

VILLAGE OF SUSSEX
SUSSEX, WISCONSIN

Minutes of the public hearing held by the Plan Commission on March 17, 2016.

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

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

Members excused: None.

Others present: Administrator Jeremy Smith, Attorney John Macy, Engineer Judith Neu and Clerk-Treasurer Susan Freiheit.

Greg Goetz read the notice of public hearing which is to consider the following two items:

An amendment for a conditional use permit for the expansion of a mixed use development in the B-4 Central Mixed Use District which is a conditional use in accordance with Section 17.0506(A)(15)(f). The expansion of Mammoth Springs development will be located south of the Quarry pond, west of Waukesha Avenue and north of Silver Spring Drive. The petitioner and property owner is Mammoth Springs LLC.

A conditional use permit for McGuire Contractors to operate a construction services business at N63W22625 Main Street Suite F in the M-1 Industrial District which is a conditional use in accordance with Section 17.0506 (A)(4)(a). The petitioner is Steve McGuire owner of McGuire Contractors. The property owner is Rosenow Creek LLC.

Mr. Art Sawall, representing Mammoth Springs, 4375 Pilgrim Hollow Ct., Brookfield, reviewed the proposed site plan for the development south of the Quarry pond. Mr. Sawall noted that the residential units on Main Street will be completed by June 15th and the commercial buildings will be finished by May 15th. Mr. Sawall reviewed the elevations of the proposed buildings including one 10 unit building, one 12 unit building, two 15 unit buildings, two 18 unit buildings and one 19 unit building with access on Waukesha Avenue and Silver Spring Drive. Mr. Sawall reviewed the location of the club house with a pool and terrace area overlooking the quarry. Mr. Sawall stated that instead of brick on the buildings there will be stonework. Mr. Sawall stated that these will be market rate apartments with rents around \$1,800 or so and include the amenities in the original Mammoth Springs as well as fireplaces and Grade A finishing.

President Goetz opened the hearing to take comments from citizens present.

Mrs. Chris VanMulle, W232N6256 Waukesha Avenue, asked how the developer was going to address the concerns for the safety of the people who live on Waukesha Avenue because there is an egress of this subdivision on Waukesha Avenue. Mrs. VanMulle stated that they already have difficulty with traffic and getting across the street. Mrs. VanMulle stated that they are better off than a lot of their neighbors because they have a full view of the north/south traffic. Mrs. VanMulle stated that she recently distributed pictures of the traffic backups that are there on a consistent basis. Mrs. VanMulle stated that the DOT website states that over 14,400 cars and trucks use the area from Main Street to Clover Drive. Mrs. VanMulle stated that this number does not include the 1,200 plus vehicles that will be redirected by the Main Street reconstruction. Mrs. VanMulle stated that she is asking that the speed limits be enforced on Waukesha Avenue. Mrs. VanMulle asked if the County has conducted a feasibility study that is necessary for the change of the road. Mrs. VanMulle stated that there are some things that could be done to create a trucking bypass. Mrs. VanMulle stated that another change could be to change the speed limit to 25 MPH. Mrs. VanMulle stated that she asked for speed limit enforcement before and they came there once. Mrs. VanMulle stated that she has concerns with safety because of the ill repaired road and chunks of concrete that shoot up at their house. Mrs. VanMulle stated that she also has concerns with the additional truck traffic.

Mr. Smith stated that the County access/traffic study has not been completed at this time and that the Developer will have to follow the County standards. Mr. Smith stated that with respect to the count of cars and trucks, the Waukesha Avenue roadway has been a State Trunk Highway and the traffic counts is not because of the Main Street restriction on trucks. Mr. Smith stated that the County can be approached on the possibility of lowering the speed limit as it is the County's jurisdiction as of January 1st. Mr. Smith stated that the County Sheriff's Department has been picking up trucks and cars on that road, but are not there all the time. Mr. Smith stated that Capt. Panas has done a study of this area with the speed trailer and has found the speeding more significant.

Mrs. VanMullem stated that she is asking any of the Commissioners to come and sit at her house during the rush time because they might as well be on the freeway with construction.

Mrs. Kremer stated that she has brought that issue to the Village Engineer, but at the time they didn't feel changes were necessary. Mrs. Kremer stated that she is very aware as well as others.

Mr. Bruce Johns, W232N6285 Waukesha Avenue, stated that an officer can sit in his driveway because people go by there at 50-55 MPH during the day. Mr. Johns stated that it is hard to get out of his driveway and officers are welcome to sit in his driveway.

Ms. Sharon Hust, N63W23309 Main Street, Apt. 106, stated that she lives at Mammoth Springs. Ms. Hust stated that she agrees with the traffic issues as cars are just flying. Ms. Hust stated that she enjoys living here. Ms. Hust stated that we are bringing a much higher level of class to this area and can't imagine living in any other areas of Sussex. Ms. Hust stated that she lived in the Town of Lisbon and is first on the waiting list for the town houses. Ms. Hust stated that she would work with anyone on the issues and asked if the problem was construction vehicles. Ms. Hust stated that she felt this development is going to be a great asset to Sussex as it brings in a lot of people who will settle in Sussex. Ms. Hust stated that Sussex is a wonderful community and we should keep it that way. Ms. Hust agreed that the traffic on Waukesha Avenue is an issue.

Mr. Derrin Wolford, N62W23409 Silver Spring Drive, asked with this development being on the south side of the quarry with traffic coming into the residential area, what will that do to the properties on Silver Spring Drive's values. Mr. Wolford asked if they know the extra estimated vehicles added due to the people living there. Mr. Wolford stated that he didn't know how many units are being added, but there will be one to two vehicles per unit and this will degrade the value of his home.

Mr. Smith stated that the property on the development site is zoned B-4 which is a mixed use zoning. Mr. Smith stated that there could be a reduction in the value of the land if it is sold for a residential use. However; if it is sold for a commercial development, the value could be higher due to the number of people living in this development.

Mrs. VanMullem stated that she did not receive an answer on the projected amount of additional traffic on Waukesha Avenue.

Mrs. Judith Neu, Village Engineer, stated that the standard number used is 10 trips per day per household or approximately 1,000 trips per day. Mrs. Neu stated that she didn't know the split, but estimated about ½ would access to Waukesha Avenue and ½ to Silver Spring Drive.

Mr. Jesse Gnass, N63W23333 Main Street, Sussex, stated that he lives in Mammoth Springs and travels extensively. Mr. Gnass stated that there was no question about the traffic and that it won't go away. Mr. Gnass stated that he owns a home in Hartland and wanted to downsize. Mr. Gnass stated that the types of people who live in Mammoth Springs don't want to cut the grass or are looking for a condo or another house. Mr. Gnass stated that during the day, most of his neighbors are gone. Mr. Gnass stated that this

is not a typical type of apartment and 90% of the people are in a similar situation to him. Mr. Gnass stated that he loves to live there and that Mr. Sawall has done a great job on the development. Mr. Gnass stated that adding a community center is a great concept. Mr. Gnass stated that traffic wise, the design of the east side of the apartments is a problem, and if you are leaving one of the restaurants, you must go right and then have to turn around.

As there was no one further who wished to be heard,

A motion by Pellechia, seconded by Tetzlaff, to close the public hearing on Mammoth South at 7:00 p.m.
Motion carried.

Mr. Steve McGuire, W272N7422 Denton's Run, Sussex, stated that he needs a bigger office. Mr. McGuire stated that they are leasing 3,200 sq. ft. with 2,000 for office space and the rest for storage. Mr. McGuire stated that the storage space will store small construction tools, temporary doors, ladders, surveying equipment, etc., but no heavy equipment will be stored there and there will be no outside storage. Mr. McGuire stated that this will simply be their office.

Chairman Goetz opened the hearing to take comments from citizens present.

There was no one present who wished to be heard.

A motion by Pellechia, seconded by Kremer, to close the public hearing on McGuire Contractors at 7:03 p.m.
Motion carried.

Respectfully submitted,

Susan M. Freiheit
Clerk-Treasurer

VILLAGE OF SUSSEX
SUSSEX, WISCONSIN

Minutes of the Plan Commission meeting held on March 17, 2016.

Chairman Goetz called the meeting to order at 7:03 p.m.

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

Members excused: None.

Others present: Administrator Jeremy Smith, Attorney John Macy, Engineer Judith Neu, Assistant Community Director Kasey Fluets and Clerk-Treasurer Susan Freiheit.

Consideration and possible action on the public hearing and minutes of the Plan Commission meeting on February 18, 2016.

Motion by Kremer, seconded by Tetzlaff, to approve the public hearing and minutes of the Plan Commission meeting on February 18, 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 Prime Resources LLC (N64W24050 Suite 302 Main Street).

Mr. John Houdek, N58W24793 Quail Run Lane, Sussex, stated that they are a professional, technical staffing agency and have started his own company. Mr. Houdek stated that they will use about 300 sq. ft. for a couple of desks. Mrs. Fluets reviewed the Plan Staff Memo on this matter (copy attached). There were no questions from the Commissioners.

A motion by Pellechia, seconded by Kremer, to approve the Plan of Operation and site plan for Prime Resources LLC (N64W24050 Suite 302 Main Street); makes 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 Plan of Operation and site plan for Edward Jones (N64W24801 Main Street Suite 108).

Mr. Jordan Bonnett was present on this matter. Mrs. Fluets reviewed the Plan Staff Memo on this matter (copy attached). The Commissioner had no questions on this matter.

A motion by Pellechia, seconded by Kremer, to approve the Plan of Operation and site plan for Edward Jones (N64W24801 Main Street Suite 108); makes 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 Plan of Operation and site plan for Paws R Us (W232N6127 Waukesha Avenue).

Mary Tran, 13113 Lancaster Avenue, Butler, stated that she would like to start a pet grooming shop and intends to open it in the fall. Ms. Tran stated that they won't house dogs overnight there. Mrs. Fluets reviewed the Plan Staff Memo on this matter (copy attached). Mr. Johnson asked if the access is on Silver Spring. Ms. Tran stated that it is. Mr. Smith stated that this is a wonderful way to transition a downtrodden building into a successful business. Mr. Smith stated that slowly the homes in this area will transition from residential to commercial and alleviate the challenges of the roadway (Waukesha Avenue). Mr. Johnson asked what color the building would be painted. Ms. Tran provided a sample of color.

A motion by Johnson, seconded by Tetzlaff, to approve the Plan of Operation and site plan for Paws R Us (W232N6127 Waukesha Avenue); makes a finding that the use and structures meet the principals of 17.1002(A-H); and subject to the standard conditions of Exhibit A. Motion carried.

Conceptual review of a Conditional Use, Plan of Operation and site plan for McGuire Contractors, Inc. (N63W22625 Main Street).

Mr. Steve McGuire, of McGuire Contractors, Inc., was present on this matter. Mrs. Fluet reviewed the Plan Staff Memo on this matter (copy attached). The Commissioners had no further questions on this.

A motion by Pellechia, seconded by Kremer, to approve of the Conditional Use, Plan of Operation and site plan for McGuire Contractors (N63W22625 Main Street); and makes a finding that the use and structures meet the principals of 17.1002(A-H); and the approvals are subject to the standard conditions of Exhibit A. Motion carried.

Consideration and possible action of an amendment to a Conditional Use, site and architectural building plans for the expansion of Mammoth Springs Development south of the Quarry pond, west of Waukesha Avenue and north of Silver Spring.

Mrs. Fluet reviewed the Plan Staff Memo on this matter (copy attached). Mrs. Tetzlaff asked about the walkability of this site. Mr. Smith stated that the Engineer is working on the markings and the walking flow of this site and its connection to the Bugline Trail. Mr. Sawall stated that Quarry is the centerpiece of this development and includes benches and the path. Mr. Sawall stated that a critical part is the Bugline that extends to Maple Avenue. Mr. Sawall stated that there will be access along the west side of Mammoth South to Silver Spring from the Bugline. Mr. Smith displayed a map of the south ½ of the Village of Sussex and the current sidewalks and gaps but showed the completed areas from the Glen at Seven Stones to the sidewalk on K & 164, at Meijers, through Sussex IM's development, following the stream to the Community Center, through Armory Park and north to the Village's property on Main Street. Mr. Smith stated that the area has a few small gaps, but within three years, they will be completed. Mrs. Fluet reviewed the Plan Staff Memo on this matter (copy attached).

It was the consensus of the Commissioners to direct staff to prepare an amended conditional use permit for consideration at the April Plan Commission meeting.

Conceptual review of 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).

Mr. David Wald, from Sussex IM, N65W24770 Main Street, Sussex, stated that they intend to add a new building for additional capacity for production and some warehouse space. Mr. Wald stated that they researched many sites and this is close to their existing site and allows interaction between the sites. Mr. Wald stated that the new facility stems from the new contracts they have recently received from Nike for mouth guards, GOJO soap dispensers and Purell products. Mr. Wald stated that they anticipate 40 new employees, but there could be more. Mr. Wald stated that they just went to a 24/7 operation to accommodate the new business. Mrs. Fluet reviewed the Plan Staff Memo on this matter (copy attached). Mr. Pellechia stated that he felt the metal panel wall should be removed after a certain amount of years and not be left open ended. Mr. Mark Christof stated that this is not the typical corrugated wall, but is a sandwich panel that is similar to stucco and looks like a precast concrete wall, but is metal. Mr. Christof stated that from Hwy K you won't be able to differentiate the material. Mr. Christof stated that this has a durable finish, not the typical metal. Mrs. Fluet stated that this was similar to the Sharp Packaging building. Mr. Johnson stated he was concerned with the long term use of metal buildings and that a time certain was done with Sharp. Mr. Goetz stated that if Sussex IM can't meet the time limit they can ask for an extension. Mr. Pellechia suggested that a 10 year time frame or change of ownership be used. Mr. Wald stated that he was amenable to that clause. Mr. Johnson stated that he wants to protect the investments of other businesses.

It was the consensus of the Commissioners to send the plans to the ARB for review and for staff to schedule the public hearing for the April Plan Commission meeting.

Consideration and possible action on two CSM's for Village Estates Addition No. 1 to create four single family lots on Outlot 3 and to create four single family lots on Outlot 4; and a petition from the Developer to be released from obligation to construct subdivision entrance sign.

Mr. Don Cotey, 808 Honey Creek Parkway, Wauwatosa, stated that the two CSMs will complete the Village Estates Subdivision. Mr. Cotey stated that the subdivision sign was requested by the Village to have an entrance to the Subdivision and that there is currently a 20x22 foot easement on Lot 34 for the monument sign. Mr. Cotey stated that he is requesting that this requirement be removed as this subdivision is an infill subdivision, this would also make selling Lot 34 easier without the easement, and the homeowners association won't have to take care of a sign. Mr. Smith stated that the Village has no concerns with the two CSMs. Mr. Smith stated that when this subdivision was first acted upon there was a four-to-three vote concerning the subdivision monument sign and it is required in the Developers Agreement. Mr. Smith stated that the Village Board makes the final determination on the sign. Mrs. Kremer stated that she thinks this sign is silly and it doesn't matter if you live in the Village. Mr. Pellechia stated that Brandon Oaks has a monument sign and is surrounded by another subdivision. Mr. Johnson stated that from a marketing perspective it is nice to have a sign. Mr. Johnson stated that in areas where you have islands of developments like in the Town, it is great to have, but not in this subdivision. Mr. Johnson stated that a subdivision that has its own identity can have signs and it's great for marketing. Mrs. Tetzlaff asked how much would having this sign impede selling the lot. Mr. Cotey stated that it takes away 400 sq. ft. Mrs. Tetzlaff and Mrs. Schauer agreed that the sign should not be required. Mr. Pellechia stated that it's nice to say I live in Eagles Ridge or Centennial Oaks, but not for an infill subdivision. Mr. Johnson, Mrs. Kremer and Mr. Goetz also agreed.

A motion by Johnson, seconded by Goetz, to recommend that the Village Board approve the two CSMs for Outlot 3 and Outlot 4 for Village Estates Addition No. 1 subject to review by the Village Engineer, recommends that the Village Board grant a waiver for the monument sign requirement, and that all approvals are conditioned upon meeting the standard conditions of CSM approval and Exhibit A.

Motion carried.

Consideration and possible action on the Preliminary Plat for Johanssen Farms, east side of Maple Avenue south of Clover Drive.

Mr. Wade Balson, of Johanssen Farms LLC, was present on this matter. Mr. Balson stated that Kaerek Homes has taken over the construction of the homes for this subdivision and have asked them to take over the developer's agreement. Mr. Balson stated that they also want the subdivision name to be returned to Johanssen Farms. Mr. Balson stated that they found a well on their side of the property line and will drill a new well on the property it serves and abandon the original one. Mr. Balson stated that the owner of the home bought the home with the well on our property. Mr. Balson stated that the Town has approved the plat and it is now before the County. Mr. Johnson asked about the sidewalks. Mr. Balson stated that the sidewalk information is in the "Notes." Mrs. Fluet reviewed the Plan Staff Memo on this matter (copy attached). Mr. Smith stated that the well is required to be abandoned prior to final plat approval and will be noted in the Developer's Agreement.

A motion by Pellechia, seconded by Kremer, to approve the Preliminary Plat and recommend to the Village Board to approve the Preliminary Plat for Johanssen Farms, subject to the standard conditions of approval for Plats, final review and conditions by the Village Engineer, entering into a developer's agreement with the Village and subject to the standard conditions of Exhibit A.

Motion carried.

Consideration and possible action on a CSM for (Associated Bank) to combine parcel SUXV0235963 and SUXV0235969001 and grant an easement to the Village of Sussex.

Mr. Smith reviewed the Plan Staff Memo on this matter (copy attached).

A motion by Pellechia, seconded by Anderson, to recommend that the Village Board approve of the CSM for Farmers & Merchants Bank (Associated Bank) to combine parcel SUXV0235963 and

SUXV0235969001, subject to review by the Village Engineer and the standard conditions of CSM approval and Exhibit A. Motion carried.

Other items for future discussion. There were no other items.

A motion by Kremer, seconded by Pellechia, to adjourn the meeting at 8:00 p.m. Motion carried.

Respectfully submitted,

Susan M. Freiheit
Clerk-Treasurer



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MEMORANDUM

TO: Plan Commission

FROM: Kasey Fluet, Assistant Development Director

RE: Plan Commission meeting of March 17, 2016

DATE: March 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 public hearing and minutes of the Plan Commission meeting on February 18, 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 Prime Resources LLC (N64W24050 Suite 302 Main Street).

This site is zoned B-4. The employment placement business is a permitted use in the B-4 Central Mixed Use District in accordance with section 17.0419 (C)(7)(h). They will occupy 300 square feet of tenant space in the multi-tenant building. Prime Resources connects employees with employers in a specific field. The space will be used as a general office with a staff of one. Hours of operation are Monday through Friday 8:00 a.m. to 5:00 p.m. 39 of the 54 parking stalls are allocated and this user requires two spaces.

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 Prime Resources LLC (N64W24050 Suite 302 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 Edward Jones (N64W24801 Main Street Suite 108).

This site is zoned B-3. The financial advisor agency is a permitted use in the B-3 Highway Business District in accordance with section 17.0418 (A)(4)(b). The agent will occupy 1,000 square feet of tenant in the multi-tenant building. Edward Jones is a financial agency offering investment advice to clients. This office will have two employees and the hours of operation will be Monday through Friday 8:00 a.m. to 5:00 p.m. 45 of the 102 parking stalls are allocated to other users and six are needed for this use.

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 Edward Jones (N64W24801 Main Street Suite 108); 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 Paws R Us (W232N6127 Waukesha Avenue).

This site is zoned B-3. The pet grooming services is a permitted use in the B-3 Regional Business District in accordance with section 17.0418 (A)(8)(j). The owner of Paws R Us will purchase the empty blue house on the corner of Waukesha Avenue and Silver Spring to relocate her dog grooming business from Menomonee Falls and will operate the business on the first floor. The contractor has met with the building inspector and discussed the needed interior and exterior plans. Hours of operation will be Monday through Friday 8:00 a.m. to 5:00 p.m. and Saturday 8:00 a.m. to 5:00 p.m.

Provided is an exterior site plan showing paving of the site with a 24 foot wide driveway up to the building and the parking stalls to be striped. The plans also show a ramp to be installed for access into the waiting entrance of the business, a security chain link fence for the dogs to visit and adding landscaping to the site. The site has a two car garage and they will create five parking stalls as required by code.

Policy Question:

1. Are there any concerns with the Plan of Operation or site plan?
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 Paws R Us (W232N6127 Waukesha Avenue); a finding that the use and structures meet the principals of 17.1002(A-H); and subject to the standard conditions of Exhibit A.

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

A. Conceptual review of a Conditional Use, Plan of Operation and site plan for McGuire Contractors, Inc. (N63W22625 Main Street).

This site is zoned M-1. The construction services business is a conditional use in the M-1 Industrial District in accordance with Section 17.0506 (A)(4)(a). McGuire Contractors is a full service general construction firm with five employees and will occupy 3,200 square feet in the 36,200 square foot building. They will use 2,000 square feet as office space and 1,200 as storage of construction items. Hours of operation will be Monday through Friday 8:00 a.m. to 5:00 p.m. This site is not allowed any outside storage. This site has 72 parking spaces with 38 allocated to other user. This user requires 5 per code.

Prior to this meeting there will be a Public Hearing for this item 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.

Normally CU's come back to the Plan Commission for another meeting; this business owner would like to move in as soon as possible. The Village process does allow 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?
2. Are there any additional conditions you want addressed in the CU?
3. Are there any concerns with the property?

Action Items:

1. Act on the CU, Plan of Operation and site plan OR
2. Provide additional comments for inclusion in the CU and direct staff to bring back for the April Plan Commission meeting.

Staff Recommendation: Staff recommends approval of the Conditional Use, Plan of Operation and site plan for McGuire Contractors (N63W22625 Main Street); and a finding the use and structures meet the principals of 17.1002(A-R); and the approvals are subject to the standard conditions of Exhibit A.

B. Consideration and possible action of an amendment to a Conditional Use, site and architectural building plans for the expansion of Mammoth Springs Development south of the Quarry pond, west of Waukesha Avenue and north of Silver Spring.

This site is zoned B-4. It is the expansion of the mixed use development of the Mammoth Springs Development with connectivity around and use of the quarry pond. The development requires an amendment to the CU granted for the Mammoth Springs development, which was contemplated when the original development was approved. It is an essential part of the adopted Village's TIF project plan and its redevelopment plan. The site has been planned for redevelopment with the Village Board authorizing the CDA to acquire properties in the area over a decade ago. The access point on Waukesha Avenue was determined by the State as the one access point between Main Street and Silver Spring.

The expanded development will support the 26,000 square feet of retail/office established on the northern side of the quarry pond with the addition of 103 high end apartments. 22 of the

units are townhome style units with three story living overlooking the quarry pond and 81 of the units are market rate units some of which include a lofted area. This will be the first three bedroom apartment development in Sussex and will have rents higher than Phase 1 development and is aimed at a different segment of the population than Phase 1. Stormwater is cleaned on site and sent to the Quarry pond in a similar fashion to the first phase of the development. Every unit has a garage available plus one available surface parking spot and the site has some additional guest parking spots. Mammoth South has a pool and clubhouse for use by the residents of the site and the residents on the north side of the quarry pond, while the workout area for the residents is located above the retail on the north side of the development.

The original phase of the development is in its final stages of completion. This phase of development will take 18 months to develop.

There are two townhouse buildings, four two story buildings, and one three story building lined up with the Topaz apartments to balance that scale. Two of the neighboring properties asked for a fence with evergreens, which staff supports and have been incorporated into the plan. The developer has also added striping and adjustments to the sidewalks to accommodate the request from the Plan Commission about pedestrian orientation.

The Public Hearing is being held just 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.

Since the conceptual meeting of this project the Developer, Mr. Sawall has finalized contracts to purchase the two homes on Silver Spring Drive and has submitted a new site plan showing an additional building. Mr. Sawall will remove the two houses and place an 18 unit building in that location. This allows the Village to fully vacated Dyer Drive.

The site plan and architectural plans for the buildings were reviewed at the March 2, 2016 ARB and the following motion was made:

A motion by Dietrich, seconded by Tetzlaff to recommend to the Plan Commission approval of the approve the site plan and architectural building plans for each, 10 unit building, 12 unit building, 15 unit building, 18 unit building and 19 unit building with the following conditions:

- *The material on each of the building will be a combination of Chilton stone and hardiplank with the preferred third material of brick but not required.*
- *The approval of the landscape and lighting plan to be made at a future ARB meeting.*

Motion carried.

The developer will also have to submit a CSM.

Policy Questions:

1. Are there any concerns with the plans?
2. Are there any concerns from the public you want included in the amended CU?
3. Are there any concerns with the property?

Action Items:

1. Direct staff to prepare the amended CU.

Staff Recommendation: Staff recommends preparing the amended conditional use for consideration at the April Plan Commission meeting.

C. Conceptual review of 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 in addition states no tree cutting and shrubbery clearing within 100 feet is permitted, but paths and trails that do not exceed ten feet in width can be established that remove vegetation in the area.

All of the plans still require ARB review and will be on the ARB agenda for April 6, 2016.

Site

- Sufficient parking with 85 stalls.
- 10 foot wide pedestrian path.
- Must confirm drive entrance location with County Department of Transportation.

Architectural

- Building(s) meet height and required setbacks
- Will be constructed with precast finished panels
- Requesting to have east wall of phase one to be constructed with metal panels to accommodate the construction of phase two, this wall is 200 feet in length.

Lighting

- Lighting does not spill out onto neighboring properties.

Landscape

- Tree preservation report should be submitted to determine if the landscape plan meets the requirements.

The plans will be reviewed by the ARB in April.

Are there any concerns with the metal panel wall? This issue has been requested by others in the past and the Village has denied the request. The Plan Commission when reviewing these requests has previously stated that there was no timeline and so no guarantee on when the expansion would occur and felt like the wall panel would be visible to neighbors and street. The Plan Commission did allow metal to Sharp Packaging for their high density storage building due to height and weight consideration. In this application the visibility issue is less significant because the site is less visible from the street and due to woods and

wetlands less visible to neighboring properties as well. The Plan Commission will have to make a finding at some point on this request.

Are there any concerns about the plans you want the ARB to review?

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.

Policy Question:

1. Are there any concerns with the plan of operation?
2. Are there any concerns with the site, architectural, lighting and landscape plans?
3. Are there any concerns with the CSM?

Action Items:

1. Send the plans to ARB for review.
2. Direct staff to schedule the public hearing.

Staff Recommendation: Staff recommends the ARB review the plans and for staff to schedule the public hearing for the April Plan Commission meeting.

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

A. Consideration and possible action on CSM's for Village Estates addition no. 1 to create 4 single family lots on outlot 3 and to create 4 single family lots on outlot 4 and a petition from the Developer to be released from obligation to construct subdivision entrance sign.

This subdivision is zoned RS-3. The Village Estates subdivision was created in 2005 with the preliminary plat approval of 34 lots. Phase 1 of the plan included lots 1- 18, second phase approved in 2013 included lots 19-26 with outlot 3 and outlot 4. The Developers of the subdivision are submitting two CSMs, CSM for outlot 3 will create single family lots #27-30 and CSM for outlot 4 will create single family lots #31-34 to complete the subdivision. Lot 34 indicates a sign easement for the subdivision entrance.

The Plan Commission as a matter of approval for this subdivision required a monument sign be established. The Developer ran into some challenges and does not wish to complete the monument sign. Waiver of this requirement can only be done by the Village Board and the Village Board will look for recommendation from the Plan Commission on the matter.

Policy Question:

1. Are there any concerns with the CSM?

Action Items:

1. Act on the CSMs.

Staff Recommendation: Staff recommends approval of the CSM for outlot 3 and outlot 4 to the Village Board for Village Estates addition no. 1 subject to review by the Village Engineer, establishing a monument sign or letter of credit amount sufficient for the monument sign construction or gaining a waiver of this requirement and the standard conditions of CSM approval and Exhibit A.

B. Consideration and possible action on the Preliminary Plat for Johanssen Farms, east side of Maple Avenue south of Clover Drive.

This site is zoned RS-3 Single Family Residential District with a Planned Development Overlay. The conceptual plan and rezone of this property has been approved by the Plan Commission at previous meetings.

The Preliminary Plat creates a subdivision to include 73 single family house lots with various lot sizes but none less than 12,000 square feet. The stormwater facilities for this subdivision will be located on an outlot located in the Town of Lisbon. Prior to final plat approval the developer will need to address the concerns of the Village Engineer and provide proof the well located on lot 40 has been abandoned.

Policy Questions:

1. Are there any concerns with the preliminary plat?

Action Items:

1. Act on the preliminary plat.

Staff Recommendation: Staff recommends the Plan Commission approve the Preliminary Plat and recommend to the Village Board to approve the Preliminary Plat for Settlement at Sussex Creek, subject to the standard conditions of approval for Plats, final review and conditions by the Village Engineer, entering into a developer's agreement with the Village and subject to the standard conditions of Exhibit A.

C. Consideration and possible action on a CSM for (Associated Bank) to combine parcel SUXV0235963 and SUXV0235969001 and grant an easement to the Village of Sussex.

This site is zoned B-4. The property owners are combining their adjacent lots into one parcel. One lot has the property owner's parking lot and the other lot has the buildings, with the drive through area across both lots. Staff recommends combining the two lots as the site function as one lot. On the CSM is language granting easements to the Village for a sidewalk which will be added along the side of the new drive entrance into the Civic Campus, and by Orchard an area for the new signalization equipment to be located.

Policy Question:

1. Are there any concerns with the CSM or combing these lots?

Action Items:

1. Act on the CSM.

Staff Recommendation: Staff recommends approval of the CSM for Farmers & Merchants Bank (Associated Bank) to combine parcel SUXV0235963 and SUXV0235969001, subject to review by the Village Engineer and the standard conditions of CSM approval and Exhibit A.

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

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.