2.24
COLD PRESS COFFEE, OVER ICE
- **ICED LATTE:** \$3.10 \$3.75 \$4.15
ESPRESSO, MILK, AND ICE
- **ICED MOCHA:** \$3.70 \$4.25 \$4.75
ESPRESSO, MILK, DARK CHOCOLATE SAUCE, AND
ICE
- **ICED CARAMEL MACCHIATO:**
\$3.75 \$4.40 \$4.85
ESPRESSO, MILK, ICE, AND CARAMEL DRIZZEL
- **ICED TEA:** \$2.25 \$2.50 \$2.75
- **ITALIAN SODA:** \$2.25 \$2.50 \$2.75
SODA WATER WITH YOUR CHOICE OF SYRUP

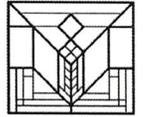
Blended Drinks

- **BOMBAY BLASTS**
COLD PRESS COFFEE BLENDED WITH ICE CREAM
BASE, AND ICE TOPPED WITH WHIPPED CREAM:
COFFEE BLAST: \$3.70 \$4.25 \$4.75
MOCHA BLAST: \$4.10 \$4.60 \$5.10
CARAMEL BLAST: \$4.10 \$4.60 \$5.10
CARAMEL MOCHA BLAST:
\$4.40 \$4.95 \$5.30
- **CHAI BOMBAY BLAST:** \$4.10 \$4.60 \$5.10
- **CAFFINE FREE BOMBAY BLAST:**
\$3.70 \$4.25 \$4.75
NO COFFEE AND YOUR CHOICE OF SYRUPS,
TOPPED WITH WHIPPED CREAM
- **FRUIT SMOOTHIES:** \$3.95 \$4.45 \$5.00
STRAWBERRY, MANGO, WILDBERRY ,& SEASONAL
SELECTIONS

Loose Leaf Tea

- | | | | |
|--|--------|--------|--------|
| | \$2.25 | \$2.50 | \$2.75 |
|--|--------|--------|--------|
- **EARL GREY**
 - **BED AND BREAKFAST**
 - **KING GYPSY CHAI**
 - **MANGO TANGO**
 - **VANILLA CREAM**
 - **WILDBERRIES**
 - **TIBETAN RASPBERRY**
 - **TROPICANA**
 - **LAVENDER BUTTERFLY**
 - **EGYPTIAN MINT**
 - **ITALIAN CHAMOMILE**
 - **GUNPOWDER**
 - **LEMON JASMINE**
 - **GINGER LEMON**
 - **YERBA MATE**
 - **POMEGRANATE ROSE**
 - **BLOOD ORANGE TISANE**
 - **VANILLA BOURBON ROOIBOS**
 - **WHITE EAGLE LONG LIFE**
 - **SCOTTISH CARAMEL TOFFEE PU-ERH**
 - **IRON GODDESS OOLONG**

PLEASE NOTE OUR LOOSE LEAF TEA
SELECTION DOES CHANGE!



STEPHEN PERRY SMITH
ARCHITECTS, INC.

TWO PARK PLAZA
10850 W. PARK PLACE, SUITE 420
MILWAUKEE, WISCONSIN 53224
T 414.359.9700 | F 414.359.9704
www.spsarchitects.com

PROJECT

MAMMOTH
SPRINGS
SUSSEX, WISCONSIN

DEVELOPER

ARTHUR
SAWALL
BROOKFIELD, WISCONSIN

REVISIONS

NO.	DESCRIPTION

INFORMATION

PROJECT ARCHITECT	SFS
PROJECT MANAGER	MJB
PROJECT NUMBER	SAW-11-422
ISSUED FOR	PRESENTATION
DATE	JANUARY 22, 2013

SHEET

ARCHITECTURAL MASTER PLAN

MP1





PLAN OF OPERATION

To be used for a business with new construction.

Is this request to be considered for a Conditional Use? No. If yes, is this a new CU? _____
 OR an amendment to an existing CU? _____

(Conditional Use Permits require a Public Hearing)

Address location of new construction 1063 W2323 Main St Sussex

Tax Key # _____ Zoning: B-4

1. Name of Business:

Embellish Salon

Business

1063 W2323 Main St Sussex, WI 53089 414-803-7034

Address

City, State, Zip

Phone #

Fax #

Email address

2. Business owner contact information:

Sara Liss

Contact

10239 W2327 Charles Ct Sussex WI 53089 414-803-7034

Address

City, State, Zip

Phone #

Fax #

Email address

SaraLiss110272@gmail.com

3. Building/Land owner contact information:

Arthur Sewall

Contact

1063 W2323 Main St Sussex WI 53089 262-893-4848

Address

City, State, Zip

Phone #

Fax #

Email address

arthur.sewall@gmail.com

4. Number of Employees/Shifts:

1
Employees

Shifts

5. Days of Operation:

	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
Put an X in box that applies:	X	X	X	X	X	X	X
Hours Open for business	9-9pm	9-9pm	9-9pm	9-9pm	9-8pm	9-5pm	9-5

6. Is this an extension of an existing operation? NO
7. On a separate sheet of paper explain your business use and/or the change to your business. Attach a list of all items to be sold, produced or stored on the premises.
8. Is a liquor license or any other special license to be obtained from the Village Board or State Licensing Agencies? _____ Do you need an Outdoor Establishment Permit? NO
 If yes, explain: _____
 If yes, please obtain and complete permit application.
9. If your proposed operation will utilize a liquor license, what types of entertainment are you proposing? _____
10. Do you feel there will be any problems such as odor, smoke or noise resulting from this operation? NO If yes, explain: _____
11. Dimension of area to be occupied _____ Total square footage 1700
 If applicable list square footage according to 1st floor 1700 2nd floor _____

Please provide a copy of the site plan showing parking and layout of the building and if a multi tenant building, label the space which will be occupied by your business.

12. Parking:
 Total Number of Parking Spaces _____ Number of spaces needed per code _____
 Number of spaces allocated for employee parking 14
 Dimensions of parking lot _____ Is parking lot paved? yes

13. Signage: What type of signage are you proposing for your business?

If applicable, complete a Sign Permit application and submit to the Building Inspection Dept. Please refer to Chapter 17.0800.

I have reviewed a copy of the Zoning Ordinance in the Village of Sussex and hereby agree to abide by the same, as well as any and all terms and conditions of any permit issued pursuant to this application.

I do swear to or affirm that all statements contained herein are true and correct to the best of our knowledge.

[Signature]
 Name _____
Owner
 Title or Position _____

6/8/2015
 Date _____

I am aware and approve of the business to be operating in the building owned by Arthur Sawall.

Per E-mail
 Name _____
 Title or Position _____

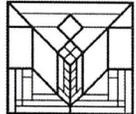
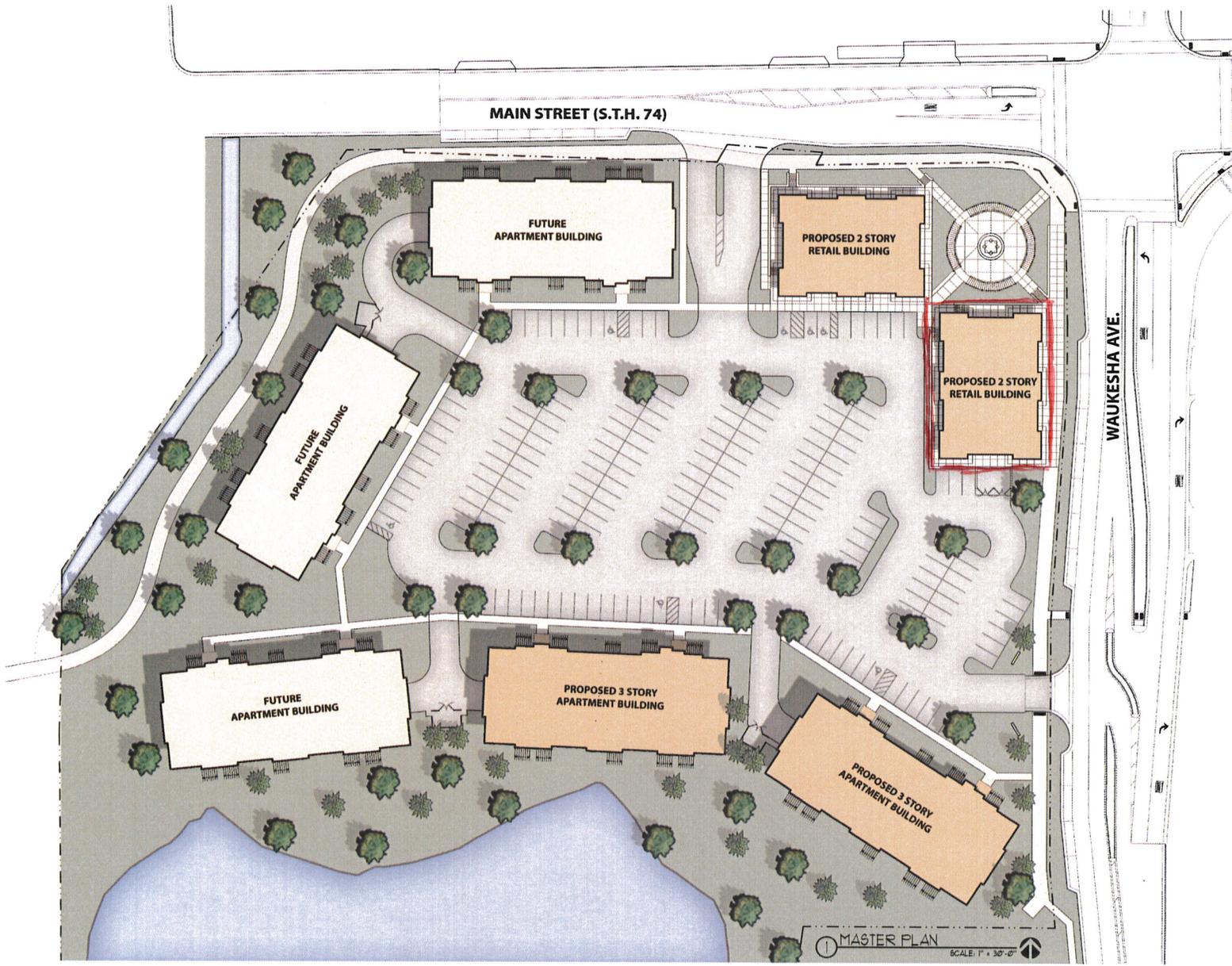
 Date _____

Print Form

Clear Form

My Business is a full service salon. The name of it is Embellish Salon. I will have 10 hair stylist chair for rent. I will have 2 nail tech tables with 2 pedicure chairs for rent. I will have a room for rent for either a Esthetician or massage therapy.

I will also have products for sale including hair products and makeup.



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PROJECT

**MAMMOTH
SPRINGS**
SUSSEX, WISCONSIN

DEVELOPER

**ARTHUR
SAWALL**
BROOKFIELD, WISCONSIN

REVISIONS

INFORMATION

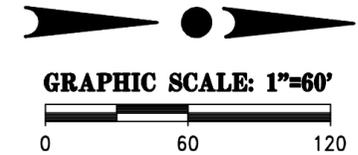
PROJECT ARCHITECT	SPS
PROJECT MANAGER	MJB
PROJECT NUMBER	SAW-11-622
ISSUED FOR	PRESENTATION
DATE	JANUARY 22, 2013

SHEET

ARCHITECTURAL MASTER PLAN



CONDOMINIUM PLAT OF SUSSEX CIVIC CAMPUS CONDOMINIUM VILLAGE OF SUSSEX WAUKESHA COUNTY, WISCONSIN



CURVE DATA:
A = 64.98'
R = 95.00'
DELTA = 39°11'28"
CB = N65°46'42"E
CH = 63.72'
TAN IN = N85°22'26"E
TAN OUT = N46°10'58"E

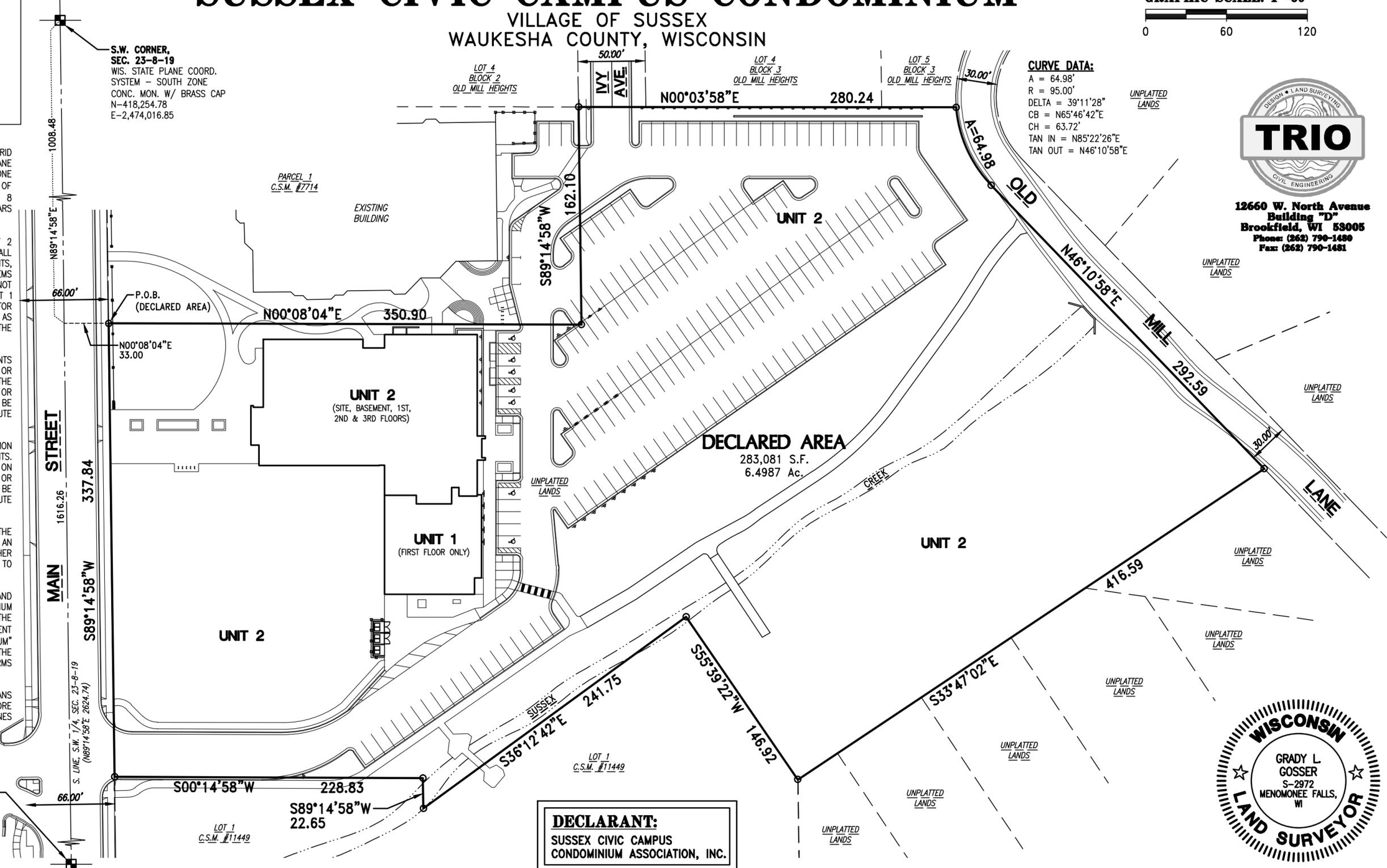


12660 W. North Avenue
Building "D"
Brookfield, WI 53005
Phone: (262) 790-1480
Fax: (262) 790-1481

- NOTES:**
- ALL BEARINGS ARE REFERENCED TO GRID NORTH OF THE WISCONSIN STATE PLANE COORDINATE SYSTEM, SOUTH ZONE (NAD-27), IN WHICH THE SOUTH LINE OF THE S.W. 1/4 OF SECTION 23, TOWN 8 NORTH, RANGE 19 EAST, BEARS N89°14'58"E.
 - THE EXTENT AND BOUNDARIES OF UNIT 2 SHALL BE AND SHALL CONSTITUTE ALL AREAS OF LAND, ALL IMPROVEMENTS, EQUIPMENT, FIXTURES AND OTHER ITEMS ON THE PROPERTY, INCLUDING, BUT NOT LIMITED TO, THE LAND, EXCEPT FOR UNIT 1 AS DESCRIBED HEREIN, AND EXCEPT FOR THOSE ADDITIONAL ITEMS INCLUDED AS PART OF UNIT 1 AS DESCRIBED IN THE DECLARATION.
 - THERE SHALL BE NO COMMON ELEMENTS ON THE PROPERTY. ANY ITEM OR IMPROVEMENT WITHIN OR ON THE PROPERTY THAT IS NOT DESCRIBED OR DEFINED AS PART OF UNIT 1 SHALL BE DEEMED AND DETERMINED TO CONSTITUTE PART OF UNIT 2.
 - THERE SHALL BE NO LIMITED COMMON ELEMENTS APPURTENANT TO THE UNITS. ANY ITEM OR IMPROVEMENT WITHIN OR ON THE PROPERTY THAT IS NOT DESCRIBED OR DEFINED AS PART OF UNIT 1 SHALL BE DEEMED AND DETERMINED TO CONSTITUTE PART OF UNIT 2.
 - ALL LIMITED COMMON ELEMENTS ARE THE EXCLUSIVE POSSESSION AND USE OF AN ENTRANCEWAY, STOOP, AND ANY OTHER FIXTURE OR IMPROVEMENTS DESIGNED TO SERVE A SINGLE UNIT.
 - THIS SURVEY DESCRIBES THE LAND AND BUILDINGS SUBJECT TO THE CONDOMINIUM DECLARATION DEPICTED HEREIN AS THE "DECLARED AREA" AND THE LAND ADJACENT TO "SUSSEX CIVIC CAMPUS CONDOMINIUM" WHICH MAY BE ADDED TO THE CONDOMINIUM IN ACCORDANCE WITH TERMS OF THE DECLARATION.
 - REFER TO THE DIAGRAMMATIC FLOOR PLANS ON SHEETS 3 THRU 6 FOR A MORE PRECISE LOCATION OF DIVISION LINES BETWEEN UNITS.

**S. 1/4 CORNER,
SEC. 23-8-19**
WIS. STATE PLANE COORD.
SYSTEM - SOUTH ZONE
CONC. MON. W/ BRASS CAP
N-418,289.16
E-2,476,641.08

**S.W. CORNER,
SEC. 23-8-19**
WIS. STATE PLANE COORD.
SYSTEM - SOUTH ZONE
CONC. MON. W/ BRASS CAP
N-418,254.78
E-2,474,016.85



DECLARANT:
SUSSEX CIVIC CAMPUS
CONDOMINIUM ASSOCIATION, INC.



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CONDOMINIUM PLAT
OF
SUSSEX CIVIC CAMPUS CONDOMINIUM
VILLAGE OF SUSSEX
WAUKESHA COUNTY, WISCONSIN

LEGAL DESCRIPTION: (DECLARED AREA)

All that part of the Southwest 1/4 and Southeast 1/4 of the Southwest 1/4 of Section 23, Town 8 North, Range 19 East, in the Village of Sussex, Waukesha County, Wisconsin, now being more particularly bounded and described as follows:

Commencing at the Southwest Corner of said Section 23; Thence North 89°14'58" East and along the South line of the said Southwest 1/4 Section and the Centerline of "Main Street", 1008.48 feet to a point; Thence North 00°08'04" East, 33.00 feet to a point on the North Right-of-Way line of said "Main Street" and the place of beginning of lands hereinafter described;

Continuing Thence North 00°08'04" East and along the East line of Parcel 1 of Certified Survey Map No. 7714, 350.90 feet to a point; Thence South 89°14'58" West and along the North line of said Parcel 1 and being parallel to the said South line of the said Southwest 1/4 Section, 162.10 feet to a point on the East line of "Old Mill Heights" (A Subdivision Plat of Record); Thence North 00°03'58" East and along the said East line of said "Old Mill Heights", 280.24 feet to a point on the Southeasterly Right-of-Way line of "Old Mill Lane"; Thence Northeasterly 64.98 feet along the said Southeasterly Right-of-Way line and the arc of a curve, whose center lies to the Northwest, whose radius is 95.00 feet, whose central angle is 39°11'28", and whose chord bears North 65°46'42" East, 63.72 feet to a point of tangency; Thence North 46°10'58" East and along the said Southeasterly Right-of-Way line, 292.59 feet to a point; Thence South 33°47'02" East and along the Southwesterly line of Unplatted Lands, 416.59 feet to a point on the North line of Lot 1 of Certified Survey Map No. 11449; Thence South 55°39'22" West and along the Northwesterly line of said Lot 1, 146.92 feet to a point in the centerline of "Sussex Creek"; Thence South 36°12'42" East and along the Westerly line of said Lot 1, 241.75 feet to a point; Thence South 89°14'58" West and along the Westerly line of said Lot 1 and being parallel to the said South line of the said Southwest 1/4 Section, 22.65 feet to a point; Thence South 00°14'58" West and along the Westerly line of said Lot 1, 228.83 feet to a point on the said North Right-of-Way line of said "Main Street"; Thence South 89°14'58" West and along the said North Right-of-Way line being parallel to and at a right angle of 33.00 feet from the said South line of the said Southwest 1/4 Section, 337.84 feet to the point of beginning of this description.

Said Declared Area contains 283,081 Square Feet (or 6.4987 Acres) of land, more or less.



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Fax: (262) 790-1481

SURVEYOR'S CERTIFICATE:

I, GRADY L. GOSSER, do hereby certify that I have surveyed the above described property and this survey is an accurate representation of the exterior boundary lines and the location of the buildings and improvements constructed or to be constructed upon the property.

This Condominium Plat is a correct representation of "SUSSEX CIVIC CAMPUS CONDOMINIUM" Condominiums, and the identification and location of each unit and the common elements of the Condominium can be determined from this Plat. The common elements are defined to be all of the condominium property except the individual units described in the Plat and the Declaration.

The survey makes no certification as to the accuracy of the interior line dimensions set forth on the diagrammatic floor plans of condominium buildings and units contained herein.

Dated this 10th day of JUNE, 2016.

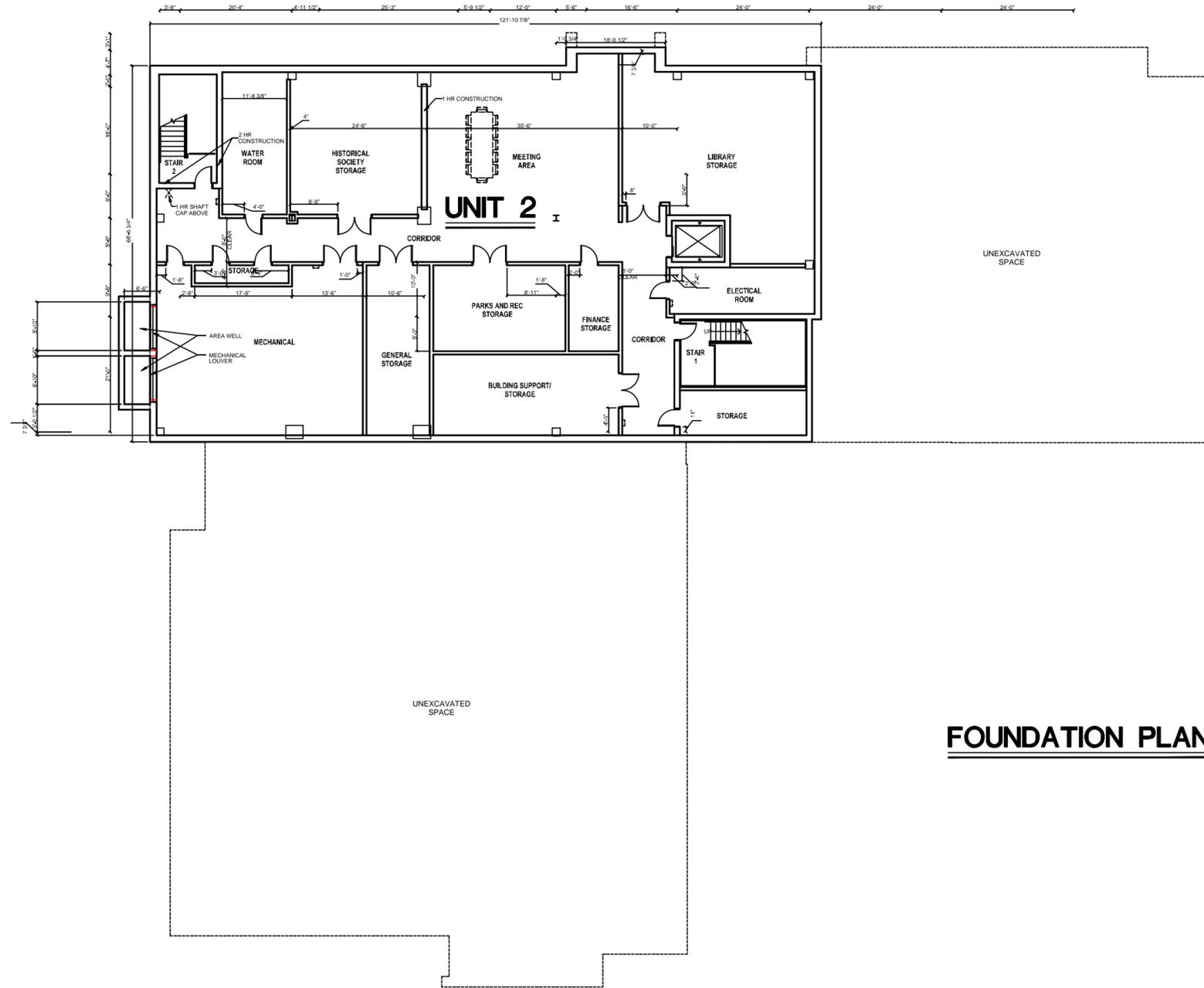
Grady L. Gosser, P.L.S.
Professional Land Surveyor S-2972



CONDOMINIUM PLAT
OF
SUSSEX CIVIC CAMPUS CONDOMINIUM

VILLAGE OF SUSSEX
 WAUKESHA COUNTY, WISCONSIN

BUILDING PLAN DETAIL SHEET
SCALE: 1" = 20'



NOTE:

• BUILDINGS SHOWN ON THIS EXHIBIT REPRESENT PROPOSED CONSTRUCTION AND NOT MEASURED AS-BUILT AND DO NOT INCLUDE POSSIBLE CHANGES REQUESTED BY OWNER OR BUILDER.



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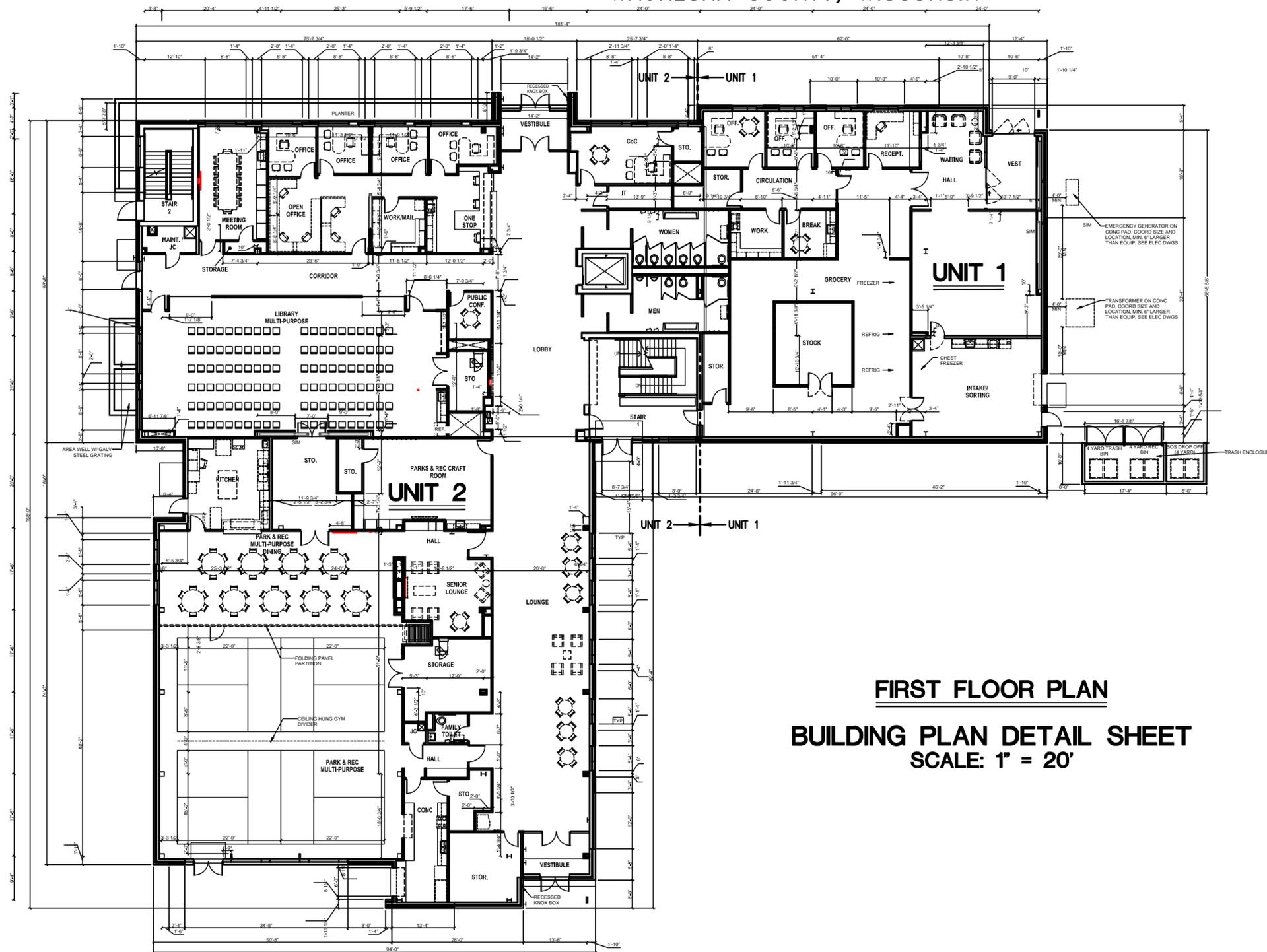
FOUNDATION PLAN



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CONDOMINIUM PLAT OF SUSSEX CIVIC CAMPUS CONDOMINIUM

VILLAGE OF SUSSEX
WAUKESHA COUNTY, WISCONSIN



NOTE:
 • BUILDINGS SHOWN ON THIS EXHIBIT REPRESENT PROPOSED CONSTRUCTION AND NOT MEASURED AS-BUILT AND DO NOT INCLUDE POSSIBLE CHANGES REQUESTED BY OWNER OR BUILDER.



**12660 W. North Avenue
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FIRST FLOOR PLAN
BUILDING PLAN DETAIL SHEET
 SCALE: 1" = 20'

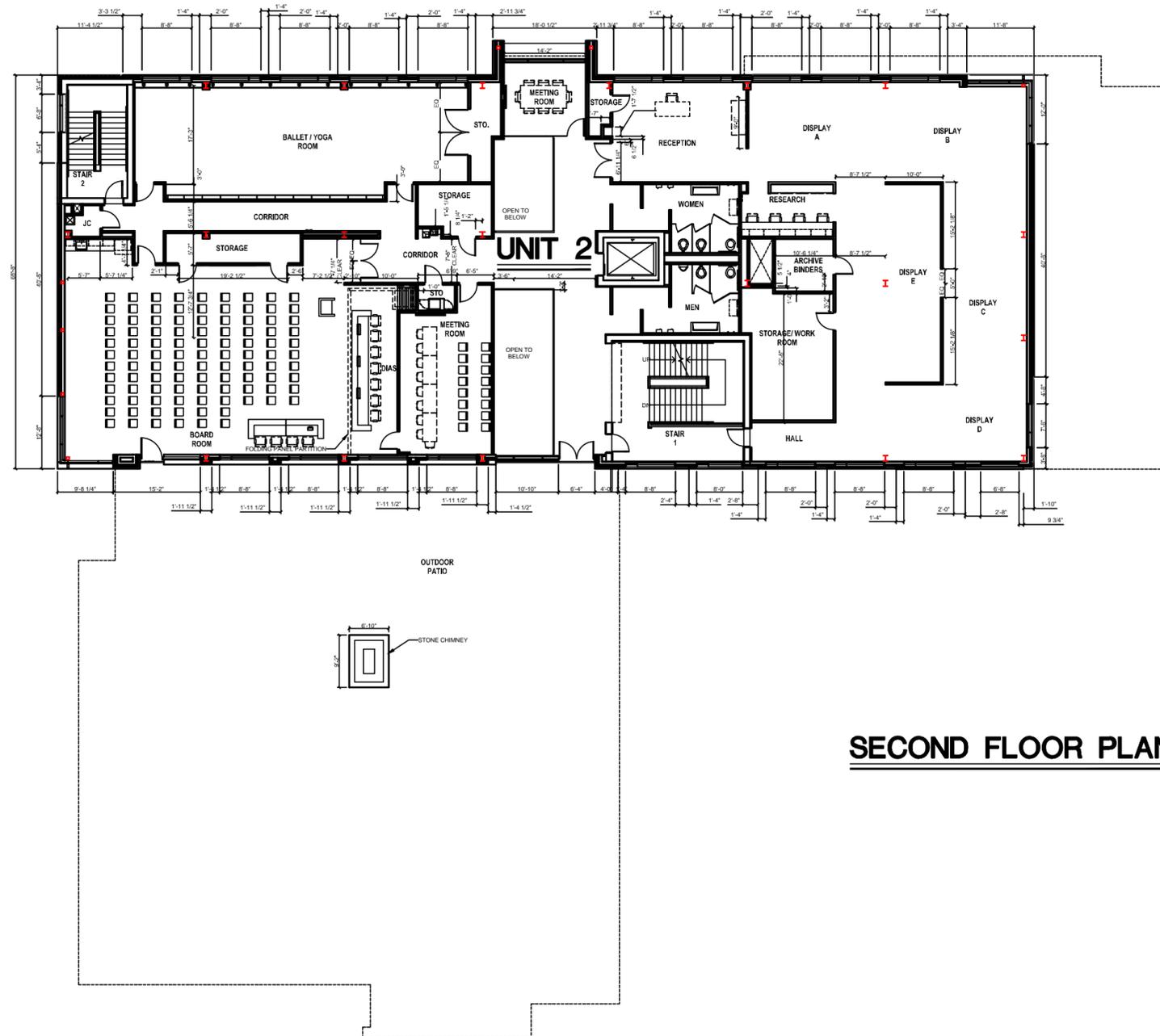


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CONDOMINIUM PLAT
OF
SUSSEX CIVIC CAMPUS CONDOMINIUM

VILLAGE OF SUSSEX
WAUKESHA COUNTY, WISCONSIN

BUILDING PLAN DETAIL SHEET
SCALE: 1" = 20'



NOTE:
• BUILDINGS SHOWN ON THIS EXHIBIT REPRESENT PROPOSED CONSTRUCTION AND NOT MEASURED AS-BUILT AND DO NOT INCLUDE POSSIBLE CHANGES REQUESTED BY OWNER OR BUILDER.



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SECOND FLOOR PLAN



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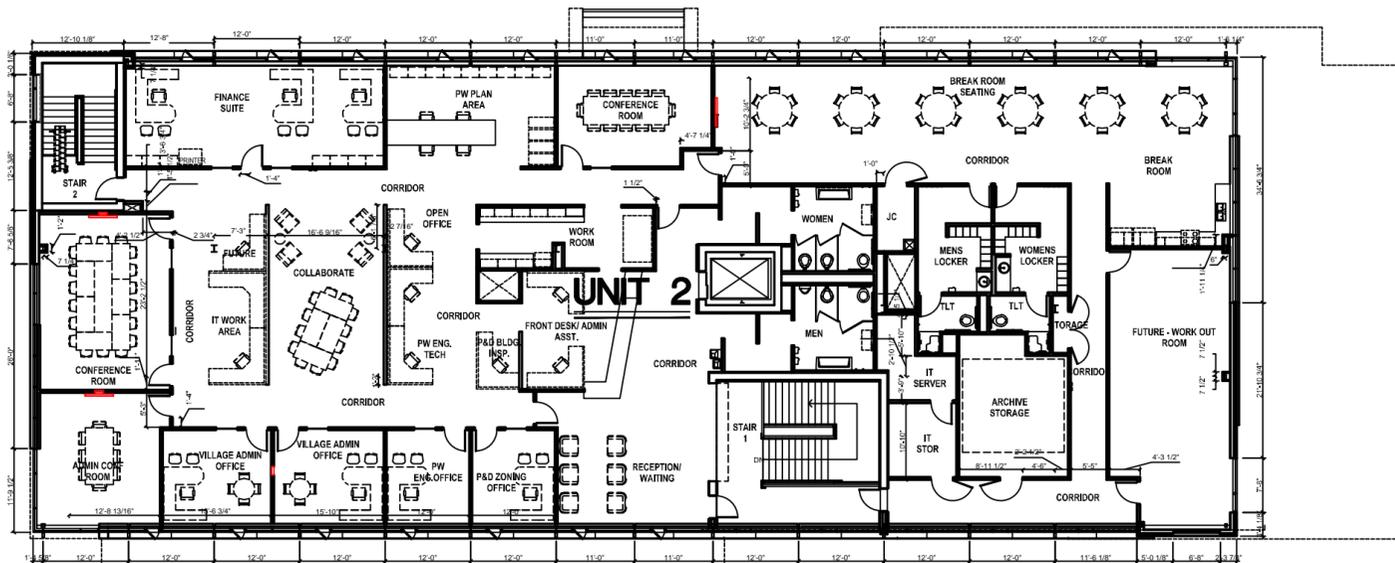
CONDOMINIUM PLAT
OF
SUSSEX CIVIC CAMPUS CONDOMINIUM

VILLAGE OF SUSSEX
WAUKESHA COUNTY, WISCONSIN

BUILDING PLAN DETAIL SHEET
SCALE: 1" = 20'

NOTE:

• BUILDINGS SHOWN ON THIS EXHIBIT REPRESENT PROPOSED CONSTRUCTION AND NOT MEASURED AS-BUILT AND DO NOT INCLUDE POSSIBLE CHANGES REQUESTED BY OWNER OR BUILDER.



THIRD FLOOR PLAN



12660 W. North Avenue
Building "D"
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Fax: (262) 790-1481



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ORDINANCE NO. _____

AN ORDINANCE TO REPEAL AND RECREATE SECTION 17.0800 ENTITLED "SIGNS" CHAPTER 17 ZONING CODE ORDINANCE OF THE VILLAGE OF SUSSEX MUNICIPAL CODE.

WHEREAS, the Village of Sussex Plan Commission appointed a workgroup to review the sign code ordinance for compliance with the recent U.S. Supreme Court ruling regarding the regulation of signs relating to content; and

WHEREAS, the workgroup after careful review and consideration is recommending the amendment to Chapter 17 Section 17.0800 entitled "Signs" to update the language to comply with the Court's ruling; and

WHEREAS, the Village of Sussex Plan Commission has initiated a zoning code amendment to the Village of Sussex Chapter 17 Zoning Code to repeal and recreate Section 17.0800 Entitled "Signs" ; and

WHEREAS, upon receipt of the Village Plan Commission's recommendation, the Village Board held a public hearing on _____, 2016, as required by Section 17.1305 of the Village of Sussex Zoning Ordinance, after providing due notice as required by Section 17.1400 of the Village of Sussex Zoning Ordinance; and

WHEREAS, following the public hearing, and upon due consideration of the recommendation from the Plan Commission, the Village Board finds that the public necessity, convenience, welfare and good zoning practice requires that the amendment to the zoning ordinance be granted as recommended by the Plan Commission;

WHEREAS, the Village Board Members are committed to aligning the Village of Sussex Zoning Code with opportunities to support growth that meet current needs without jeopardizing public safety or welfare.

NOW, THEREFORE, the Village Board of the Village of Sussex, Waukesha County, Wisconsin, do ordain as follows:

SECTION 1. To repeal and recreate Section 17.0800 to read as follows:

SECTION 17.0800 SIGNS

17.0801 PURPOSE AND INTENT

The intent of this Ordinance is to promote the public health, safety, and welfare by creating a framework for a comprehensive and balanced system of signs, and thereby to facilitate an easy and pleasant communication system between people and their environment. The Sign Code of the Zoning Ordinance has been put together after careful study of the Village's Comprehensive Plan, Design Standards, various plans and studies. With this purpose in mind, it is the intention of this section to establish standards for the construction, placement, ~~type~~ type, size, materials, and maintenance of signs, and authorize the use of signs which ~~are~~ promote traffic safety, community aesthetics, blight prevention, economic development, design creativity, prevent clutter, protect property values, enable and promote free speech, provide for legibility, and adhere to the standards and materials of adopted Design Standards of the Village.

~~A. Compatible with their surroundings;~~

~~B. Appropriate to the type of activity to which each pertains;~~

~~C. Legible in circumstances in which they are seen;~~

~~D. Constructed of high end approved materials and placed or fastened and electronically connected in compliance with all applicable codes and ordinances.~~

~~E. Adherence to the adopted Design Standards.~~

17.0802

COMPLIANCE

No sign shall hereafter be located, erected, moved, reconstructed, extended, enlarged, converted or structurally altered without conforming to the provisions of this Ordinance. Notwithstanding any other provision contained herein to the contrary, non-commercial messages may be contained on any authorized sign.

17.0803

SIGNS PERMITTED IN ALL DISTRICTS WITHOUT A PERMIT

The following signs with permission of the property owner are permitted in all zoning districts without a permit, subject to the following regulations.

A. Any lot may have a sign or signs without a permit as long as the sign(s) meets all of the following standards:

1. The sign is less than 15 square feet in size and
2. The sign is more than 1 foot from a street yard and more than 5 feet from a side or rear lot line, and
3. The sign(s) are temporary in their placement such that a lot does not have sign(s) without a permit existing on the lot for more than 90 days in any calendar year, and
4. There are not more than one sign per lot for each 40 feet of street frontage, and
5. In the event that Wisconsin Statutes Section 12.04 would permit a sign that is larger than the size limitations described in this subsection, such sign, regardless of sign content, is allowed only for the period described in Wisconsin Statutes Section 12.04.

B. Government Signage for Official traffic, safety and welfare, or notice/regulation compliance. A sign that is constructed, placed, or maintained by the Federal, State, or Local government or a sign that is required to be constructed, placed or maintained by the Federal, State, or Local Government either directly or to enforce a property owner's rights or the safety and welfare of the public. While no sign permit is required these signs shall adhere to best practices for sign design and placement, the Village Design standards, and may be placed within the rights of way with a right of way permit by the government agency with jurisdiction of the right of way.

~~A. Real Estate Signs, not to exceed eight (8) square feet in area in a residential district or 32 square feet in other districts, which advertise the sale, rental, or lease of the premises upon which said signs are temporarily located. No real estate sign shall be erected in a street right-of-way. Real estate signs shall be not closer than 10 feet to a side or rear lot line.~~

~~B. Name and Warning Signs not to exceed two (2) square feet located on the premises. Name and warning signs shall be not less than 10 feet from any street right-of-way, or any side or rear lot line.~~

~~C. Home Occupation and Professional Home Office Signs not to exceed two (2) square feet in area and mounted flush against the dwelling.~~

~~D. Election Campaign Signs provided that permission shall be obtained from the property owner, renter or lessee; and provided that such sign shall not be erected prior to the first day of the "election campaign period" as defined in Section 12.04 of the Wisconsin Statutes, and shall be removed within 4 days following the election. No campaign sign shall be erected in a street right-of-way. Campaign signs shall be not less than 10 feet from any side or rear lot line.~~

- ~~E. Rummage Sale and Garage Sale Signs provided that no such sign shall be erected or placed within a street right-of-way and further provided that such signs are removed within 24 hours following the sale.~~
- ~~F. Bulletin Boards for public, charitable or religious institutions not to exceed 32 square feet in area located on the premises. Bulletin boards shall be not less than 10 feet from any street right-of way, or any side or rear lot line.~~
- ~~G. Memorial Signs, tablets, names of buildings, and date of erection when cut into any masonry surface or when constructed of metal and affixed flat against a structure.~~
- ~~H. Official Signs, such as traffic control, parking restrictions, church and school directories, government building, and public notices.~~
- ~~I. Flags. The display of the national flag of any country, or the official flag of any state, or a flag displaying a business or industrial logo is permitted in any district without a permit provided that such flag is setback at least 10 feet from the street right of way in any residential district; and provided that the area of the flag does not exceed 60 square feet. Display of larger flags or closer to the street right away may be permitted only after the issuance of a permit by the Plan Commission.~~
- ~~J. Holiday Decorations. Are permitted on private property and shall not be placed within a street right-of-way and will not cause a hazard to traffic or adjoining properties. The Village may display decorations on Village owned property.~~
- ~~K. Seasonal Banners that have been approved as a part of a recognition program for the Village on Village owned property and approval for display made by the Village.~~

17.0804

SIGNS PERMITTED IN THE FOLLOWING BUSINESS DISTRICTS (B-1, B-2, B-3, B-4, M-1, BP-1, and OP-1 and I-1) WITHOUT A PERMIT

The following signs with permission of the property owner are permitted in the business districts without a permit, subject to the following regulations.

- ~~A. Civic, Nonprofit or Special Event temporary signage, one such sign is permitted per business must follow the applicable sign ordinance for the type of sign to be displayed regarding size and location. Permission from the Building Inspector must be granted if signage is being placed in the right of way. A period of no more than 3 weeks will be allowed for this type of signage.~~
- ~~B. Sandwich Board Signs, One such type sign permitted per business. Maximum sign face size shall be 12 square feet, with a base not exceeding 2.5 feet in width and height not to exceed 5 feet. Signs shall not be illuminated or have reflective surface. Signs shall be setback 2 feet minimum from curb face, and in an unobstructed area for pedestrian traffic. Sign shall also not be a hazard to traffic or adjoining properties and should not be placed in the right of way unless permission is granted by the Building Inspector. Sign must be removed at the end of business day~~
- ~~C. Incidental Signs advertising special sales which are two (2) square feet or less in area, and erected for a period of two weeks or less, may be erected as wall signs, projecting signs, or ground signs. There shall be no more than five (5) incidental signs on any one premise and the signs shall not to be placed in the right-of-way.~~
- ~~DA. The temporary use of one on-premise portable sign for advertising the grand opening of a business in any district provided that the portable sign will not be located in any public right-of-way, will not be located any closer than 10-5 feet to an adjacent property, and will not cause a hazard to traffic or adjoining properties. A period of no more that 15 than 30 days will be allowed for this type of signage on any business district lot in any calendar year.~~

- EB. Window Signs, except for painted signs and decals, shall be placed only on the inside of commercial buildings. Window signs shall not cover more than 1/3 of any window area ~~and do not require a permit.~~

17.0805

SIGN PERMIT

A sign permit shall be required for erecting a sign structure as regulated under this ordinance and for changing or replacing a sign structure except for sign structures under 17.0803 and 17.0804. Sign applications that meet a Plan Commission approved sign plan for a development site may be approved by the Building Inspector without Plan Commission approval. Maintenance work such as repainting does not require a permit. More extensive maintenance when the cost exceeds over 50% of the cost of the sign must be brought to the Building Inspector to determine if a permit is required.

Applications for a sign permit shall be made on forms provided by the Building Inspector and shall contain or have attached thereto the following information:

- A. Name, Address, and telephone number of the applicant. Location of building, structure, or lot to which or upon which the sign is to be attached or erected.
- B. Name of Person, firm, corporation, or association erecting the sign.
- C. Written Consent of the owner or lessee of the building, structure, or land to which or upon which the sign is to be affixed.
- D. A Scale Drawing of such sign indicating the dimensions, the materials to be used, the type of illumination, if any, and the method of construction and attachment.
- E. A Scale Drawing indicating the location and position of such sign in relation to nearby buildings or structures.
- F. Copies of any other permit required and issued for said sign, including the written approval by the Electrical Inspector, in the case of illuminated signs, who shall examine the plans and specifications, reinspecting all wiring and connections to determine if the same complies with the Village Electrical Code.
- G. Additional Information as may be required by the Building Inspector or Plan Commission.
- H. Sign Permit Applications shall be filed with the Building Inspector, who shall review the application for its completeness and accuracy. If the application is complete and meets the design guidelines approval may be granted by the Building Inspector, at the Building Inspector's discretion. If the application is deemed not to meet the design guidelines the Building Inspector shall within 45 days of receipt of said sign application deny, in writing, the application. The applicant can appeal to the Plan Commission to review the permit and make the determination of approval or denial. A sign permit shall become null and void, if work authorized under the permit has not been completed within six (6) months of the date of issuance.

17.0806

SIGNS PERMITTED IN ALL RESIDENTIAL DISTRICTS WITH A PERMIT

The following signs with permission of the property owner are permitted in any residential district and are subject to the following regulations.

- A. ~~Community Entrance~~ Monument Signs placed at the entrance to a subdivision or residential development ~~shall contain only the name of the subdivision or development,~~ shall be not less than 40-5 feet from a side or rear lot line and maybe placed in the right-of-way only within an easement granted for said purpose and upon approval of the Village for the same. The sign design shall follow the Design standards of the Village. ~~The~~ Plan Commission shall determine the appropriate

size of the sign based on the design of the sign, its impact on traffic safety and its compatibility with adjacent land uses.

17.0807

SIGNS PERMITTED IN ALL INSTITUTIONAL, BUSINESS AND INDUSTRIAL DISTRICTS WITH A PERMIT

Signs are permitted in all business and manufacturing districts with permission of the property owner subject to the following restrictions, and approval by the Building Inspector or Plan Commission, as specified. In addition, all signs in the "Downtown Design and Development" area shall be subject to review and approval of the Architectural Review Board:

- A. ~~Commercial~~ Monument Signs may be erected, and are encouraged, in the Village Business, Institutional and Industrial Districts. ~~Commercial~~ Monument Signs shall ~~state only the name or identity of the development, businesses in the development, and the include the~~ address of the property for public safety purposes. Monument signs shall not exceed 10 feet in height above the mean centerline street grade, except as follows: in the B-1, B-~~22-A~~, B-3 and B-4 districts, M-1, BP-1, OP-1, and I-1 districts the Plan Commission may allow a monument sign to up to 15 feet in height above the mean centerline street grade upon finding that the following conditions exist: (1) the parcel, landscaping and grounds are of substantial size so that the sign is not overly obtrusive; (2) the parcel topography is such that in order to have the sign be no more than 10 feet above the mean centerline street grade, a sign would have to be 6 ½ feet in height from the ground, or less; or the sign is co-locating off premise and on-premise signage; (3) the sign is located not less than 15 feet from the road right-of-way; (4) landscaping at the base of the sign is determined to be substantial. In no case shall the sign be more than 10 feet in height from the ground. The advertising face of a monument sign shall not exceed ~~400-75~~ square feet in area on any side. The area of the base may be larger than the sign face as permitted by the Plan Commission. Monument Signs except in the B-4 shall be located not less than 10 feet from a street right-of-way and not less than 5 feet from any other lot line. No monument sign in a B-4 district shall extend into the street right-of-way or beyond a side lot line. All ground signs shall be located a minimum of 10 feet from a rear lot line. A minimum setback of 5 feet from a street right of way may be allowed if the Plan Commission finds that excessive right-of-way, parking, or building configuration, make the normal minimum setback impractical and such a reduction would not hinder the safety of the area. The number of ~~Commercial~~ Monument Signs per property shall be determined by the Plan Commission for appropriateness with traffic flow, ~~and adjacent uses pedestrian safety, and design of the site, and there shall be no more than two monument signs per property or more than one monument sign per street fronted by the property if the property has two or more street yards unless a conditional use is granted for the property to exceed said limit.~~
- B. ~~Directional Ground Signs to identify parking lot entrances and exits, or direct customers to drive-through windows,~~ may be placed adjacent to driveways provided that no ~~directional ground~~ sign shall be placed in the street right-of-way; shall be more than 5 feet in height; ~~and no entrance/exit sign face shall or~~ exceed 30 inches in length or more than ~~8-7~~ square feet. ~~Menu boards may be placed adjacent to driveways for drive-through facilities, provided that no menu board shall be more than six (6) feet in height and no more than six (6) feet in width.~~ All ground signs shall be designed in a manner to minimize obstruction of motorists' vision. ~~And shall Directional Signs shall~~ be of such design to match the architecture of the building and signs already on or proposed for the site. ~~Directional Signs shall not include any marketing or advertising except that the sign may take advantage of a business's logo's and arrows to simplify messages and assist the driver/pedestrian in locating how to get to a facility.~~ The number of ground signs allowed per property shall be determined by the Plan Commission based upon traffic flow and pedestrian safety from the master plan for the site and the required traffic and site studies and plans submitted for the development or property.

- C. Electronic Message Signs are a special privilege sign granted under unique circumstances for orderly and pleasing development. The signs are intended to promote the effective display of brief messages in a clear and pleasing manner.
1. These signs are permitted for single tenant buildings in the B-2, B-3, BP-1, OP-1, OP-2, I-1 and M-1 Districts. The Plan Commission must find the following for a permit to be issued:
 - a. The message sign is part of a ground or monument sign. Electronic Message Signs that are time and temperature devices only may be allowed as a wall sign, or projecting sign, ~~or ground sign~~ although no time and temperature device shall be located closer than 750 feet from another time and temperature device.
 - b. The sign will not interfere with the visibility of any traffic signal.
 - c. The character and design of the sign is compatible with the general area and building, and that the impact of such a sign will not visually impact any nearby residential areas.
 - ~~d. The electronic message sign is an essential component of the operations of the business as determined by the sole discretion of the Plan Commission.~~
 - ~~e. All messages will be related to either the organization's sales information or for community events notification.~~
 2. These signs are a conditional use under Section 17.0506(A)(16) in the B-1, B-4, and I-1 Districts, and for multi-tenant buildings in the B-2, B-3, BP-1, OP-2, and M-1 Districts.

~~D. Ground Signs shall not exceed 10 feet in height above the mean centerline street grade, and shall not exceed 100 square feet in area on any sign face. Ground signs may have multiple sign faces provided that no two sign faces are visible from the same viewing point and connecting signs have an interior angle of less than 90 degrees between them. Except in the B-1 and B-4 Business Districts, signs shall be not less than 10 feet from a street right-of-way and not less than 5 feet from a side lot line. No ground sign in a B-1 or B-4 district shall extend into the street right-of-way or beyond a side lot line. All ground signs shall be located a minimum of 10 feet from a rear lot line. A minimum setback of 5 feet may be allowed if the Plan Commission finds that excessive right-of-way, parking, or building configuration, make the normal minimum setback impractical and such a reduction would not hinder the safety of the area.~~

~~The Plan Commission may allow a ground sign to exceed the 10 feet in height above the mean centerline street grade, but never allow the sign itself to exceed 10 feet in height, with the following conditions and findings.~~

- ~~1. The ground sign would be restricted to 8 feet or less with the general height restrictions.~~
- ~~2. The sign face shall not exceed 75 square feet in area.~~
- ~~3. The Plan Commission determines there is no reasonable location for the ground sign to meet the general provision as outlined in above.~~
- ~~4. The ground sign height would not hinder the safety of the area.~~
- ~~5. The ground sign has met the Design Standards as determined by the Architectural Review Board.~~

E. Marquee, Awning, or Canopy Signs affixed to the surface of a marquee, awning, or canopy is permitted provided that the sign does not extend vertically or horizontally beyond the limits of such marquee, awning, or canopy. A marquee, awning, or canopy may extend into the street right-of-way, but shall not extend beyond a point one (1) foot back from the vertical plane formed by the street curbline. No marquee, awning or canopy sign shall extend into a required side or rear yard. A ~~name~~ sign not exceeding two (2) square feet in area located immediately in front of the entrance to an establishment may be suspended from a marquee, awning or canopy provided that the ~~name~~ sign is at least 10 feet above the sidewalk.

- F. Pole Signs shall not exceed 20 feet in height above the mean centerline street grade, and shall not exceed 100 square feet in any area on any sign face. In addition, a pole sign may feature a reader board not exceeding 24 square feet in area above or below the main sign for the purpose of conveying changeable sales information. Pole signs may have multiple sign faces provided that no two sign faces are visible from the same viewing point and connecting signs have an interior angle of less than 90 degrees between them. Except in the B-1 and B-4 business districts, pole signs shall be not less than 10 feet from a street right-of-way and not less than 10 feet from a side lot line. No pole sign located in a B-1 or B-4 district shall extend into the street right-of-way or beyond a side lot line. All pole signs shall be located a minimum of 10 feet from a rear lot line. Pole signs and attendant reader boards shall not be less than five (5) feet above the sidewalk or mean street grade nor less than five (5) feet above a driveway or parking lot grade, unless it is determined by the Building Inspector that the distance should increase because the height creates a traffic hazard. No new pole sign shall be erected in the Village after August 1, 1997. Any modification to an existing pole sign is subject to being submitted to and receiving the approval of the Plan Commission prior to the modification being made.
- G. Projecting Signs fastened to, suspended from, or supported by structures shall not exceed ~~400~~50 square feet in area for any one premises; shall not extend more than six (6) feet into any required yard; shall not extend more than three (3) feet into any public right-of-way; shall not be less than ~~40~~5 feet from all side lot lines; shall not exceed a height of 20 feet above the mean centerline street grade; and shall not be less than 10 feet above the sidewalk nor 15 feet above a driveway or an alley.
- H. Reader Boards are an aspect of a ~~monument, ground, or wallground sign or placed against the exterior walls of buildings sign~~. Reader boards that are placed on an exterior wall are allowed provided that they are not internally illuminated, are constructed of woodlike materials and do not exceed 24 square feet ~~for the purpose of conveying changeable sales information~~. Reader boards that are a part of a monument ground sign must receive Plan Commission approval under the same findings for electronic message signs.
- ~~I. Roof Signs shall not exceed 10 feet in height above the roof, shall meet all the yard and height requirements for the district in which they are located, and shall not exceed 300 square feet in area on any side.~~
- J. Wall Signs placed against the exterior walls of buildings shall not extend more than twelve (12) inches outside of a building's wall surface, shall not exceed 500 square feet in area for any one premise, and shall not exceed 20 feet in height above the mean centerline street grade. The Plan Commission may permit more than one wall sign ~~on a building~~ per building tenant when such multiple signs are deemed necessary to the orderly development of the building property in order to provide safe pedestrian and vehicle traffic operations, particularly with buildings that have more than one street yard. A multi-tenant building may allow the end tenant to have a sign of same size or smaller as the front signage located on the building side wall. The aggregate area of all wall signs on any one premise shall not exceed 500 square feet. On buildings exceeding 50,000 square feet in area, the Plan Commission may permit signs exceeding 500 square feet in area and may specify a maximum number of signs.
- ~~K. Combinations of any of the above signs shall meet all the requirements for the individual sign. The total number of signs on any one premise shall be limited as follows:~~
- ~~1. Shopping centers may provide one ground sign displaying the name of the shopping center, lists of individual stores, hours of operation, and/or special sales information for each 500 feet of street upon which the shopping center abuts. The~~

~~shopping center may also provide one wall sign and/or one canopy sign for each business, and, in addition the shopping center may provide an additional wall sign for end tenants, so that end tenants may have a sign on the front and side of such business. Additional wall signs may be provided in accordance with the requirements of Section 17.0807(J) above.~~

~~2. Gasoline and/or service stations may provide one ground sign displaying the name of the station and the brand of gasoline sold. A gasoline and/or service station logo and the name of the establishment may also be affixed to an approved service island canopy. Signs affixed to service pumps shall not be included in the maximum sign count. Wall signs may also be provided as provided in Section 17.0807(J) above.~~

~~3. Multiple tenant buildings may provide one ground sign displaying the name of the building and a list of tenants. In addition, each tenant may provide a wall sign displaying the name of the tenant business.~~

~~4. For all other free standing businesses and industries, total signs shall be limited by the following table:~~

Floor Area	Maximum Number of Signs Permitted
0 - 5,000 sq. ft.	2
5,001 - 20,000 sq. ft.	3
20,001 - 50,000 sq. ft.	4
More than 50,000 sq. ft.	5

~~NOTE: Additional wall signs may be permitted in a manner consistent with the regulation set forth in Section 17.0807(J), above.~~

~~5. Commercial Monument signs, Window signs, directional signs, awning, reader boards and canopy signs, and incidental signs shall not be subject to the limitation on numbers or square footage of signs.~~

L. Sign Setback Modifications. When the Plan Commission determines that there is excessive street right-of-way which will not be developed in the near future, and the sign setback required herein for such sign will unnecessarily interfere with the ~~purpose of~~ the sign, the Plan Commission may permit the sign applicant to measure the sign setback from a point 20 feet back from the curblineline or pavement edge of the street, provided that the sign applicant shall enter into a "hold harmless" agreement with the Village that at such time roadway improvements are scheduled, the Village may order the removal of the sign, and the applicant agrees to remove said sign not less than 90 days prior to the commencement of street construction or street improvement at no cost to the Village and without damage for loss of use of the sign. The sign may be replaced at another location on the property which is in full compliance with the sign regulations.

M. Permanent Outdoor Banner Stand Signs. Approval of these types of signs must receive Plan Commission approval to determine the location of the sign(s), size and the number of signs allowed on the premises. ~~The number of signs is not subject to the requirements in Section 17.0807 (K) of the sign ordinance. The message area of the signs may change without approval from the Village but the message shall be related to either the organization's sales information or for community event notification.~~

17.0808

SIGNS PERMITTED IN ~~INSTITUTIONAL AND~~ PARK DISTRICTS WITH A PERMIT

The following signs are permitted in the ~~Institutional and~~ Park Districts and are subject to the following regulation:

~~A. Private Institutional and Park Name Signs when approved by the Plan Commission.~~

~~B. Public Institutional and Park Name Signs when approved by the Plan Commission~~

~~after review and recommendation by the Park Board.~~

~~A.C.~~ Any signs allowed under 17.0807 for Institutional, Business and Industrial Districts when approved by ~~both the~~ Village Park Board in a Village Park, or and the Plan Commission for non Village Park property.

17.0809

OFF-PREMISE SIGNS REQUIRING A PERMIT

Off-premise signs are prohibited in the Village with the following exceptions:

A. Signs under 17.0803. Official signs may be off-premise

~~B. Election campaign signs on private property may be off-premise~~

~~C. Community Entrance Monuments when the Plan Commission finds that a Community Entrance Monument sign maybe within a street right-of-way after determining that the sign will not have an adverse impact on public safety.~~

DB. Commercial Monument, and Ground, and Directional signs on lands zoned for Business, Industrial, Park, and Institutional purposes when approved by ¾ vote of the entire Plan Commission. The Plan Commission in its review shall consider the following items:

1. The relationship of the proposed off-premises sign location to other off-premises signs, on-premises signs, existing man-made and natural features, and residential and agricultural zoned properties.
2. The impact of the proposed off-premises sign (content neutral) on existing residences in the surrounding area regardless of the zoning of the parcel on which said residences are located.
3. The relationship of the proposed off-premises sign on the development or redevelopment of the parcel on which it is proposed to be located and any traffic flow considerations. Signage shall only be located along a street or frontage road where traffic directly enters to gain access to the site.
4. The use of joint signage.
5. No off-premises sign shall be placed less than 100 feet from any residential or agricultural zoned lands nor shall an off-premise sign be located in an environmentally sensitive area.
6. No off-premises sign shall be located closer than 750 feet from any other off-premises sign. The Plan Commission may reduce this distance if they find a smaller distance to be necessary for the orderly development of a property.
7. Off-premises signs shall not be of the electronic message sign type ~~unless such a sign is determined to be an appropriate and safe by the Plan Commission.~~
- ~~8. Off-premises signs may have only the following information on them: Name of business and or logo, Address of Business, and Directional Information to business location. In no way shall an off-premises sign include additional information such as, but not limited to advertising items, sales information, phone numbers, etc.~~
- ~~9. To encourage collocation of signage when a sign has multiple businesses on the same sign and when the sign is located on premises of one of those business the following procedure applies: The portion of the sign related to the on-premises business shall follow the rules for on-premises signage, and the portion of the sign related to the off-premise business shall follow the off-premises rules.~~
- ~~408.~~ Off-Premises signage must meet all restrictions of this code as they relate to setbacks, size, color, etc.

17.0810

TEMPORARY DEVELOPMENT SIGNS REQUIRING A PERMIT

Temporary ~~development signs for the purpose of designating a new building or development, or for promotion of a subdivision~~ may be permitted by the Building Inspector in any district for a

limited period of time not to exceed one year for a property where a building permit is open and construction is occurring. The Building Inspector shall determine the number, size, and location of temporary signs on any one property to ensure safety for traffic and pedestrians. Such ~~Each temporary~~ signs shall not exceed 48 square feet in area and shall not be less than ~~40-5~~ feet from a street right-of-way, or any side or rear lot line. The Building Inspector may grant ~~an~~ two, one year extensions to the one-year limit ~~when the reasonable development of a project requires such or until occupancy is received for the building under construction on the property, whichever occurs first.~~ additional use of temporary signs. Off-premise temporary signs are prohibited.

~~The Building Inspector may permit the temporary placement of signs identifying contractors or financial institutions or products used on a development project provided that no such sign shall exceed 12 square feet in area; that not more than one sign per contractor is erected; and that the total number of contractor signs per lot does not exceed three. Contractor signs shall be removed within 10 days following occupancy of the building.~~

17.0811

BANNERS, PENNANTS, AND INFLATABLE ADVERTISING

- A. Banners and Pennants. The Building Inspector may permit the temporary use of banners and pennants in any business district for a period of not more than 30 days in any ~~calendar quarter~~90 day period provided that the banner or pennants will not be located in the street right-of-way and will not cause a hazard to traffic or adjoining properties. Banners shall not exceed 150 square feet in area. No new banner shall be displayed for at least 30 days following removal of the previous banner. Banners extending over the street right-of-way shall be permitted upon Plan Commission approval.
- B. Inflatable Advertising. The Building Inspector may permit the temporary use of inflatable advertising in any business district for a period of not more than 7 days in any ~~calendar quarter~~90 day period provided that the inflatable shall be located at least 15 feet from the street right-of way or property line and will not cause a hazard to traffic, pedestrian or adjoining properties. The size shall not exceed 15 feet in height and 8 feet in width.

17.0812

FACING

No sign except those permitted in Sections 17.0803 ~~and 17.0807~~ shall be permitted to face a residence within 100 feet of such residence.

17.0813

LIGHTING AND COLOR

- A. Interference with official signs. Signs shall not resemble, imitate, or approximate the shape, size, form, or color of railroad or traffic signs, signals, or devices. Signs shall not obstruct or interfere with the effectiveness of railroad or traffic signs, signals, or devices.
- B. Interference with public safety. Signs shall not be erected, relocated, or maintained so as to prevent free ingress to or egress from any door, window, or fire escape; and no sign shall be attached to a standpipe or fire escape. Signs shall not be placed so as to obstruct or interfere with traffic visibility, nor be lighted in such a way as to cause glare or impair driver visibility upon public ways.
- C. Lighting. Signs may be illuminated, but such illumination shall only be allowed to a degree of brightness necessary for adequate visibility from the roadway. Signs determined by the Administrator to be of greater illumination than necessary for adequate visibility shall be adjusted in accordance with instructions from the Village. Signs in residential districts shall not be illuminated except for Community Entrance signs. Internally illuminated signs in the B-4 district must be approved by the Architectural Review Board. Adequate visibility shall mean those standards set by the Illuminating Engineering Society of North America.

~~Community Entrance and Commercial~~ Monument signs are required to be externally lit unless a finding is made by the Plan Commission that allowing internal illumination would be compatible with the general area, and that the impact of such a sign will not visually impact any nearby residential areas

- D. Animation. Signs shall not revolve, flash, scroll, blink, chase, or otherwise be animated in nature. Flashing signs are those that change characters or blink more than once every ~~eight-three~~ (83) seconds. Electronic Message signs may fade over not less than three (3) seconds nor more than five (5) seconds to allow for the changing of messages, Pictures, characters, etc. may be part of an electronic message, but all images on an electronic message sign shall not be animated.
- E. Color and Material. Signs shall be designed to complement the architecture of the structure(s) they represent. Wherever possible, signs on multi-tenant buildings should be guided by an approved sign plan for the development with regards to size, font and color. Signs should have uniform letter coloring, size, and shape unless the Plan Commission finds that alternate color schemes appropriately complement the architecture and use of the structure. Monument and ground signs shall be constructed of brick, dimensional building stone, larger wood beams or other decorative building materials, and often feature landscaped element(s) within the sign design. The sign cabinet for ground and monument signs may be of a metal or quality plastic material if the appearance is found to be consistent with the quality of the rest of the sign and the architecture of the development.

17.0814 CONSTRUCTION AND MAINTENANCE STANDARDS

Signs shall be constructed in such a manner that they will not be a hazard to neighboring properties and will withstand the forces of severe weather. Signs shall be maintained in a clean and sanitary manner, shall be repainted or repaired when necessary, and all accessory features of signs--such as lighting--shall be maintained in an operable condition. Signs shall not be permitted to become aesthetically offensive in appearance. Signs shall be secured to buildings, poles, and posts, and shall not be placed in a manner which interferes with the provision of public services such as electrical service, telephone service, gas service, and fire protection.

17.0815 EXISTING SIGNS

Signs lawfully existing at the time of the adoption or amendment of this Ordinance may be continued although the use, size or location does not conform with the provisions of this Ordinance. However, it shall be deemed a nonconforming use or structure; and the provisions of Section 17.0900 of this Ordinance shall apply.

SECTION 2. SEVERABILITY

The several sections of this Ordinance are declared to be severable. If any section or portion thereof shall be declared by a decision of the court of competent jurisdiction to be invalid, unlawful or unenforceable, such decision shall apply only to the specific section or portion thereof directly specified in the decision, and not affect the validity of all other provisions, sections or portions thereof the ordinance which shall remain in full force and effect. Any other ordinances are hereby repealed as to those terms that conflict.

SECTION 3. EFFECTIVE DATE

This ordinance shall take effect immediately upon passage and posting or publication as provided

by law.

Dated this _____ day of _____, 2016

VILLAGE OF SUSSEX

Gregory L. Goetz, Village President

ATTEST:

Casen J. Griffiths, Village Clerk

Published and/or posted this _____ day of _____, 2016

N66W24015 CHAMPENY ROAD



FRONT YARD



SIDE YARD



REAR YARD