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AGENDA
PLAN COMMISSION
VILLAGE OF SUSSEX
6:30 PM TUESDAY, FEBRUARY 18, 2020
SUSSEX CIVIC CENTER– BOARD ROOM 2nd FLOOR
N64W23760 MAIN STREET

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 Plan Commission meeting of January 21, 2020.
3. Consideration and possible action on Permitted Uses and Plans:
 - A. Consideration and possible action on a Plan of Operation and site plan for Fade & Fancy (N64W24050 Main Street unit #206).
 - B. Consideration and possible action on a Plan of Operation and site plan for Bella Mia Salon, LLC (N64W24050 Main Street unit #205).
 - C. Consideration and possible action on a Plan of Operation and site plan for Skin 360 Spa & Beauty (N64W24050 Main Street unit #201).
 - D. Consideration and possible action on an amendment to a Plan of Operation and site plan for Belfast Station (N64W23246 Main Street).
 - E. Consideration and possible action on a CSM, Plan of Operation, site plan, architectural plan, lighting plan and landscape plan for Prestwick Group addition (W248N5499 Executive Drive).
4. Conditional Use Public Hearing(s) and consideration and possible action on Conditional Use Permits and Plans on the following items:
 - A. Introduction of a Conditional Use, Plan of Operation, site plan, architectural plan, lighting plan, landscape plan and sign plan for The Courtyard at Sussex, Assisted Living facility (W235N6350 Hickory Drive).
 - B. Convene the public hearing of an amendment to a Conditional Use and site plan for Sussex Bowl (N64W24576 Main Street) to add additional outdoor uses.
 - C. Convene the public hearing of a Conditional Use, Plan of Operation, site plan, architectural plan, lighting plan, landscape plan and sign plan for Kwik Trip at the corner of CTH K and Business Drive.

5. Consideration and possible action on CSM's, Plats, Zoning and Planning Items:
 - A. Consideration and possible action on items pertaining to Vista Run Development property located west of Hwy 164 and south of Silver Spring more specifically part of SUXV0227999, SUXV0227999004, SUXV0228996 and SUXV0228996002.
 1. Resolution 20-10 for Land Use amendment from Low Density Single Family Residential, Medium Density Single Family Residential, Recreational to Medium Density Single Family Residential, Single Family Attached and Two Family Residential, Recreational, Agricultural, Environmental Corridor Isolated Natural Resource Area.
 2. Rezone Ordinance from CR-1 and RS-3 Single Family Residential District to RS-2 Single Family Residential District, SFRD-3 Single Family Attached District, Park, with Environmental Overlays and Agricultural with a Planned Development Overlay District.
 3. Preliminary Plat.
 4. Developers Agreement.
6. Other items for future discussion.
7. Adjournment.

Greg Goetz
Chairperson

Jeremy J. 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 this service, contact the Village Clerk at 246-5200.

DISCLAIMER- THE FOLLOWING ARE DRAFT MINUTES FROM
THE PLAN COMMISSION AND ARE
SUBJECT TO CHANGE UPON APPROVAL OF THE PLAN COMMISSION
**VILLAGE OF SUSSEX
SUSSEX, WISCONSIN**

Minutes of the Plan Commission meeting held on January 21, 2020.

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

Members present: Commissioners Roger Johnson, Deb Anderson, Amanda Schauer, David Ray, Annette Kremer, Trustee Scott Adkins and Village President Greg Goetz.

Members excused: None.

Others present: Village Administrator Jeremy Smith, Village Attorney John Macy, Assistant Development Director Kasey Fluet, Deputy Clerk Linda Steinmetz and applicants.

A quorum of the Village Board was not present at the meeting.

Consideration and possible action on the minutes on the Plan Commission meeting of December 17, 2019.

A motion by Schauer, seconded by Kremer to approve the minutes of the Plan Commission meeting of December 17, 2019 as presented. Motion carried 7-0.

Consideration and possible action on a Plan of Operation and site plan for Ideal Human Chiropractic and Naturopathic (N64W24801 Main St. Ste. 119).

Stephen and Lyndsay Moreau, 1035 Pioneer Trail, Waukesha, WI spoke on behalf of Ideal Human Chiropractic & Naturopathic. Dr. Stephen Moreau plans to open a clinic to treat conditions of the spine, specifically neck and low back pain. Dr. Lyndsay Moreau will be providing consulting services for natural health and dietary issues along with recommendations and sales for natural supplements.

Mrs. Fluet reviewed the Plan Staff Memo (copy attached); stating this site is zoned B-3. The general medical services is a permitted use in accordance with Section 17.0418 (A)(3)(d) in the B-3 Highway Business District. Ideal Human Chiropractic & Naturopathic will be owned and operated by Dr. Stephen Moreau and Dr. Lindsay Moreau, they will specialize in chiropractic and natural health. They will occupy 1,400 square feet of space in the multi-tenant building. Hours of operations will be Monday through Friday 9:00 a.m. to 7:00 p.m.

A motion by Kremer, seconded by Johnson to approve the Plan of Operation and site plan for Ideal Human Chiropractic and Naturopathic (N64W24801 Main St. Ste. 119); a finding that the use and structures meet the principals of 17.1002(A-H), subject to the standard conditions of Exhibit A.

Motion carried 7-0.

Introduction of an amendment of a Conditional Use and site plan for Sussex Bowl (N64W24576 Main Street) to add additional outdoor uses.

Stephen Hoehnen, W238N7019 Michele Ln, Sussex spoke on behalf of Sussex Bowl.

Sussex Bowl plans to tear down and rebuild its outdoor shed which will house an outdoor bar to serve the volleyball courts. Sussex Bowl would also like to add an area for bags league which would also be served by the outdoor bar. Bags area will be roped off to clearly designate the playing area and be open during the summer months.

Mrs. Fluet reviewed the Plan Staff Memo (copy attached); stating this site is zoned B-1. The bowling recreational center with outdoor volley ball courts is requesting to amend their conditional use and site plan to include an outdoor bar and bags tournament area. This site has 150 parking stalls with the required 4 stalls designated for handicap parking.

The area for the bags tournament will be located on the grass adjacent to the fenced volley ball courts, this area will be designated by a rope fence around the perimeter. Within this area the owner is intending to have alcohol usage within this area.

The outdoor bar will be located adjacent to the volley ball and bags area. The owner will build a replacement shed, which they may serve alcohol out of.

Amendments to the existing outdoor establishment permit and liquor license will require approval by the Finance Committee and Village Board.

The Petitioner will need to prove the standards/conditions in the attached memo during the Public Hearing process. The Plan Commission may add additional conditions for the Petitioner to meet in the Conditional Use. The shaded areas (if any) in the attached memo reflect items in the code that are unlikely to be meritorious to the application or are administrative in nature.

Mrs. Fluet stated that staff has found the application complete and recommends scheduling the Public Hearing.

A motion by Goetz, seconded by Anderson to direct staff to schedule a public hearing for 6:30 pm on February 18, 2020. Motion carried 7-0.

Introduction of a Conditional Use, Plan of Operation, site plan, architectural plan, lighting plan, landscape plan and sign plan for Kwik Trip at the corner of CTH K and Business Drive.

Applicant not in attendance.

Mrs. Fluet reviewed the Plan Staff Memo (copy attached); stating this site is zoned B-2 with a Planned Development Overlay. The convenience store, car wash and gasoline service station is a conditional use in accordance with Section 17.0506 (A) 9 (a) and (b). and outside storage Section 17.0506 (A)(11)(a). Kwik Trip is proposing to construct a 9,050 square foot convenience store with attached car wash, gas pumps with canopy and diesel gas with canopy. Kwik Trip will operate 24/7. In addition to the above services, the store will sell alcohol, the interior layout shows the "Beer Cave" and labeled #16 is the liquor cabinet behind the cash registers. The store will employ 30 to 35 employees. The liquor license and outdoor establishment permit will need to be reviewed by the Village Board.

As for all new construction of buildings and uses under a Conditional Use, the Plan Commission has requested that the building have a sprinkler system for the safety and welfare of the public and recognizing the importance of sprinklers in saving lives.

The Petitioner will need to prove the standards/condition in the attached memo during the Public Hearing process. The Plan Commission may add additional conditions for the Petitioner to meet in the Conditional Use. The shaded areas in the attached memo (if any) reflect items in the code that are unlikely to be meritorious to the application or are administrative in nature.

Mrs. Fluet stated that staff has found the application complete and recommends scheduling the Public Hearing.

A motion by Goetz, seconded by Kremer to direct staff to schedule a public hearing for 6:30 pm on February 18, 2020. Motion carried 7-0.

Consideration and possible action on Final Plat Addition No. 2 Sussex Preserve Subdivision located west of Maple Avenue and south of Clover.

Applicant not in attendance.

Mr. Smith reviewed the Plan Staff Memo (copy attached); stating this site is zoned RS-3 with a Planned Development Overlay. The approval of this Plat is for the 30 single family lots remaining that have road and utility improvements. Sidewalks will be completed in the spring. Building permits may be issued once staff is satisfied all the conditions of the Developers Agreement and Chapter 18 are met and once the Plat is recorded with the Registry of Deeds.

The subdivision still has 72 single family lots remaining to be platted.

A motion by Kremer, seconded by Anderson to recommend to the Village Board approval of Final Plat Addition No. 2 for Sussex Preserve conditioned upon the obligations of the Developers Agreement being met, that prior to acceptance of the pond improvements on Outlot 5 the Developer must complete at their sole cost the necessary improvements/repairs to the pond to bring it into compliance with the stormwater maintenance agreement standards, final review by the Village Engineer, standard conditions of Plat approvals and Exhibit A.

Motion carried 7-0.

Topics for Future Agendas: Re-evaluation of Zoning Ordinance.

Adjournment

A motion by Goetz, seconded by Kremer to adjourn the meeting at 6:47 pm.

Motion carried 7-0.

Respectfully Submitted,

Linda Steinmetz
Deputy Clerk

DRAFT



MEMORANDUM

TO: Plan Commission
FROM: Kasey Fluet, Assistant Development Director
RE: Plan Commission meeting of January 21, 2020
DATE: January 9, 2020

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 of the Plan Commission meeting of December 17, 2019.**
03. **Consideration and possible action on Permitted Uses and Site Plans:**
A. Consideration and possible action on a Plan of Operation and site plan for Ideal Human Chiropractic and Naturopathic (N64W24801 Main St. Ste. 119).

This site is zoned B-3. The general medical services is a permitted use in accordance with Section 17.0418 (A)(3)(d) in the B-3 Highway Business District. Ideal Human Chiropractic & Naturopathic will be owned and operated by Dr. Stephen Moreau and Dr. Lindsay Moreau, they will specialize in chiropractic and natural health. They will occupy 1,400 square feet of space in the multi-tenant building. Hours of operations will be Monday through Friday 9:00 a.m. to 7:00 p.m.

This site has 102 parking stalls, 51 stalls are allocated to other users this user requires five per code.

Any signage for this building must be reviewed by the Building Inspector.

Policy Question:

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

Action Items:

1. Act on the plan of operation and plans.

Staff Recommendation: Staff recommends the Plan Commission approve the Plan of Operation and site plan for Ideal Human Chiropractic and Naturopathic (N64W24801 Main St. Ste. 119); a finding that the use and structures meet the principals of 17.1002(A-H), subject to the standard conditions of Exhibit A.

04. **Conditional Use Public Hearing(s) and consideration and possible action on Conditional Use Permits and Plans on the following items:**

A. Introduction of an amendment of a Conditional Use and site plan for Sussex Bowl (N64W24576 Main Street) to add additional outdoor uses.

This site is zoned B-1. The bowling recreational center with outdoor volley ball courts is requesting to amend their conditional use and site plan to include an outdoor bar and bags tournament area. This site has 150 parking stalls with the required 4 stalls designated for handicap parking.

The area for the bags tournament will be located on the grass adjacent to the fenced volley ball courts, this area will be designated by a rope fence around the perimeter. Within this area the owner is intending to have alcohol usage within this area.

The outdoor bar will be located adjacent to the volley ball and bags area. The owner will build a replacement shed, which they may serve alcohol out of.

Amendments to the existing outdoor establishment permit and liquor license will require approval by the Finance Committee and Village Board.

The Petitioner will need to prove the following standards/condition during the Public Hearing process. The Plan Commission may add additional conditions for the Petitioner to meet in the Conditional Use. The shaded areas (if any) reflect items in the code that are unlikely to be meritorious to the application or are administrative in nature.

The Conditional Use Standards:

17.0502 APPLICATION. Applications for conditional use permits shall be made to the Village on forms furnished by the Village and shall include Sections A, E, F and G. and may include any or all of Sections B, C, and D. as determined by the Administrator:

A. Names and addresses of the applicant, owner of the site, or other appropriate entities or persons implementing the project as required by the Administrator.

B. Description of the subject site by lot, block and recorded subdivision or by metes and bounds; address of the subject site; type of structure; proposed operation or use of the structure or site; number of employees; and the zoning district within which the subject site is located. For floodland conditional uses, such description shall also include information that is necessary for the Plan Commission to determine whether the proposed development will hamper flood flows, impair floodplain storage capacity, or cause danger to human or animal life. This additional information may include plans, certified by a registered professional engineer or land surveyor, showing elevations or contours of the ground; fill or storage elevations; first floor elevations of structures; size, location and spatial arrangement of all existing and proposed structures on the site; location and elevation of streets, water supply, and sanitary facilities; photographs showing existing land uses and vegetation upstream and downstream; soil types; and other pertinent information.

C. A topographic map, drawn to a scale of not less than 200' to 1" showing the land in question, its legal description and location; location and use of existing buildings; sanitary systems and private water supplies on such land; the high water elevation of any navigable water within 100' of the land in question; and the proposed location and use of any buildings, sanitary systems and wells on such land and within 100' of such land in question.

D. Additional information as may be required by the Plan Commission or Administrator. **{This may come out during the Public Hearing.}**

E. A fee, as may be established and periodically modified by resolution of the Village Board, shall accompany each application. Such fee shall be paid by cash, check or money order to the Village. Costs incurred by the

Village in obtaining legal, planning, engineering and other technical and professional advice in connection with the review of the conditional use and preparation of conditions to be imposed shall be charged to the applicant.

F. Where necessary to comply with certain Wisconsin Statutes, an application will be submitted at the appropriate time to the Department of Natural Resources. The site plan and plan of operation information sheet and plan of operation approval form furnished by the Village shall be submitted prior to scheduling before the Plan Commission.

17.0503 REVIEW AND APPROVAL. The Plan Commission shall review the site, existing and proposed structures, architectural plans, neighboring uses, parking areas, driveway locations, highway access, traffic generation and circulation, drainage, sewerage and water systems, and the proposed operation.

A. Upon receipt of the application, foregoing data and fees, the Plan Commission shall establish a date for a public hearing and shall public notice of the hearing once each week for two consecutive weeks in the official newspaper. Notice of the public hearing shall be given to the owners of all lands within 200' of any part of the land included in such conditional use by mail at least 10 days before such public hearing. A copy of the notice of public hearing along with pertinent information relative to the specific nature of the matter (copy of application and map) shall be transmitted without delay to the Plan Commission. Compliance with this subparagraph shall not be a condition precedent to proper legal notice and no hearing or action taken thereon shall be deemed invalid or illegal because of any failure to mail the notices provided for in this subparagraph.

B. The procedure for public hearing before the Plan Commission shall be as follows: 1. Any person may appear in person, by agent, or attorney. 2. The Plan Commission shall afford the applicant and each interested person opportunity to present evidence to rebut or offer countervailing evidence. 3. The Plan Commission shall take minutes of the proceedings and shall mark and preserve all exhibits. The Plan Commission shall, when requested by an applicant or a petitioner objecting to the action, cause the proceedings to be taken by a stenographer or by a recording device provided that the applicant or the petitioner objecting making the request pays any and all costs for the stenographer or recording device and any copies of the proceedings. If requested by both the applicant and the petitioner the costs shall be split evenly unless otherwise agreed to by the parties.

C. Within 95 days of the completion of the hearing conducted by the Plan Commission, the Plan Commission shall render its written determination stating the reasons therefore. If additional time is necessary beyond the 95 days referred to above, such time may be extended with the consent of the petitioner. Failure of the Plan Commission to render a decision as set forth shall constitute approval of the permit. The factual basis of any decision shall be solely the evidence presented at the hearing. The Village Clerk shall mail a copy of the determination to the applicant.

D. Conditions such as landscaping, architectural design, type of construction, flood proofing, anchoring of structures, construction commencement and completion dates, sureties, lighting, fencing, planting screens, operational control, hours of operation, improved traffic circulation, deed restrictions, highway access restrictions, increased yards, or parking requirements may be required by the Plan Commission upon its finding that these are necessary to fulfill the purpose and intent of this ordinance.

E. Compliance with all other provisions of this ordinance, such as lot width and area, yards, height, parking, loading, traffic, and highway access shall be required of all conditional uses unless otherwise authorized to be modified by a conditional use. Variances shall only be granted as provided in Section 17.1200 of this ordinance.

F. Changes in use subsequent to the initial issuance of a conditional use permit shall result in a need to change the initial conditions and shall require an amendment to the conditional use permit. Enlargement of a conditional use shall not be considered an amendment. If any holder of a conditional use permit wishes to extend or alter the terms of such permit, the permit holder must apply for an amendment to the conditional use permit through the procedure of application for conditional use permits detailed herein. The process for amending a permit shall generally follow the procedures for granting a permit as set forth in Sections 17.0501, 17.0502 and 17.0503, and shall require the filing of an application and a hearing as provided above.

The Zoning District Standards Section 17.0416 B-1 Neighborhood Business District

17.0416 B-1 NEIGHBORHOOD BUSINESS DISTRICT

The B-1 Business District is intended to provide for individual or small groups of retail and customer service establishments serving primarily the convenience of a local neighborhood, and the character, appearance, and operation of which are compatible with the character of the surrounding area.

A. Permitted Uses

1. Accommodations and Food Service
 - (a) Bed and breakfast establishments
 - (b) Restaurants, snack stands, and mobile food services. For a drive-through the Plan Commission must find that the vehicle stacking and noise from its operation will not impact surrounding properties or any public roadway.
 - (c) Food service contractors and caterers
2. Arts, Entertainment, and Recreation Services
 - (a) Promoter, agent, artists offices/studio
3. Educational, Health Services, and Social Services
 - (a) Fine arts and language schools and studios
 - (b) Automobile driving school
 - (c) General medical services
 - (d) Commercial day care centers provided that any outside play area is surrounded by a security fence; that no day care center is located within 300 feet of a gasoline service station, underground gasoline storage tanks, or any other storage of explosive material; that no day care center shall be located in an area where air pollution caused by smoke, dust, gases, or other particulate matter would endanger children; that no day care center shall be located in an area where noise would be so loud, shrill, or have an impulse to endanger children; that traffic be managed in a manner to minimize danger to children; and provided that adequate parking and circulation be provided on the day care facility site in accordance with the standards set forth in Section 17.0603(K)(6)(h)(3) of this Ordinance.
4. Finance, Insurance, Real Estate, and Leasing
 - (a) Financial service institutions, excluding drive through
 - (b) Financial investment, insurance offices, and similar financial products
 - (c) Real estate, appraisers, developer offices, and offices of lessors for residential and non-residential properties, excluding lessors of mini-warehouses/self-storage
 - (d) Office equipment rental and leasing
5. General Services
 - (a) Repair and maintenance of consumer electronics, home and garden equipment, appliance, furniture/reupholsters, footwear and leather goods
 - (b) Barber, beauty, nail salons, spa treatment services
 - (c) Personal care and weight loss services
 - (d) Funeral home and funeral services
 - (e) General business offices
6. Information Services
 - (a) Motion picture and video production

7. Professional, Technical, Scientific, and Administrative Services
 - (a) Legal, notaries, and title services
 - (b) Accountants, tax preparation, payroll, and other accounting services
 - (c) Architects, landscape architects, engineering, surveying services
 - (d) Interior, industrial, graphic, and fashion design services
 - (e) Consulting/professional services, advertising, management, HR, marketing, IT.
 - (f) Research and development facilities excluding industrial types
 - (g) Translation and interpretation services
 - (h) Employment placement and provider services
 - (i) Private investigators, locksmiths, security, and armored car services
 - (j) Janitorial services

8. Retail Trade
 - (a) Furniture, flooring, and home furnishing stores
 - (b) Appliances, electronics, camera, office supply and copying stores
 - (c) Home improvement and hardware stores
 - (d) Grocery, convenience, and specialty food stores/markets
 - (e) Liquor/packaged beverage and tobacco stores
 - (f) Pharmacy, drug, beauty supplies, food supplement, and medical supply stores
 - (g) Clothing, shoes, jewelry, luggage/leather goods, formal wear/costume stores
 - (h) Entertainment stores such as books, music, sporting goods, hobby, and video tape/disc/game rental.
 - (i) Gift shops, florists, variety stores, antiques, used merchandise
 - (j) Pet and pet supply stores
 - (k) Art dealers/store

9. Manufacturing/Assembly
 - (a) Processing and Assembling of Final Products provided that the limited industrial process does not exceed 2,000 square feet and the processing and assembling of final products shall be conducted entirely within an enclosed structure, and there shall be no outside storage of product or materials.

10. Public Administration and Government Services
 - (a) Governmental and cultural uses such as fire and police stations, community centers, public works garages, government administration buildings, parks and playgrounds.

11. Transportation and Warehousing
 - (a) U.S. postal service
 - (b) Courier, delivery, postal service businesses

- B. Permitted Accessory Uses
 1. Garages for storage of vehicles used in conjunction with the operation of business.
 2. Off-street parking and loading areas. Multi-level parking garages shall be designed to minimize impact to adjacent properties and be designed to architecturally match the principal structure.
 3. Residential quarters for the owner or proprietor, located in the same building as the business.

4. Efficiency and one-bedroom residential apartments on a non ground level provided there shall be a minimum floor area of 350 square feet for an efficiency apartment and 420 square feet for a one-bedroom apartment.
 5. Satellite dish antennas located on the roof of the principal structure or in the rear yard. Where the satellite dish is roof-mounted, a registered engineer shall certify that the structure is adequate to support the load.
 6. Roof-mounted, solar collectors provided that a registered engineer shall certify that the structure is adequate to support the load.
- C. Conditional Uses
1. Conditional uses as allowed in Section 17.0500 Conditional Uses.
 2. No Adult Oriented Establishment except as permitted in accordance with Conditional Uses Section 17.0508.
- D. Lot Area and Width
1. Lots shall be a minimum of 5,000 square feet in area and shall not be less than 60 feet in width.
 2. Individual business sites in the B-1 Business District shall provide sufficient area for the principal building and its accessory buildings, off-street parking and loading areas, and required yards. There is no required minimum site width.
 3. Lot coverage by buildings, accessory structures, surface parking and loading areas, and driveways shall occupy no more than 75 percent of the lot area. Landscaped open space shall occupy not less than 25 percent of the lot area.
- E. Building Height and Area
1. No principal building or parts of a principal building shall exceed 30 feet in height.
 2. The maximum square footage of the principal building shall not exceed 30,000 square feet in size.
- F. Setback and Yards
1. There shall be a minimum building setback of 25 feet from the right-of-way of all streets.
 2. No separation shall be required between business, service or commercial uses. No structure shall be closer than 15 feet to a side lot line.
 3. There shall be a rear yard of not less than 15 feet.
 4. No building or structure shall be located closer than 15 feet to an F-1 Floodway District, F-2 Floodplain Conservancy District, or LCO Lowland Conservancy Overlay District boundary. Where shoreland regulations apply no building or structures shall be located closer than as allowed by Village shoreland regulations.
- G. Erosion Control
1. See Chapter 14 of the Municipal Code of the Village.
- H. Development Design Guidelines
1. The Village has established clear land use and design principals, as documented in the Village Design Guidelines, to guide future development planning decisions towards implementation of the Village's Smart Growth 2020 Comprehensive Plan. These guidelines are intended to serve as basic criteria during reviews, and are not to be construed as the only applicable design elements. All development proposals shall be evaluated against the adopted Village vision of maintaining a small town atmosphere within the Village, featuring a generous amount of greenspace in residential, commercial, and industrial developments.

- I. Plans and Specifications to be submitted to Plan Commission
 1. To encourage a business environment that is compatible with the residential character of the Village, building permits for permitted uses in Business Districts shall not be issued without review and approval of the Plan Commission. Said review and approval shall be concerned with general layout, building plans, ingress, egress, parking, loading and unloading, and landscape plans.

Site Plan Review Standards 17.1000

17.1002 PRINCIPLES To implement and define criteria for the purposes set forth in Section 17.1001, the following principles are established to apply to all new structures and uses and to changes or additions to existing structures and uses.

A. No structure, or use shall be established that is counter to the intent of the Design Standards nor shall the same be permitted that would have a negative impact on the maintenance of safe and healthful conditions in the Village. Structures and uses in the B-4 Central Mixed Use District shall also adhere to the intent of the Downtown Development and Design Plan.

B. No structure shall be permitted:

1. The design or exterior appearance of which is of such unorthodox or abnormal character in relation to its surroundings as to be unsightly or offensive to generally accepted taste and community standards.

2. The design or exterior appearance of which is so identical to a building on lots within 500 feet of each other that it creates excessive monotony or 17.1000 drabness, in order to realize architectural uniqueness between lots.

3. Where any exposed facade is not constructed or faced with a finished material or color which is aesthetically compatible with the other facades and presents an attractive appearance to the public and to surrounding properties.

C. The facade of a manufacturing building which faces upon a street right-of-way shall be finished with an aesthetically pleasing material. A minimum of 50 percent of a facade facing a street shall be finished with brick or decorative masonry material. Such masonry facing shall extend for a distance of at least 10 feet along the sides of the structure. Manufacturing buildings on corner lots shall have the required masonry facade facing each street. Metal buildings may be constructed in any business, manufacturing, institutional, or park district, but only by a 3/4 affirmative vote of the Plan Commission.

D. Building Scale and Mass. The relative proportion of a building to its neighboring buildings, to pedestrians and observers, or to other existing buildings shall be maintained or enhanced when new buildings are built or when existing buildings are remodeled or altered.

E. Structures and uses shall make appropriate use of open spaces and the Plan Commission may require appropriate landscaping and planting screens. All landscaped areas shall provide a mix of climax trees, tall and medium deciduous trees, tall and medium coniferous trees, deciduous and coniferous shrubs, and grasses. The appropriate mix shall be determined by the Plan Commission.

F. No articles, goods, material, finished or unfinished product, incinerators, storage tanks, refuse containers, or like equipment shall be kept outdoors, exposed to public view, or exposed to view from adjacent buildings and property. Garbage and refuse containers shall be screened from the street and from neighboring facilities. The Plan Commission may permit the outdoor display of product or merchandise when it makes a finding that such display is essential to a business or industrial use.

G. Structures and uses shall be provided with adequate services as approved by the appropriate utility and serve to implement the recommendations of Utility and Stormwater Management Plans of the Village.

H. Buildings and uses shall provide adequate parking and loading areas. No loading dock or overhead door shall face upon a street right-of-way unless a determination is made by the Plan Commission to allow the same, as described herein.

1. The Plan Commission shall not allow the same unless the Plan Commission first finds either a or b: (a) That the loading dock or overhead door is set back at least 75 feet from the street right-of-way and adequate vehicle turnaround areas have been provided on the lot, such that no maneuvering of vehicles will take place within the street right-of-way in order to access the loading dock or overhead door. (b) That the building is on a lot within the M-1 Industrial District and the building has a previously approved loading dock facing the street.

2. If the Plan Commission finds (1) (a) or (1) (b), above, then the Plan Commission may allow the loading dock or overhead door to face the street right-of-way upon consideration of the following additional factors, without limitation by reason of enumeration: 17.1000 (a) Whether the loading dock or overhead door is set back sufficiently from the street right-of-way to adequately limit the adverse visual impact of the loading dock or overhead door; (b) Whether the number of loading docks or overhead doors that are proposed to face the street right-of-way, due to their number, would create an adverse visual impact; (c) Whether the natural terrain and other existing features of the lot may affect the visual impact of the loading dock or overhead door; and (d) Whether the loading dock or overhead door will be appropriately screened with landscape berms or other landscaping.

Any other standards from Chapter 17 that may be relevant.

Staff has found the application complete and recommends scheduling the Public Hearing.

Policy Question:

1. There are no policy questions this month as this item is on the agenda for scheduling purposes only.

Action Items:

1. Direct staff to schedule the public hearing.

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

B. Introduction of a Conditional Use, Plan of Operation, site plan, architectural plan, lighting plan, landscape plan and sign plan for Kwik Trip at the corner of CTH K and Business Drive.

This site is zoned B-2 with a Planned Development Overlay. The convenience store, car wash and gasoline service station is a conditional use in accordance with Section 17.0506 (A) 9 (a) and (b). and outside storage Section 17.0506 (A)(11)(a). Kwik Trip is proposing to construct a 9,050 square foot convenience store with attached car wash, gas pumps with canopy and diesel gas with canopy. Kwik Trip will operate 24/7. In addition to the above services, the store will sell alcohol, the interior layout shows the “Beer Cave” and labeled #16 is the liquor cabinet behind the cash registers. The store will employ 30 to 35 employees. The liquor license and outdoor establishment permit will need to be reviewed by the Village Board.

Site

- Driveway onto Business Drive is too close to the intersection with CTH K
- 26 parking stalls, 2 ADA (must be stripped blue), 1 truck unload stall

- Propose a concrete walk from sidewalk to the south side of the building near the picnic tables, this would require a walk way at the brick wall.

Architectural

- Roof top units are to be screened from view
- Sufficient screening of pumps
- Metal roofs are allowed subject to approval by the ARB.
- Ice machine and propane tanks will be screened by the dumpster enclosure on the west side of the building

Lighting

- Pole height shows 19 feet, bases are to be buried or if exposed they shall be painted to blend in with the surroundings or have a decorative base.

Landscape

- Plan meets the requirements, 31 trees, 142 evergreen/deciduous trees and 202 perennials and ornamental grasses
- Colored rendering of the screening wall

Sign

- Electronic message sign does not meet the Design Standards, the sign must have a side pillar(s) address should be displayed at the base of the sign.
- The building has signage on the building at the front entrance, rear entrance and side entrance and several directional signage.

The request for outside storage is to be limited to the ice machine and propane tanks.

As for all new construction of buildings and uses under a Conditional Use, the Plan Commission has requested that the building have a sprinkler system for the safety and welfare of the public and recognizing the importance of sprinklers in saving lives.

The Petitioner will need to prove the following standards/condition during the Public Hearing process. The Plan Commission may add additional conditions for the Petitioner to meet in the Auxiliary Use. The shaded areas (if any) reflect items in the code that are unlikely to be meritorious to the application or are administrative in nature.

The Conditional Use Standards:

17.0502 APPLICATION. Applications for conditional use permits shall be made to the Village on forms furnished by the Village and shall include Sections A, E, F and G. and may include any or all of Sections B, C, and D. as determined by the Administrator:

A. Names and addresses of the applicant, owner of the site, or other appropriate entities or persons implementing the project as required by the Administrator.

B. Description of the subject site by lot, block and recorded subdivision or by metes and bounds; address of the subject site; type of structure; proposed operation or use of the structure or site; number of employees; and the zoning district within which the subject site is located. For floodland conditional uses, such description shall also include information that is necessary for the Plan Commission to determine whether the proposed development will hamper flood flows, impair floodplain storage capacity, or cause danger to

human or animal life. This additional information may include plans, certified by a registered professional engineer or land surveyor, showing elevations or contours of the ground; fill or storage elevations; first floor elevations of structures; size, location and spatial arrangement of all existing and proposed structures on the site; location and elevation of streets, water supply, and sanitary facilities; photographs showing existing land uses and vegetation upstream and downstream; soil types; and other pertinent information.

C. A topographic map, drawn to a scale of not less than 200' to 1" showing the land in question, its legal description and location; location and use of existing buildings; sanitary systems and private water supplies on such land; the high water elevation of any navigable water within 100' of the land in question; and the proposed location and use of any buildings, sanitary systems and wells on such land and within 100' of such land in question.

D. Additional information as may be required by the Plan Commission or Administrator. **{This may come out during the Public Hearing.}**

E. A fee, as may be established and periodically modified by resolution of the Village Board, shall accompany each application. Such fee shall be paid by cash, check or money order to the Village. Costs incurred by the Village in obtaining legal, planning, engineering and other technical and professional advice in connection with the review of the conditional use and preparation of conditions to be imposed shall be charged to the applicant.

F. Where necessary to comply with certain Wisconsin Statutes, an application will be submitted at the appropriate time to the Department of Natural Resources. The site plan and plan of operation information sheet and plan of operation approval form furnished by the Village shall be submitted prior to scheduling before the Plan Commission.

17.0503 REVIEW AND APPROVAL. The Plan Commission shall review the site, existing and proposed structures, architectural plans, neighboring uses, parking areas, driveway locations, highway access, traffic generation and circulation, drainage, sewerage and water systems, and the proposed operation.

A. Upon receipt of the application, foregoing data and fees, the Plan Commission shall establish a date for a public hearing and shall public notice of the hearing once each week for two consecutive weeks in the official newspaper. Notice of the public hearing shall be given to the owners of all lands within 200' of any part of the land included in such conditional use by mail at least 10 days before such public hearing. A copy of the notice of public hearing along with pertinent information relative to the specific nature of the matter (copy of application and map) shall be transmitted without delay to the Plan Commission. Compliance with this subparagraph shall not be a condition precedent to proper legal notice and no hearing or action taken thereon shall be deemed invalid or illegal because of any failure to mail the notices provided for in this subparagraph.

B. The procedure for public hearing before the Plan Commission shall be as follows: 1. Any person may appear in person, by agent, or attorney. 2. The Plan Commission shall afford the applicant and each interested person opportunity to present evidence to rebut or offer countervailing evidence. 3. The Plan Commission shall take minutes of the proceedings and shall mark and preserve all exhibits. The Plan Commission shall, when requested by an applicant or a petitioner objecting to the action, cause the proceedings to be taken by a stenographer or by a recording device provided that the applicant or the petitioner objecting making the request pays any and all costs for the stenographer or recording device and any copies of the proceedings. If requested by both the applicant and the petitioner the costs shall be split evenly unless otherwise agreed to by the parties.

C. Within 95 days of the completion of the hearing conducted by the Plan Commission, the Plan Commission shall render its written determination stating the reasons therefore. If additional time is necessary beyond the 95 days referred to above, such time may be extended with the consent of the petitioner. Failure of the Plan Commission to render a decision as set forth shall constitute approval of the permit. The factual basis of any decision shall be solely the evidence presented at the hearing. The Village Clerk shall mail a copy of the determination to the applicant.

D. Conditions such as landscaping, architectural design, type of construction, flood proofing, anchoring of structures, construction commencement and completion dates, sureties, lighting, fencing, planting screens,

operational control, hours of operation, improved traffic circulation, deed restrictions, highway access restrictions, increased yards, or parking requirements may be required by the Plan Commission upon its finding that these are necessary to fulfill the purpose and intent of this ordinance.

E. Compliance with all other provisions of this ordinance, such as lot width and area, yards, height, parking, loading, traffic, and highway access shall be required of all conditional uses unless otherwise authorized to be modified by a conditional use. Variances shall only be granted as provided in Section 17.1200 of this ordinance.

F. Changes in use subsequent to the initial issuance of a conditional use permit shall result in a need to change the initial conditions and shall require an amendment to the conditional use permit. Enlargement of a conditional use shall not be considered an amendment. If any holder of a conditional use permit wishes to extend or alter the terms of such permit, the permit holder must apply for an amendment to the conditional use permit through the procedure of application for conditional use permits detailed herein. The process for amending a permit shall generally follow the procedures for granting a permit as set forth in Sections 17.0501, 17.0502 and 17.0503, and shall require the filing of an application and a hearing as provided above.

The Zoning District Standards Section 17.0417 B-2 Regional Business District

17.0417 B-2 REGIONAL BUSINESS DISTRICT

The B-2 Regional Business District is intended to provide for the orderly and appropriate development along the STH 164 Corridor, to provide services and retail for the community and surrounding region.

A. Permitted Uses

1. Accommodations and Food Service
 - (a) Hotels and motels
 - (b) Restaurants, snack stands. For a drive-through the Plan Commission must find that the vehicle stacking will not impact surrounding properties or any public roadway.
 - (c) Bars
 - (d) Food service contractors and caterers
2. Arts, Entertainment and Recreation Services
 - (a) Artists offices/studios
3. Educational, Health Services, and Social Services
 - (a) Fine arts and language schools and studios
 - (b) General medical services
 - (c) Business, secretarial, computer, training exam, cosmetology, barber and prep schools.
 - (d) Commercial day care centers provided that any outside play area is surrounded by a security fence; that no day care center is located within 300 feet of a gasoline service station, underground gasoline storage tanks, or any other storage of explosive material; that no day care center shall be located in an area where air pollution caused by smoke, dust, gases, or other particulate matter would endanger children; that no day care center shall be located in an area where noise would be so loud, shrill, or have an impulse to endanger children; that traffic be managed in a manner to minimize danger to children; and provided that adequate parking and circulation be provided on the day care facility site in accordance with the standards set forth in Section 17.0603(K)(6)(h)(3) of this Ordinance.
4. Finance, Insurance, Real Estate, and Leasing
 - (a) Financial service institutions, excluding drive-through
 - (b) Financial investment, insurance offices, and similar financial products
 - (c) Real estate, appraisers, and developer offices

- (d) Office equipment rental and leasing
- (e) Rental Centers
- 5. General Services
 - (a) Barber, beauty, nail salons, spa treatment services
 - (b) Personal care and weight loss services
 - (c) Funeral home and funeral services
 - (d) Dry cleaning and laundry services (non-industrial)
 - (e) Travel and visitor services
- 6. Information Services
 - (a) Radio/TV/Cable network, stations, news syndicates excluding towers and dishes.
 - (b) Motion picture theaters excluding drive-in.
- 7. Retail Trade
 - (a) Furniture, flooring, and home furnishing stores
 - (b) Appliances, electronics, camera, office supply and copying stores
 - (c) Home improvement and hardware stores
 - (d) Grocery, supermarkets, convenience, and specialty food stores/markets
 - (e) Liquor/packaged beverage and tobacco stores
 - (f) Pharmacy/drug, beauty supplies, food supplement, and medical supply stores
 - (g) Clothing/shoes, jewelry, luggage/leather goods, formal wear/costume stores
 - (h) Entertainment stores such as books, music, sporting goods, hobby, and video tape/disc/game rental.
 - (i) Gift shops, florists, variety stores, antiques, used merchandise
 - (j) Pet and pet supply stores
 - (k) Art dealers/store
 - (l) Department stores, supercenters, warehouse clubs
 - (m) Vehicle parts sales, and vehicle maintenance if the use is less than 25% of the facility and is part of a larger retail operation.
- 8. Public Administration and Government Services
 - (a) Governmental and cultural uses such as fire and police stations, community centers, public works garages, government administration buildings, parks and playgrounds.
- 9. Transportation and Warehousing
 - (a) Courier, delivery, postal service businesses
- 10. Parking Lots
 - (a) Off street parking lots, excluding multi-level parking garages, are allowed without a primary structure if the Plan Commission finds that the parking lot is part of a larger commercial development where the master plan calls for a building to be placed on the site in the future, but the parking lot is necessary for the overall development and cross access and parking agreements are required by the Plan Commission.

B. Permitted Accessory Uses

- 1. Storage sheds for storage of ground maintenance equipment.
- 2. Off-street parking and loading areas. Multi-level parking garages shall be designed to minimize impact to adjacent properties and be designed to architecturally match the principal structure.
- 3. Satellite dish antennas located on the roof of the principal structure or in the rear yard. Where the satellite dish is roof-mounted, a registered engineer shall certify that the structure is adequate to support the load.

C. Conditional Uses

- 1. Conditional uses as allowed in Section 17.0500 Conditional Uses.

2. No Adult Oriented Establishment except as permitted in accordance with Conditional Uses Section 17.0508

D. Lot Area and Width

1. Lots shall be a minimum of 12,500 square feet in area and shall not be less than 80 feet in width.
2. Lot coverage by buildings, accessory structures, surface parking and loading areas, and driveways shall occupy no more than 75 percent of the lot area. Landscaped open space shall occupy not less than 25 percent of the lot area.
3. The requirements of Section (D)(2) above may be met in the district by including area from outlots that serve stormwater or other directly related purposes for the subject parcel, are owned in part by the parcel, and are reasonably expected to remain in open space for perpetuity as determined by the Administrator. If multiple lots are served by one or more outlot(s) in no case shall the greenspace area of the outlot(s) be counted more than once. Each lot which by this subsection is entitled to satisfy the requirements of Section D(2), in part, by land located on an outlot is entitled to use no more than the percentage of the qualifying outlot land that is equal to the percentage of the subject lot compared to the total area of the lands served by the outlot.

E. Building Height and Area

1. No principal building or parts of a principal building shall exceed 45 feet in height.
2. Buildings larger than 100,000 square feet in area shall have a deed restriction placed against the lot in a form approved by the Village to ensure the building, if it becomes vacant for more than 5 years to be removed from the site and the site returned to a buildable state.

F. Setback and Yards

1. There shall be a minimum setback of 40 ft. from the road right-of-way.
2. There shall be a rear yard of not less than 25 ft.
3. There shall be a sideyard on each side of the buildings of not less than 25 ft., except as follows.
4. The Plan Commission may reduce setbacks with-in this district outside of a Planned Development Overlay District if it finds that in granting the reduced setbacks:
 - (a) The Site is masterplanned and provides an efficient use of land,
 - (b) The health, welfare, and safety of the public is not jeopardized by the setback reduction.
 - (c) The setback change will encourage pedestrian interaction between buildings.
 - (d) The reduced setback serves to implement the Design Standards of the Village.
5. No building or structure shall be located closer than 15 ft. to an F-1 Floodway District, F-2 Floodplain Conservancy District, or a LCO Lowland Conservancy Overlay District boundary. Where shoreland regulations apply no building or structures shall be located closer than as allowed by Village shoreland regulations.

G. Erosion Control

1. See Chapter 14 of the Municipal Code of the Village.

H. Development Design Guidelines

1. The Village has established clear land use and design principals, as documented in the Village Development Design Guidelines, to guide future development planning decisions towards implementation of the Village's Smart Growth 2020 Comprehensive Plan. These guidelines are intended to serve as basic criteria during reviews, and are not to be construed as the only applicable design elements. All development proposals shall be evaluated against the adopted Village vision of maintaining a small town atmosphere within the Village, featuring a generous amount of greenspace in residential, commercial, and industrial developments.

I. Plans and Specifications to be Submitted to Plan Commission

To encourage a business environment that is compatible with the residential character of the Village, building permits for permitted uses in Business Districts shall not be issued without review and approval of the Plan Commission. Said review and approval shall be concerned with general layout, building plans, ingress, egress, parking, loading and unloading, and landscapes plans.

1. Pedestrian and Vehicle Access.

(a) Property owners will provide cross access easements off-street where feasible.

(b) Where feasible and desirable, pedestrian cross access from adjacent building will be encouraged.

And in the Planned Development Overlay Ordinance #833.

17.0506 Conditional Uses

9. Retail Trade

a) Vehicle sales, vehicle service, service of vehicle parts, vehicle parts sales including vehicle washing, vehicle repair stations, service of vehicle parts and vehicle parts sales in the B-2, B-3 and B-4 Districts No outside storage shall be permitted for vehicle parts sales even by issuance of a conditional use permit as set forth in 17.0506(A)(15)(e) of this Ordinance. All other outside storage that may be granted by CU shall be on a hard paved surface and shall be screened from view, or in the case of vehicle sales the landscaping shall be aesthetically pleasing to minimize the visual impact of a parking lot of vehicles.

b) Gasoline service stations in the B-2 and B-3 districts provided that the use shall include traffic control measures to ameliorate--traffic congestion; that lighting and glare shall not extend into adjacent residential neighborhoods; and that service islands shall comply with the minimum setback requirements of the district. Canopies over a gasoline service island may extend into front, side or rear yard areas, but shall not encroach more than six (6) feet into any required yard. In no case, may a canopy extend into a street right-of-way.

11. Miscellaneous Items (Towers/Antenna and Outside Storage)

a) Commercial Use Outside Storage. Outside storage maybe permitted for commercial uses in the B-1, B-2, B-3, B-4, BP-1, and OP-1, districts. All outside storage areas shall be at least 100 feet from residential, park, and institutional districts located in the Village or adjacent community. In all cases, outside storage shall be screened from all sides. All screening plans are subject to Plan Commission review and approval. Screening shall be a permanent opaque wall matching the materials of the building and may include fencing as deemed appropriate by the Plan Commission. The Plan Commission may allow vegetative screening in part or in whole, where it determines the vegetative screening shall provide sufficient and aesthetically pleasing screening and said screening is appropriate for the type of items being screened from view. The height of the wall necessary shall be sufficient to screen the product(s) in the outside storage area. The Plan Commission shall set the appropriate height of any fencing based upon the site conditions and the types of outdoor storage to be screened. Outside Storage shall not be construed to include the temporary or seasonal outdoor sales or services allowed as part of a Village approved outdoor sales and services permit.

Any other standards from Chapter 17 that may be relevant.

Staff has found the application complete and recommends scheduling the Public Hearing.

Policy Question:

1. There are no policy questions this month as this item is on the agenda for scheduling purposes only.

Action Items:

1. Direct staff to schedule the public hearing.

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

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

A. Consideration and possible action on Final Plat Addition No. 2 Sussex Preserve Subdivision located west of Maple Avenue and south of Clover.

This site is zoned RS-3 with a Planned Development Overlay. The approval of this Plat is for the 30 single family lots remaining that have road and utility improvements. Building permits may be issued once staff is satisfied all the conditions of the Developers Agreement and Chapter 18 are met and once the Plat is recorded with the Registry of Deeds.

The subdivision still has 72 single family lots remaining to be platted.

Policy Question:

1. Are there any concerns with the Plat?

Action Items:

1. Act on the Plat.

Staff Recommendation: Staff recommends the Plan Commission recommend to the Village Board approval of Final Plat Addition No. 2 for Sussex Preserve conditioned upon the obligations of the Developers Agreement being met, that prior to acceptance of the pond improvements on Outlot 5 the Developer must complete at their sole cost the necessary improvements/repairs to the pond to bring it into compliance with the stormwater maintenance agreement standards, final review by the Village Engineer, standard conditions of Plat approvals and Exhibit A.

06. Other Items for future discussion.

07. Adjournment.

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.



MEMORANDUM

TO: Plan Commission
FROM: Kasey Fluet, Assistant Development Director
RE: Plan Commission meeting of January 21, 2020
DATE: February 13, 2020

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 of the Plan Commission meeting of January 21, 2020.**
03. **Consideration and possible action on Permitted Uses and Site Plans:**
 - A. **Consideration and possible action on a Plan of Operation and site plan for Fade & Fancy (N64W24050 Main Street unit #206).**

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). Fade & Fancy will occupy 176 square feet in the 15,300 square foot multi-tenant building. Hours of operation will be Monday through Sunday 8:00 a.m. to 9:00 p.m. all business is by appointment only. This site has 56 parking stalls 37 stalls are allocated to other users and this user requires three spaces.

Any signage for this building must be reviewed by the Building Inspector.

Policy Question:

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

Action Items:

1. Act on the plan of operation and plans.

Staff Recommendation: Staff recommends the Plan Commission approve the Plan of Operation and site plan for Fade & Fancy (N64W24050 Main Street unit #206); a finding that the use and structures meet the principals of 17.1002(A-H), subject to the standard conditions of Exhibit A.

B. Consideration and possible action on a Plan of Operation and site plan for Bella Mia Salon LLC (N64W24050 Main Street unit #205).

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). Bella Mia Salon LLC will occupy 176 square feet in the 15,300 square foot multi-tenant building. Hours of operation will

be Monday through Sunday 8:00 a.m. to 9:00 p.m. all business is by appointment only. This site has 56 parking stalls 40 stalls are allocated to other users and this user requires three spaces.

Any signage for this building must be reviewed by the Building Inspector.

Policy Question:

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

Action Items:

1. Act on the plan of operation and plans.

Staff Recommendation: Staff recommends the Plan Commission approve the Plan of Operation and site plan for Bella Mia Salon LLC (N64W24050 Main Street unit #205); a finding that the use and structures meet the principals of 17.1002(A-H), subject to the standard conditions of Exhibit A.

C. Consideration and possible action on a Plan of Operation and site plan for Skin 360 Spa & Beauty (N64W24050 Main Street unit #201).

This site is zoned B-4. The spa treatment services is a permitted use in the B-4 Central Mixed Use District in accordance with Section 17.0419(C)(5)(b). Skin 360 Spa & Beauty will occupy 479 square feet in the 15,300 square foot multi-tenant building. Hours of operation will be Monday through Sunday 8:00 a.m. to 9:00 p.m. all business is by appointment only. This site has 56 parking stalls 43 stalls are allocated to other users and this user requires three spaces.

Any signage for this building must be reviewed by the Building Inspector.

Policy Question:

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

Action Items:

1. Act on the plan of operation and plans.

Staff Recommendation: Staff recommends the Plan Commission approve the Plan of Operation and site plan for Skin 360 Spa & Beauty (N64W24050 Main Street unit #201); a finding that 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 an amendment to a Plan of Operation and site plan for Belfast Station (N64W23246 Main Street).

This site is zoned B-4. The restaurant and bar is a permitted use in accordance with section 17.0419 (C)(1)(c) and (d) in the B-4 Central Mixed Use District. New ownership took over the bar and restaurant in August. The new owner is proposing to add a structure to the deck to serve according to his submittal they will only serve beer. It should be noted that their liquor license allows them to serve more than beer on the patio.

The structure will be about 84 square feet and the exterior will be constructed with siding painted to match the existing building and the roof will have three dimensional asphalt shingles.

The Fire Department will be providing a maximum number of patrons that will be allowed on/in the deck area.

The only site plan amendment being considered at this meeting is the addition to add a structure on the deck to serve from. The letter mentions the possibility of changing the screened in nature of the deck on the south facing wall, but no plans have been provided for said change and such a change would not be in keeping with the screening required when the deck area was approved for liquor. Please keep in mind there are residents immediately to the south of the property.

Policy Question:

1. Are there any concerns with the amendment to the Plan of Operation and site plan?
2. Are there any concerns with the property?

Action Items:

1. Act on the plan of operation and plans.

Staff Recommendation: Staff recommends the Plan Commission approve the amendment to the Plan of Operation and site plan to allow the bar structure on the deck for Belfast Station (N64W23246 Main Street); a finding that the use and structures meet the principals of 17.1002(A-H), subject to the standard conditions of Exhibit A, but that no modification to the fencing of the deck be allowed at this time.

E. Consideration and possible action on a CSM, Plan of Operation, site plan, architectural plan, lighting plan and landscape plan for Prestwick Group addition (W248N5499 Executive Drive).

This site is zoned BP-1. The manufacturing and assembling of product is a permitted use in accordance with Section 17.0420 (A)(6) in the BP-1 Business Park District. Prestwick Group is expanding their operations of light manufacturing of high-end golf course and community amenities. The expansion would add 33,000 square feet to the north side of the building, front entrance improvements and additional parking. In order for this expansion to occur, they needed additional land and purchased the vacant lot to the north. A CSM is presented for consideration to change the lot lines of the two properties to accommodate the expansion to meet the setbacks. At the March Plan Commission they intend to submit plans for a new building on the vacant lot to the north.

The following are comments for the plans for the addition:

Site

- Need to record a cross access agreement for the shared parking lot
- Need to provide more details about proposed monument sign at the south drive entrance.
- Adding 134 stalls to the site with an additional 65 to the property to the north.

Architecture

- Building meets height and required setbacks.
- Material to be used meets the Design Standards.

Lighting

- Lighting must not spill out onto neighboring properties.
- Pole height not to exceed 25 feet, bases are to be buried or if exposed they shall be painted to blend in with the surroundings or have a decorative base.

Landscape

- The will be adding to the existing landscape and meet the Design Standards; 63 tree/evergreens and 136 shrubs/flowers

The plans will be reviewed at the March Architectural Review Board.

In accordance with Section 17.0604 B. The Plan Commission may consider multiple driveways if:

The Plan Commission may also permit multiple or circular driveways for reasons other than traffic hazards where lots have a frontage of at least 150 feet and the Plan Commission determines that sufficient separation exists between the driveway locations and the property lines.

Notwithstanding the foregoing, multiple or circular driveways shall not be permitted if they would violate any requirement of this Code or other applicable laws.

The frontage of the property is 540 feet and the addition of the third driveway is 142 feet from the center drive and is 112 feet from the property line.

Policy Question:

1. Are there any concerns with the CSM?
2. Are there any concerns with the Plan of Operation and various plans?
3. Are there any concerns with the multiple driveways?
4. Are there any comments directed to the ARB?

Action Items:

1. Act on the CSM, plan of operation and various plans.
2. Recommend the plans to be reviewed by the ARB.

Staff Recommendation: Staff recommends the Plan Commission recommend approval of the CSM with the addition of cross access easements to the Village Board, and further recommends subject to approval of the CSM by the Village Board. Staff recommends approval of the Plan of Operation and site plan, architectural plan, lighting plan and landscape plan for the addition to Prestwick Group (W248N5499 Executive Drive); a finding that the multiple drives meet the intent of 17.0604 B for the orderly development of the site, finding that the use and structures meet the principals of 17.1002(A-H), and subject to any conditions by the ARB, review by the Village Engineer and the standard conditions of Exhibit A.

04. Conditional Use Public Hearing(s) and consideration and possible action on Conditional Use Permits and Plans on the following items:

A. Introduction of a Conditional Use, Plan of Operation, site plan, architectural plan, lighting plan, landscape plan and sign plan for The Courtyard at Sussex, Assisted Living facility (W235N6350 Hickory Drive).

This site is zoned B-4. The community based residential facility (CBRF) is a conditional use in the B-4 Central Mixed Use District in accordance with Section 17.0506 (B)(3). The Matthews Senior Living group is proposing to construct a 103,999 square foot senior living facility. The facility will have a total of 110 units 58 units for residential care apartments (10-studio, 42-one bedroom and 6-two bedroom) 27 assisted living units and 25 memory care units.

Site

- The site will have 74 parking stalls, the code requires 55 spaces for this type of use.
- Access off Hickory Drive aligns with access to property to the east. Proposing a 6 foot sidewalk along Hickory Drive to connect to Silver Spring sidewalk. Path provided to connect with the bugline trail.
- Pembroke street cul de sac will have a 14 foot wide emergency access road with gate.
- Proposed 24x24 dumpster enclosure and a 20x14 shed, both structures to be constructed with material matching the building.
- All plans are subject to final review by the Village Engineer and obtaining the necessary permits from the DNR.

Architectural

- Building meets height and required setbacks.
- Material to be used meets the Design Standards.

Lighting

- Lighting must not spill out onto neighboring properties.
- Pole height not to exceed 25 feet, bases are to be buried or if exposed they shall be painted to blend in with the surroundings or have a decorative base.

Landscape

- The plan meets the Design Standards; 63 trees, 92 evergreens 300 shrubs/flowers.
- 15 foot landscape buffer with some fencing along south side as a buffer for the Hickory Heights residential homes

Sign

- The monument sign does not meet the Design Standards, the sign should have side pillar(s) of material that matches the base.

All plans need to be reviewed by the Architectural Review Board.

The Petitioner will need to prove the following standards/condition during the Public Hearing process. The Plan Commission may add additional conditions for the Petitioner to meet in the Conditional Use. The shaded areas (if any) reflect items in the code that are unlikely to be meritorious to the application or are administrative in nature.

The Conditional Use Standards:

17.0502 APPLICATION. Applications for conditional use permits shall be made to the Village on forms furnished by the Village and shall include Sections A, E, F and G. and may include any or all of Sections B, C, and D. as determined by the Administrator:

A. Names and addresses of the applicant, owner of the site, or other appropriate entities or persons implementing the project as required by the Administrator.

B. Description of the subject site by lot, block and recorded subdivision or by metes and bounds; address of the subject site; type of structure; proposed operation or use of the structure or site; number of employees; and the zoning district within which the subject site is located. For floodland conditional uses, such description shall also include information that is necessary for the Plan Commission to determine whether the proposed development will hamper flood flows, impair floodplain storage capacity, or cause danger to human or animal life. This additional information may include plans, certified by a registered professional engineer or land survey or, showing elevations or contours of the ground; fill or storage elevations; first floor elevations of structures; size, location and spatial arrangement of all existing and proposed structures on the site; location and elevation of streets, water supply, and sanitary facilities; photographs showing existing land uses and vegetation upstream and downstream; soil types; and other pertinent information.

C. A topographic map, drawn to a scale of not less than 200' to 1" showing the land in question, its legal description and location; location and use of existing buildings; sanitary systems and private water supplies on such land; the high water elevation of any navigable water within 100' of the land in question; and the proposed location and use of any buildings, sanitary systems and wells on such land and within 100' of such land in question.

D. Additional information as may be required by the Plan Commission or Administrator. **{This may come out during the Public Hearing.}**

E. A fee, as may be established and periodically modified by resolution of the Village Board, shall accompany each application. Such fee shall be paid by cash, check or money order to the Village. Costs incurred by the Village in obtaining legal, planning, engineering and other technical and professional advice in connection with the review of the conditional use and preparation of conditions to be imposed shall be charged to the applicant.

F. Where necessary to comply with certain Wisconsin Statutes, an application will be submitted at the appropriate time to the Department of Natural Resources. The site plan and plan of operation information sheet and plan of operation approval form furnished by the Village shall be submitted prior to scheduling before the Plan Commission.

17.0503 REVIEW AND APPROVAL. The Plan Commission shall review the site, existing and proposed structures, architectural plans, neighboring uses, parking areas, driveway locations, highway access, traffic generation and circulation, drainage, sewerage and water systems, and the proposed operation.

A. Upon receipt of the application, foregoing data and fees, the Plan Commission shall establish a date for a public hearing and shall public notice of the hearing once each week for two consecutive weeks in the official newspaper. Notice of the public hearing shall be given to the owners of all lands within 200' of any part of the land included in such conditional use by mail at least 10 days before such public hearing. A copy of the notice of public hearing along with pertinent information relative to the specific nature of the matter (copy of application and map) shall be transmitted without delay to the Plan Commission. Compliance with this subparagraph shall not be a condition precedent to proper legal notice and no hearing or action taken thereon shall be deemed invalid or illegal because of any failure to mail the notices provided for in this subparagraph.

B. The procedure for public hearing before the Plan Commission shall be as follows: 1. Any person may appear in person, by agent, or attorney. 2. The Plan Commission shall afford the applicant and each interested person opportunity to present evidence to rebut or offer countervailing evidence. 3. The Plan Commission shall take minutes of the proceedings and shall mark and preserve all exhibits. The Plan Commission shall, when requested by an applicant or a petitioner objecting to the action, cause the proceedings to be taken by a stenographer or by a recording device provided that the applicant or the petitioner objecting making the request pays any and all costs for the stenographer or recording device and any copies of the proceedings. If requested by both the applicant and the petitioner the costs shall be split evenly unless otherwise agreed to by the parties.

C. Within 95 days of the completion of the hearing conducted by the Plan Commission, the Plan Commission shall render its written determination stating the reasons therefore. If additional time is necessary beyond the 95 days referred to above, such time may be extended with the consent of the petitioner. Failure of the Plan Commission to render a decision as set forth shall constitute approval of the permit. The factual basis of any decision shall be solely the evidence presented at the hearing. The Village Clerk shall mail a copy of the determination to the applicant.

D. Conditions such as landscaping, architectural design, type of construction, flood proofing, anchoring of structures, construction commencement and completion dates, sureties, lighting, fencing, planting screens, operational control, hours of operation, improved traffic circulation, deed restrictions, highway access restrictions, increased yards, or parking requirements may be required by the Plan Commission upon its finding that these are necessary to fulfill the purpose and intent of this ordinance.

E. Compliance with all other provisions of this ordinance, such as lot width and area, yards, height, parking, loading, traffic, and highway access shall be required of all conditional uses unless otherwise authorized to be modified by a conditional use. Variances shall only be granted as provided in Section 17.1200 of this ordinance.

F. Changes in use subsequent to the initial issuance of a conditional use permit shall result in a need to change the initial conditions and shall require an amendment to the conditional use permit. Enlargement of a conditional use shall not be considered an amendment. If any holder of a conditional use permit wishes to extend or alter the terms of such permit, the permit holder must apply for an amendment to the conditional use permit through the procedure of application for conditional use permits detailed herein. The process for amending a permit shall generally follow the procedures for granting a permit as set forth in Sections 17.0501, 17.0502 and 17.0503, and shall require the filing of an application and a hearing as provided above.

The Zoning District Standards Section 17.0419 Central Mixed Use District

B-4 CENTRAL MIXED USE DISTRICT

The B-4 Business District is intended to provide for the orderly and appropriate development of the Central Mixed Use District as designated by the Community Development Authority, in conformance with and to implement "The Downtown Design and Development Plan."

- A. It is the specific intent of the B-4 District to:
1. Encourage development of retail, residential, and office uses that are compatible with the historic Village setting in size, scale, and architectural character.
 2. Encourage the retention and restoration of existing buildings, along with the landscaping and design elements that are characteristic of the Village setting.
 3. Provide opportunities for a diversity of commercial uses and a mix of compatible residential uses.
 4. Encourage mixed-use development on larger tracts in order to fully utilize the area of these tracts for the economic benefit of both the Village and the property owner.

5. Encourage those types of commercial and office uses that do not generate a traffic volume that may lead to congestion.
6. Encourage consolidation of driveways, parking, and curb cuts to enhance safety and provide more efficient and economical access and parking.
7. Encourage the creation of connection driveways parallel to Main Street, to the rear of existing and new development, where appropriate, in order to reduce conflicts between downtown commercial traffic and through traffic.
8. Minimize visual and functional conflicts between residential and non-residential uses within and abutting the district.

B. Lot Area and Width

Lots shall contain sufficient area and width to implement the "Downtown Design and Development Plan," as determined by the Plan Commission and the Architectural Review Board.

C. Permitted Uses in the B-4 District

On any lot in the B-4 district, one or a combination of the following uses is permitted:

1. Accommodations and Food Service
 - (a) Hotels and motels
 - (b) Bed and breakfast establishments
 - (c) Restaurants, snack stands, and mobile food services. For a drive-through the Plan Commission must find that the vehicle stacking and noise from its operation will not impact surrounding properties or any public roadway.
 - (d) Bars
 - (e) Food service contractors and caterers
2. Arts, Entertainment, and Recreation Services
 - (a) Promoter, agent, and artists offices/studio
 - (b) Theater companies and dinner theaters, dance, musical groups, and performing arts companies.
 - (c) Sports teams, clubs and commercial recreational facilities.
 - (d) Museums, historical sites, zoos, botanical gardens, and marinas
3. Educational, Health Services, and Social Services
 - (a) Fine arts and language schools and studios
 - (b) Sports and recreation instruction
 - (c) Automobile driving school
 - (d) General medical services
 - (e) Vocational rehabilitation services
 - (f) Community food services
 - (g) Religious facilities
 - (h) Business, secretarial, computer, training exam, cosmetology, barber and prep schools.
 - (i) Youth, elderly and disability social services and emergency relief services (non-housing) in the B-4 district.
 - (j) Commercial day care centers provided that any outside play area is surrounded by a security fence; that no day care center is located within 300 feet of a gasoline service station, underground gasoline storage tanks, or any other storage of explosive material; that no day care center shall be located in an area where air pollution caused by smoke, dust, gases, or other particulate matter would endanger children; that no day care center shall be located in an area where noise would be so loud, shrill, or have an impulse to endanger children; that traffic be managed in a manner to minimize danger to children; and provided that adequate parking and circulation be provided on the day care facility site in accordance with the standards set forth in Section 17.0603(K)(6)(h)(3) of this Ordinance.

4. Finance, Insurance, Real Estate, and Leasing
 - (a) Financial service institutions, excluding drive-through
 - (b) Financial investment, insurance offices, and similar financial products
 - (d) Real estate, appraisers, developer offices, and offices of lessors for residential and non-residential properties, excluding lessors of mini-warehouses/self-storage
 - (e) Office equipment rental and leasing
5. General Services
 - (a) Repair and Maintenance of consumer electronics, home and garden equipment, appliance, furniture/reupholsters, footwear and leather goods.
 - (b) Barber, beauty, nail salons, spa treatment services
 - (c) Personal care and weight loss services
 - (d) Funeral home and funeral services
 - (e) Coin operated laundries and drycleaners
 - (f) Dry cleaning and laundry services (non-industrial)
 - (g) Photo finishing laboratories
 - (h) General business offices
 - (i) Travel and visitor services
 - (j) General Construction trade services (carpenters, electricians, flooring services, lawn and landscaping services, lighting services, masonry services, painting services, plastering services, plumbing and heating contractors, roofing services, sheet metal services, welding services, and building showrooms)
6. Information Services
 - (a) Radio/TV/Cable network, stations, news syndicates excluding towers and dishes
 - (b) Telecommunications services
 - (c) Motion picture and video production
 - (d) Motion picture theaters excluding drive-ins
 - (e) Libraries and archives
 - (f) Newspaper, printers, paper and software publishers, recording studio record production, telecommunications services and data processing.
7. Professional, Technical, Scientific, and Administrative Services
 - (a) Legal, notaries, and title services
 - (b) Accountants, tax preparation, payroll, and other accounting services
 - (c) Architects, landscape architects, engineering, surveying services
 - (d) Interior, industrial, graphic, and fashion design services
 - (e) Consulting/professional services, advertising, management, HR, marketing, IT
 - (f) Research and development facilities (non industrial)
 - (g) Translation and interpretation services
 - (h) Employment placement and provider services
 - (i) Private investigators, locksmiths, security, and armored car services
 - (j) Janitorial services
 - (g) Pest control services
 - (h) Veterinary services
 - (i) Offices of holding companies and regional managing offices
8. Public Administration and Government Services
 - (a) Public utility, offices of Federal, State, and Local Governments
 - (b) Governmental and cultural uses such as fire and police stations, community centers, public works garages, government administration buildings, parks and playgrounds.
9. Retail Trade

- (a) Furniture, flooring, and home furnishing stores
 - (b) Appliances, electronics, camera, office supply and copying stores
 - (c) Home improvement and hardware stores
 - (d) Grocery, supermarkets, convenience, and specialty food stores/markets
 - (e) Liquor/package beverage and tobacco stores
 - (f) Pharmacy, drug, beauty supplies, food supplement, and medical supply stores
 - (g) Clothing, shoes, jewelry, luggage/leather goods, formal wear/costume stores
 - (h) Entertainment stores such as books, music, sporting goods, hobby, and video tape/disc/game rental.
 - (i) Gift shops, florists, variety stores, antiques, used merchandise
 - (j) Pet and pet supply stores
 - (k) Art dealers/store
 - (l) Internet sales shopping/mail order business and vending machine sales
10. Manufacturing/Assembly
- (a) Processing and Assembling of Final Products provided that the limited industrial process does not exceed 2,000 square feet and the processing and assembling of final products shall be conducted entirely within an enclosed structure, and there shall be no outside storage of product or materials.
11. Transportation and Warehousing
- (a) Courier, delivery, postal service businesses and U.S. postal Service
12. Housing and Mixed Uses
- (a) Business or professional home offices such as residences of clergymen, architects, landscape architects, professional engineers, real estate agents, artists, teachers, authors, musicians, or persons in other recognized professions used to conduct their professions where the office does not exceed 25 percent of the area of only one (1) floor of the residence and only one (1) nonresident person is employed.
 - (b) Single-family residential detached home and two-family residential dwelling, but only if the use is constructed prior to January 1, 2010. In the event of a disaster these dwellings may be reconstructed.
 - (c) Conversions. A conversion of an existing single family residential detached building into a combination of non-residential and residential uses or all non-residential uses in a single existing building meeting the following requirements:
 - (1) The front facade and front porch of the existing building, if any, shall be preserved and any building addition shall be located to the rear, and shall be compatible with the existing building in size, scale, and building materials unless the Plan Commission with review and recommendation by the architectural review board determines that the particular façade or front porch is not architecturally significant or if the new proposed façade, front porch, or building addition more appropriately meets the design standards of the Village than the existing structures. Stairways, fire escapes, and other structural alterations shall be located to the rear or side of the building.
 - (2) A single-family detached dwelling may be converted to:
 - (a) A maximum of three non-residential uses with no residential uses, or

- (b) One apartment with up to two non-residential uses.
- (3) Residential units must meet the minimum size and facility requirements found in Section 17.0506(A)(15)(g).
- (4) To encourage a business environment that is compatible with the residential character of the Village, conversions to permitted uses in the B-4 Central Mixed Use District shall not be issued without review and approval of the Plan Commission and Architectural Review Board. Said review and approval shall be concerned with general layout, building plans, architectural and façade treatment, ingress and egress, design, parking, loading and unloading, and sign design and landscaping. The Plan Commission and Architectural Review Board shall determine that all proposed development and redevelopment in the B-4 district will serve to implement the “Downtown Design and Development Plan.”
- (d) A permitted or conditional non-residential use is allowed in accessory buildings located to the rear or side of principal buildings, provided that adequate parking is provided and the non-residential use is owned or operated by a person or entity legally occupying a portion of the principal building.
- (e) Mixed Use Development. Mixed-use development if it meets the following conditions:
 - (1) The project shall be developed under a single development plan with a unified architectural scheme and site plan, to include building facades, street furniture, signs, lighting standards, parking, driveways and pedestrian circulation, in conformance with the following requirements:
 - (a) Residential and non-residential uses may be combined on a single parcel in new buildings or a combination of new and existing non-residential building(s).
 - (b) Residential uses on the ground floor of buildings in a mixed use development are allowed if the Plan Commission finds that the overall mixed-use development has sufficient retail/office presence to meet the intent of the Downtown Development and Design Plan.
 - (c) When the mixed use involves a conversion of an existing non-residential building the development must establish and or maintain non-residential uses on the ground level of the building(s) such that the Plan Commission finds that the overall mixed-use development will maintain sufficient non-residential presence to meet the intent of the Downtown Development and Design Plan.
 - (d) On large buildings, variations in facades, canopies, and roof lines to provide contrasts of height, color, texture, and materials are encouraged.
 - (e) Any building facade which is visible from a street or other public place shall be constructed of traditional building materials such as local stone, brick, and wood. The use of these materials on other facades is also encouraged.

- (2) Pedestrian circulation shall be included in the design of the development, with walkways planned for linkage to an existing or future pedestrian network of sidewalks. New sidewalks shall connect to the Bugline Recreation Trail where appropriate and in accordance with the "Downtown Design and Development Plan."
 - (3) A traffic impact study may be required for any development that, in the opinion of the Architectural Review Board or Plan Commission, may generate a traffic volume that may require special mitigation measures.
 - (4) Residential units in mixed use developments shall at a minimum each have one bedroom, one kitchen, and one bathroom. A one bedroom unit shall be at least 600 square feet in size and a two bedroom or larger unit shall be at least 800 square feet in size.
 - (f) Single Family Residential Attached Units, if approved as part of a TIF project plan of the Village.
13. Parking Lots
- (a) Parking Lots without a principal use on the lot are permitted as long as the parking lot supports an adjacent parcels use and is sufficiently screened so as to minimize any impact to any adjacent residential uses.
 - (b) To facilitate traffic circulation:
 - (1) Parking areas for a proposed nonresidential use should be directly connected to nonresidential parking areas on adjacent lots where possible. If a connection cannot be made when the proposed use is constructed, a driveway may be constructed extending to the adjacent property line in a location where a future connection can be made. Cross-easements for access shall be provided where applicable.
 - (2) Driveway access from Main Street or Waukesha Avenue should be limited and shared driveways between abutting lots are encouraged. If only one lot is being developed, a cross-easement to an abutting lot or lots may be offered, and recorded on a plan for the first lot. When such shared driveways are established, no additional driveways shall be permitted to access either lot from Main Street or Waukesha Avenue. Additional driveways may be permitted off a side street or a service street.
 - (c) Shared parking facilities maximize the use of the limited area available for parking within the Central Mixed Use District and should be used wherever possible. When parking facilities are shared, the overall parking requirement may be reduced. The number of residential parking spaces, however, shall not be reduced. It shall be the burden of the applicant to provide documentation that uses sharing parking are complimentary and that the full required number of parking spaces would not be required

D. Permitted Accessory Uses

- 1. Off-street parking and loading. Multi-level parking garages shall be designed to minimize impact to adjacent properties and be designed to architecturally match the principal structure.
- 2. Detached garages for storage of vehicles used in conjunction with the operation of the principal business or for occupants of the premises.
- 3. Roof-mounted, solar collectors provided that a registered engineer shall certify that the structure is adequate to support the load.

- E. Conditional Uses
1. Conditional uses as allowed in Section 17.0500 Conditional Uses.
 2. No Adult Oriented Establishment except as permitted in accordance with Conditional Uses Section 17.0508.
- F. Dimensional Standards.
- The following standards shall apply to all uses:
1. Build-to Line: For all construction a build-to line rather than a minimum street yard shall be used. New buildings shall be constructed to a line formed by the average building setback of the buildings on the adjacent lots on both sides. If no existing buildings are present on the adjacent lots, the average setback of the next nearest buildings on each side shall be used. The build-to line may be adjusted by the Plan Commission if it finds that a change in the build-to line would be consistent with the Downtown Design and Development Plan, and the Design Standards. The build-to line shall not be less than five (5) feet.
 2. Side yard: 10 feet on each side, except one or both sideyards may be reduced if the Plan Commission finds that:
 - (a) The Site is masterplanned and provides an efficient use of land,
 - (b) The health, welfare, and safety of the public is not jeopardized by the setback reduction,
 - (c) The setback change will encourage pedestrian interaction between buildings.
 - (d) The reduced setback serves to implement the Design Standards and the Downtown Design and Development Plan of the Village.
 3. Rear yard: 15 feet.
 4. Loading docks may be required to be set back a greater distance from the side or rear lot line, as determined by the Plan Commission.
 5. Setback from the Bugline Recreation Trail right-of-way: 15 feet.
 6. Accessory buildings shall be set back from all property lines at least five (5) feet, except that accessory buildings used for principal uses shall meet all the setback requirements for principal buildings.
 7. Maximum height: 45 feet.
 8. Minimum shoreyard: No building or structure shall be located closer than 15 feet to an F-1 Floodway District, F-2 Floodplain Conservancy District, or LCO Lowland Conservancy Overlay District. Where shoreland regulations apply no building or structures shall be located closer than as allowed by Village shoreland regulations.
 9. Parking lot setbacks:
 - (a) From street right-of-way: The setback of the principal or 25 feet, whichever is less. No parking shall be permitted between the front of the principal building and the street line with the following exception: The Plan Commission may allow up to ten (10) percent of the parking to be in the street yard if it finds that the no street yard parking requirement is unfeasible for the site.
 - (b) From rear property lines: ten (10) feet; except that the Plan Commission may allow a reduction of this requirement to five (5) feet, upon the Architectural Review Board's recommendation of a landscape plan that meets the design standards and intent of the Downtown Design and Development Plan.
 - (c) From side property lines: five (5) feet, however no setback is required if shared parking is used and cross-easements are established.
 - (d) From buildings: five (5) feet.
 - (e) Any parking structure that was constructed prior to the date of the original adoption of the parking lot setback requirements for the B-4 Central Mixed Use District in 1990, that does not meet the

current requirements of subsection 17.0419 (F)(9)(a-d), is considered legal non-conforming and does not have to be removed upon performing parking lot restoration work. Extension, expansion, enlargement, reconstruction, substitution, or moving of the parking lot, however, may be subject to said requirements of subsection 17.0419(F)(9)(a-d), as described in Section 17.0900 of this Zoning Ordinance.

10. Property line buffer: A buffer area landscaped with trees and shrubs meeting the intent of the "Downtown Design and Development Plan" and the Village Design Standards, shall be required along all side and rear property lines. Driveways may not encroach into the buffer area unless the lot is too narrow to permit any other alternative, in the opinion of the Plan Commission, or for the purpose of shared parking or connected parking areas between lots.

G. Erosion Control

1. See Chapter 14 of the Village Municipal Code.

H. Development Design Standards

1. The Village has established clear land use and design principals, as documented in the Village Development Design Guidelines, to guide future development planning decisions towards implementation of the Village's Smart Growth 2040 Comprehensive Plan. These guidelines are intended to serve as basic criteria during reviews, and are not to be construed as the only applicable design elements. All development proposals shall be evaluated against the adopted Village vision of maintaining a small town atmosphere within the Village, featuring a generous amount of greenspace in residential, commercial, and industrial developments.

I. Plans and Specifications to be Submitted to Plan Commission

1. To encourage a business environment that is compatible with the residential character of the Village, building permits for permitted uses in the B-4 Central Mixed Use District shall not be issued without review and approval of the Plan Commission. Said review and approval shall be concerned with general layout, building plans, architectural and facade treatment, ingress and egress, parking, loading and unloading, and sign design and landscaping. The Plan Commission and Architectural Review Board shall determine that all proposed development and redevelopment in the B-4 district will serve to implement the "Downtown Design and Development Plan."

Section 17.0506 Conditional Uses

17.0506 CONDITIONAL USES

- A. The following agricultural, mining, commercial, industrial, and institutional uses shall be conditional uses and may be permitted as specified, but all Conditional Use applicants must produce a "Impact Report" detailing the impacts of said use to neighboring properties and to Village services from traffic, parking, and overflow parking, noise, odor, safety, crime, hours of operation, health and sanitation, and property maintenance issues. The Village Administrator shall analyze said report along with any supplemental reports from the Village, and its agents, to create an impact report for the application utilizing the Professional and Technical Trade standards for traffic, noise, dust, light, crime and fire prevention, etc. as a guide for the same. The Petitioner shall then prove by substantial evidence how their use will mitigate and address the findings of the impact report. In addition additional standards shall apply for specific types of uses as follows:

B. RESIDENTIAL CONDITIONAL USES

The following residential and quasi-residential uses shall be conditional uses and may be permitted as specified in this section. Petitioners for conditional uses in the residential section must produce an "Impact Report" detailing the impacts of said use to neighboring properties and to Village services from traffic, parking, and overflow parking, noise, odor, safety, crime, hours of operation, health and sanitation, and property maintenance issues. The Village Administrator shall analyze said report along with any supplemental reports from the Village, and its agents, to create an impact report for the application utilizing the Professional and Technical Trade standards for traffic, noise, dust, light, crime and fire prevention, etc. as a guide for the same. The Petitioner shall then prove by substantial evidence how their use will mitigate and address the findings of the impact report. In addition additional standards shall apply for specific types of uses as follows:

3. Housing for the Elderly, including community-based residential facilities, rest homes and nursing homes in the Rm-1 and B-4 districts. Elderly housing shall not exceed a density of more than 17.4 dwelling units per acre in the Rm-1 district or more than 22 units per acre in the B-4 district. Upon recommendation of the Architectural Review Board the Plan Commission may reduce the number of required parking spaces for elderly housing in the B-4 district when parking shared with adjacent businesses is provided, however, parking dedicated to the elderly housing use shall not be less than 0.5 parking spaces per dwelling unit.

Site Plan Review Standards 17.1000

17.1002 PRINCIPLES To implement and define criteria for the purposes set forth in Section 17.1001, the following principles are established to apply to all new structures and uses and to changes or additions to existing structures and uses.

A. No structure, or use shall be established that is counter to the intent of the Design Standards nor shall the same be permitted that would have a negative impact on the maintenance of safe and healthful conditions in the Village. Structures and uses in the B-4 Central Mixed Use District shall also adhere to the intent of the Downtown Development and Design Plan.

B. No structure shall be permitted:

1. The design or exterior appearance of which is of such unorthodox or abnormal character in relation to its surroundings as to be unsightly or offensive to generally accepted taste and community standards.
2. The design or exterior appearance of which is so identical to a building on lots within 500 feet of each other that it creates excessive monotony or drabness, in order to realize architectural uniqueness between lots.
3. Where any exposed facade is not constructed or faced with a finished material or color which is aesthetically compatible with the other facades and presents an attractive appearance to the public and to surrounding properties.

C. The facade of a manufacturing building which faces upon a street right-of-way shall be finished with an aesthetically pleasing material. A minimum of 50 percent of a facade facing a street shall be finished with brick or decorative masonry material. Such masonry facing shall extend for a distance of at least 10 feet along the sides of the structure. Manufacturing buildings on corner lots shall have the required masonry facade facing each street. Metal buildings may be constructed in any business, manufacturing, institutional, or park district, but only by a 3/4 affirmative vote of the Plan Commission.

D. Building Scale and Mass. The relative proportion of a building to its neighboring buildings, to pedestrians and observers, or to other existing buildings shall be maintained or enhanced when new buildings are built or when existing buildings are remodeled or altered.

E. Structures and uses shall make appropriate use of open spaces and the Plan Commission may require appropriate landscaping and planting screens. All landscaped areas shall provide a mix of climax trees, tall and medium deciduous trees, tall and medium coniferous trees, deciduous and coniferous shrubs, and grasses. The appropriate mix shall be determined by the Plan Commission.

F. No articles, goods, material, finished or unfinished product, incinerators, storage tanks, refuse containers, or like equipment shall be kept outdoors, exposed to public view, or exposed to view from adjacent buildings and property. Garbage and refuse containers shall be screened from the street and from neighboring facilities. The Plan Commission may permit the outdoor display of product or merchandise when it makes a finding that such display is essential to a business or industrial use.

G. Structures and uses shall be provided with adequate services as approved by the appropriate utility and serve to implement the recommendations of Utility and Stormwater Management Plans of the Village.

H. Buildings and uses shall provide adequate parking and loading areas. No loading dock or overhead door shall face upon a street right-of-way unless a determination is made by the Plan Commission to allow the same, as described herein.

1. The Plan Commission shall not allow the same unless the Plan Commission first finds either a or b: (a) That the loading dock or overhead door is set back at least 75 feet from the street right-of-way and adequate vehicle turnaround areas have been provided on the lot, such that no maneuvering of vehicles will take place within the street right-of-way in order to access the loading dock or overhead door. (b) That the building is on a lot within the M-1 Industrial District and the building has a previously approved loading dock facing the street.

2. If the Plan Commission finds (1) (a) or (1) (b), above, then the Plan Commission may allow the loading dock or overhead door to face the street right-of-way upon consideration of the following additional factors, without limitation by reason of enumeration: 17.1000 (a) Whether the loading dock or overhead door is set back sufficiently from the street right-of-way to adequately limit the adverse visual impact of the loading dock or overhead door; (b) Whether the number of loading docks or overhead doors that are proposed to face the street right-of-way, due to their number, would create an adverse visual impact; (c) Whether the natural terrain and other existing features of the lot may affect the visual impact of the loading dock or overhead door; and (d) Whether the loading dock or overhead door will be appropriately screened with landscape berms or other landscaping.

Any other standards from Chapter 17 that may be relevant.

Staff has found the application complete and recommends scheduling the Public Hearing.

Policy Question:

1. There are no policy questions this month as this item is on the agenda for scheduling purposes only.

Action Items:

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

Staff Recommendation: Staff recommends scheduling the public hearing for the March meeting.

B. Convene the public hearing of an amendment of a Conditional Use and site plan for Sussex Bowl (N64W24576 Main Street) to add additional outdoor uses.

This site is zoned B-1. The bowling recreational center with outdoor volley ball courts is requesting to amend their conditional use and site plan to include an outdoor bar and bags tournament area. This site has 150 parking stalls with the required 4 stalls designated for handicap parking.

The area for the bags tournament will be located on the grass adjacent to the fenced volley ball courts, this area will be designated by a rope fence around the perimeter. The owner is already allowed to have alcohol at the volleyball court and their request is to extend alcohol to the bags area as well. That issue will require an amendment to their liquor license, which goes before the Finance Committee and Village Board.

The owner will replace their current outdated shed and serve out of the new structure. Please see the impact report for more information.

The Petitioner will need to prove the following standards/condition during the Public Hearing process. The Plan Commission may add additional conditions for the Petitioner to meet in the Conditional Use. The shaded areas (if any) reflect items in the code that are unlikely to be meritorious to the application or are administrative in nature.

The Conditional Use Standards:

17.0502 APPLICATION. Applications for conditional use permits shall be made to the Village on forms furnished by the Village and shall include Sections A, E, F and G. and may include any or all of Sections B, C, and D. as determined by the Administrator:

A. Names and addresses of the applicant, owner of the site, or other appropriate entities or persons implementing the project as required by the Administrator.

B. Description of the subject site by lot, block and recorded subdivision or by metes and bounds; address of the subject site; type of structure; proposed operation or use of the structure or site; number of employees; and the zoning district within which the subject site is located. For floodland conditional uses, such description shall also include information that is necessary for the Plan Commission to determine whether the proposed development will hamper flood flows, impair floodplain storage capacity, or cause danger to human or animal life. This additional information may include plans, certified by a registered professional engineer or land surveyor, showing elevations or contours of the ground; fill or storage elevations; first floor elevations of structures; size, location and spatial arrangement of all existing and proposed structures on the site; location and elevation of streets, water supply, and sanitary facilities; photographs showing existing land uses and vegetation upstream and downstream; soil types; and other pertinent information.

C. A topographic map, drawn to a scale of not less than 200' to 1" showing the land in question, its legal description and location; location and use of existing buildings; sanitary systems and private water supplies on such land; the high water elevation of any navigable water within 100' of the land in question; and the proposed location and use of any buildings, sanitary systems and wells on such land and within 100' of such land in question.

D. Additional information as may be required by the Plan Commission or Administrator. **{This may come out during the Public Hearing.}**

E. A fee, as may be established and periodically modified by resolution of the Village Board, shall accompany each application. Such fee shall be paid by cash, check or money order to the Village. Costs incurred by the

Village in obtaining legal, planning, engineering and other technical and professional advice in connection with the review of the conditional use and preparation of conditions to be imposed shall be charged to the applicant.

F. Where necessary to comply with certain Wisconsin Statutes, an application will be submitted at the appropriate time to the Department of Natural Resources. The site plan and plan of operation information sheet and plan of operation approval form furnished by the Village shall be submitted prior to scheduling before the Plan Commission.

17.0503 REVIEW AND APPROVAL. The Plan Commission shall review the site, existing and proposed structures, architectural plans, neighboring uses, parking areas, driveway locations, highway access, traffic generation and circulation, drainage, sewerage and water systems, and the proposed operation.

A. Upon receipt of the application, foregoing data and fees, the Plan Commission shall establish a date for a public hearing and shall public notice of the hearing once each week for two consecutive weeks in the official newspaper. Notice of the public hearing shall be given to the owners of all lands within 200' of any part of the land included in such conditional use by mail at least 10 days before such public hearing. A copy of the notice of public hearing along with pertinent information relative to the specific nature of the matter (copy of application and map) shall be transmitted without delay to the Plan Commission. Compliance with this subparagraph shall not be a condition precedent to proper legal notice and no hearing or action taken thereon shall be deemed invalid or illegal because of any failure to mail the notices provided for in this subparagraph.

B. The procedure for public hearing before the Plan Commission shall be as follows: 1. Any person may appear in person, by agent, or attorney. 2. The Plan Commission shall afford the applicant and each interested person opportunity to present evidence to rebut or offer countervailing evidence. 3. The Plan Commission shall take minutes of the proceedings and shall mark and preserve all exhibits. The Plan Commission shall, when requested by an applicant or a petitioner objecting to the action, cause the proceedings to be taken by a stenographer or by a recording device provided that the applicant or the petitioner objecting making the request pays any and all costs for the stenographer or recording device and any copies of the proceedings. If requested by both the applicant and the petitioner the costs shall be split evenly unless otherwise agreed to by the parties.

C. Within 95 days of the completion of the hearing conducted by the Plan Commission, the Plan Commission shall render its written determination stating the reasons therefore. If additional time is necessary beyond the 95 days referred to above, such time may be extended with the consent of the petitioner. Failure of the Plan Commission to render a decision as set forth shall constitute approval of the permit. The factual basis of any decision shall be solely the evidence presented at the hearing. The Village Clerk shall mail a copy of the determination to the applicant.

D. Conditions such as landscaping, architectural design, type of construction, flood proofing, anchoring of structures, construction commencement and completion dates, sureties, lighting, fencing, planting screens, operational control, hours of operation, improved traffic circulation, deed restrictions, highway access restrictions, increased yards, or parking requirements may be required by the Plan Commission upon its finding that these are necessary to fulfill the purpose and intent of this ordinance.

E. Compliance with all other provisions of this ordinance, such as lot width and area, yards, height, parking, loading, traffic, and highway access shall be required of all conditional uses unless otherwise authorized to be modified by a conditional use. Variances shall only be granted as provided in Section 17.1200 of this ordinance.

F. Changes in use subsequent to the initial issuance of a conditional use permit shall result in a need to change the initial conditions and shall require an amendment to the conditional use permit. Enlargement of a conditional use shall not be considered an amendment. If any holder of a conditional use permit wishes to extend or alter the terms of such permit, the permit holder must apply for an amendment to the conditional use permit through the procedure of application for conditional use permits detailed herein. The process for amending a permit shall generally follow the procedures for granting a permit as set forth in Sections 17.0501, 17.0502 and 17.0503, and shall require the filing of an application and a hearing as provided above.

The Zoning District Standards Section 17.0416 B-1 Neighborhood Business District

17.0416 B-1 NEIGHBORHOOD BUSINESS DISTRICT

The B-1 Business District is intended to provide for individual or small groups of retail and customer service establishments serving primarily the convenience of a local neighborhood, and the character, appearance, and operation of which are compatible with the character of the surrounding area.

A. Permitted Uses

1. Accommodations and Food Service
 - (a) Bed and breakfast establishments
 - (b) Restaurants, snack stands, and mobile food services. For a drive-through the Plan Commission must find that the vehicle stacking and noise from its operation will not impact surrounding properties or any public roadway.
 - (c) Food service contractors and caterers
2. Arts, Entertainment, and Recreation Services
 - (a) Promoter, agent, artists offices/studio
3. Educational, Health Services, and Social Services
 - (a) Fine arts and language schools and studios
 - (b) Automobile driving school
 - (c) General medical services
 - (d) Commercial day care centers provided that any outside play area is surrounded by a security fence; that no day care center is located within 300 feet of a gasoline service station, underground gasoline storage tanks, or any other storage of explosive material; that no day care center shall be located in an area where air pollution caused by smoke, dust, gases, or other particulate matter would endanger children; that no day care center shall be located in an area where noise would be so loud, shrill, or have an impulse to endanger children; that traffic be managed in a manner to minimize danger to children; and provided that adequate parking and circulation be provided on the day care facility site in accordance with the standards set forth in Section 17.0603(K)(6)(h)(3) of this Ordinance.
4. Finance, Insurance, Real Estate, and Leasing
 - (a) Financial service institutions, excluding drive through
 - (b) Financial investment, insurance offices, and similar financial products
 - (c) Real estate, appraisers, developer offices, and offices of lessors for residential and non-residential properties, excluding lessors of mini-warehouses/self-storage
 - (d) Office equipment rental and leasing
5. General Services
 - (a) Repair and maintenance of consumer electronics, home and garden equipment, appliance, furniture/reupholsters, footwear and leather goods
 - (b) Barber, beauty, nail salons, spa treatment services
 - (c) Personal care and weight loss services
 - (d) Funeral home and funeral services
 - (e) General business offices

6. Information Services
 - (a) Motion picture and video production
 7. Professional, Technical, Scientific, and Administrative Services
 - (a) Legal, notaries, and title services
 - (b) Accountants, tax preparation, payroll, and other accounting services
 - (c) Architects, landscape architects, engineering, surveying services
 - (d) Interior, industrial, graphic, and fashion design services
 - (e) Consulting/professional services, advertising, management, HR, marketing, IT.
 - (f) Research and development facilities excluding industrial types
 - (g) Translation and interpretation services
 - (h) Employment placement and provider services
 - (i) Private investigators, locksmiths, security, and armored car services
 - (j) Janitorial services
 8. Retail Trade
 - (a) Furniture, flooring, and home furnishing stores
 - (b) Appliances, electronics, camera, office supply and copying stores
 - (c) Home improvement and hardware stores
 - (d) Grocery, convenience, and specialty food stores/markets
 - (e) Liquor/packaged beverage and tobacco stores
 - (f) Pharmacy, drug, beauty supplies, food supplement, and medical supply stores
 - (g) Clothing, shoes, jewelry, luggage/leather goods, formal wear/costume stores
 - (h) Entertainment stores such as books, music, sporting goods, hobby, and video tape/disc/game rental.
 - (i) Gift shops, florists, variety stores, antiques, used merchandise
 - (j) Pet and pet supply stores
 - (k) Art dealers/store
 9. Manufacturing/Assembly
 - (a) Processing and Assembling of Final Products provided that the limited industrial process does not exceed 2,000 square feet and the processing and assembling of final products shall be conducted entirely within an enclosed structure, and there shall be no outside storage of product or materials.
 10. Public Administration and Government Services
 - (a) Governmental and cultural uses such as fire and police stations, community centers, public works garages, government administration buildings, parks and playgrounds.
 11. Transportation and Warehousing
 - (a) U.S. postal service
 - (b) Courier, delivery, postal service businesses
- B. Permitted Accessory Uses
1. Garages for storage of vehicles used in conjunction with the operation of business.
 2. Off-street parking and loading areas. Multi-level parking garages shall be designed to minimize impact to adjacent properties and be designed to architecturally match the principal structure.
 3. Residential quarters for the owner or proprietor, located in the same building as the business.

4. Efficiency and one-bedroom residential apartments on a non ground level provided there shall be a minimum floor area of 350 square feet for an efficiency apartment and 420 square feet for a one-bedroom apartment.
 5. Satellite dish antennas located on the roof of the principal structure or in the rear yard. Where the satellite dish is roof-mounted, a registered engineer shall certify that the structure is adequate to support the load.
 6. Roof-mounted, solar collectors provided that a registered engineer shall certify that the structure is adequate to support the load.
- C. Conditional Uses
1. Conditional uses as allowed in Section 17.0500 Conditional Uses.
 2. No Adult Oriented Establishment except as permitted in accordance with Conditional Uses Section 17.0508.
- D. Lot Area and Width
1. Lots shall be a minimum of 5,000 square feet in area and shall not be less than 60 feet in width.
 2. Individual business sites in the B-1 Business District shall provide sufficient area for the principal building and its accessory buildings, off-street parking and loading areas, and required yards. There is no required minimum site width.
 3. Lot coverage by buildings, accessory structures, surface parking and loading areas, and driveways shall occupy no more than 75 percent of the lot area. Landscaped open space shall occupy not less than 25 percent of the lot area.
- E. Building Height and Area
1. No principal building or parts of a principal building shall exceed 30 feet in height.
 2. The maximum square footage of the principal building shall not exceed 30,000 square feet in size.
- F. Setback and Yards
1. There shall be a minimum building setback of 25 feet from the right-of-way of all streets.
 2. No separation shall be required between business, service or commercial uses. No structure shall be closer than 15 feet to a side lot line.
 3. There shall be a rear yard of not less than 15 feet.
 4. No building or structure shall be located closer than 15 feet to an F-1 Floodway District, F-2 Floodplain Conservancy District, or LCO Lowland Conservancy Overlay District boundary. Where shoreland regulations apply no building or structures shall be located closer than as allowed by Village shoreland regulations.
- G. Erosion Control
1. See Chapter 14 of the Municipal Code of the Village.
- H. Development Design Guidelines
1. The Village has established clear land use and design principals, as documented in the Village Design Guidelines, to guide future development planning decisions towards implementation of the Village's Smart Growth 2020 Comprehensive Plan. These guidelines are intended to serve as basic criteria during reviews, and are not to be construed as the only applicable design elements. All development proposals shall be evaluated against the adopted Village vision of maintaining a small town atmosphere within the Village, featuring a generous amount of greenspace in residential, commercial, and industrial developments.

- I. Plans and Specifications to be submitted to Plan Commission
 1. To encourage a business environment that is compatible with the residential character of the Village, building permits for permitted uses in Business Districts shall not be issued without review and approval of the Plan Commission. Said review and approval shall be concerned with general layout, building plans, ingress, egress, parking, loading and unloading, and landscape plans.

17.0506

CONDITIONAL USES

- A. The following agricultural, mining, commercial, industrial, and institutional uses shall be conditional uses and may be permitted as specified, but all Conditional Use applicants must produce a "Impact Report" detailing the impacts of said use to neighboring properties and to Village services from traffic, parking, and overflow parking, noise, odor, safety, crime, hours of operation, health and sanitation, and property maintenance issues. The Village Administrator shall analyze said report along with any supplemental reports from the Village, and its agents, to create an impact report for the application utilizing the Professional and Technical Trade standards for traffic, noise, dust, light, crime and fire prevention, etc. as a guide for the same. The Petitioner shall then prove by substantial evidence how their use will mitigate and address the findings of the impact report. In addition additional standards shall apply for specific types of uses as follows:
 2. Arts, Entertainment, and Recreation: Petitioners for conditional uses in the Arts, Entertainment, and Recreation section below must prove if the use involves the discharge of weapons that the building and site design have been established to both prevent any bullet, arrow, or other item from leaving the subject property and prevent anyone unauthorized; from access to where they may be impacted by the discharge of the weapon(s).
 - a) Archery Ranges, bathhouses, beaches, boating, camps, conservatories, driving ranges, firearm ranges, golf courses, ice boating, marinas, polo fields, riding academies, and stadiums in the A-1 district provided that the lot area is not less than three (3) acres and all structures are not less than 50 feet from any district boundary.
 - b) Music/theater halls, museums, historical sites, zoological and botanical gardens in the B-1, B-3, and A-1 districts.
 - c) Commercial Recreation Facilities, such as arcades, bowling alleys, dance halls, driving ranges, gymnasiums, lodges, miniature golf facilities, physical fitness and recreational sports facilities, pool and billiard halls, racetracks, rifle ranges, tennis courts, volley ball courts, Turkish baths, swimming pools, and skating rinks, are conditional uses and may be permitted in the B-1,

Site Plan Review Standards 17.1000

17.1002 PRINCIPLES To implement and define criteria for the purposes set forth in Section 17.1001, the following principles are established to apply to all new structures and uses and to changes or additions to existing structures and uses.

A. No structure, or use shall be established that is counter to the intent of the Design Standards nor shall the same be permitted that would have a negative impact on the maintenance of safe and healthful conditions in the Village. Structures and uses in the B-4 Central Mixed Use District shall also adhere to the intent of the Downtown Development and Design Plan.

B. No structure shall be permitted:

1. The design or exterior appearance of which is of such unorthodox or abnormal character in relation to its surroundings as to be unsightly or offensive to generally accepted taste and community standards.

2. The design or exterior appearance of which is so identical to a building on lots within 500 feet of each other that it creates excessive monotony or drabness, in order to realize architectural uniqueness between lots.

3. Where any exposed facade is not constructed or faced with a finished material or color which is aesthetically compatible with the other facades and presents an attractive appearance to the public and to surrounding properties.

C. The facade of a manufacturing building which faces upon a street right-of-way shall be finished with an aesthetically pleasing material. A minimum of 50 percent of a facade facing a street shall be finished with brick or decorative masonry material. Such masonry facing shall extend for a distance of at least 10 feet along the sides of the structure. Manufacturing buildings on corner lots shall have the required masonry facade facing each street. Metal buildings may be constructed in any business, manufacturing, institutional, or park district, but only by a 3/4 affirmative vote of the Plan Commission.

D. Building Scale and Mass. The relative proportion of a building to its neighboring buildings, to pedestrians and observers, or to other existing buildings shall be maintained or enhanced when new buildings are built or when existing buildings are remodeled or altered.

E. Structures and uses shall make appropriate use of open spaces and the Plan Commission may require appropriate landscaping and planting screens. All landscaped areas shall provide a mix of climax trees, tall and medium deciduous trees, tall and medium coniferous trees, deciduous and coniferous shrubs, and grasses. The appropriate mix shall be determined by the Plan Commission.

F. No articles, goods, material, finished or unfinished product, incinerators, storage tanks, refuse containers, or like equipment shall be kept outdoors, exposed to public view, or exposed to view from adjacent buildings and property. Garbage and refuse containers shall be screened from the street and from neighboring facilities. The Plan Commission may permit the outdoor display of product or merchandise when it makes a finding that such display is essential to a business or industrial use.

G. Structures and uses shall be provided with adequate services as approved by the appropriate utility and serve to implement the recommendations of Utility and Stormwater Management Plans of the Village.

H. Buildings and uses shall provide adequate parking and loading areas. No loading dock or overhead door shall face upon a street right-of-way unless a determination is made by the Plan Commission to allow the same, as described herein.

1. The Plan Commission shall not allow the same unless the Plan Commission first finds either a or b: (a) That the loading dock or overhead door is set back at least 75 feet from the street right-of-way and adequate vehicle turnaround areas have been provided on the lot, such that no maneuvering of vehicles will take place within the street right-of-way in order to access the loading dock or overhead door. (b) That the building is on a lot within the M-1 Industrial District and the building has a previously approved loading dock facing the street.

2. If the Plan Commission finds (1) (a) or (1) (b), above, then the Plan Commission may allow the loading dock or overhead door to face the street right-of-way upon consideration of the following additional factors, without limitation by reason of enumeration: 17.1000 (a) Whether the loading dock or overhead door is set back sufficiently from the street right-of-way to adequately limit the adverse visual impact of the loading dock or overhead door; (b) Whether the number of loading docks or overhead doors that are proposed to face the street right-of-way, due to their number, would create an adverse visual impact; (c) Whether the natural terrain and other existing features of the lot may affect the visual impact of the loading dock or overhead door; and (d) Whether the loading dock or overhead door will be appropriately screened with landscape berms or other landscaping.

Any other standards from Chapter 17 that may be relevant.

Comments from the public if any.

The Plan Commission continues the public hearing and:

1. Requests the Petitioner to provide additional information next month based upon the testimony at the Public Hearing in order to make a determination on the standards of the Code; or
2. Directs staff to prepare for consideration next month:
 - i. A Conditional Use Order; or
 - ii. An Order finding the Petitioner does not meet the standards.

If the Plan Commission directs a Conditional Use Order be drafted any Plan Commission member may ask for a specific condition to be drafted for consideration in the CU Order. The continued Public Hearing will allow the Plan Commission to hear testimony on the CU Order from the Petitioner and the Public and in the case of a specific condition requested by a Plan Commission member for the Village to provide evidence for the same.

If the Plan Commission directs an Order finding the Petitioner does not meet the standards the continued public hearing will allow the Plan Commission to hear testimony on the Denial Order.

Adjourn hearing to March 17, 2020 at 6:30 p.m.

C. Convene the public hearing for a Conditional Use, Plan of Operation, site plan, architectural plan, lighting plan, landscape plan and sign plan for Kwik Trip at the corner of CTH K and Business Drive.

This site is zoned B-2 with a Planned Development Overlay. The convenience store, car wash and gasoline service station is a conditional use in accordance with Section 17.0506 (A)(9) (a) and (b). and outside storage Section 17.0506 (A)(11)(a). Kwik Trip is proposing to construct a 9,050 square foot convenience store with attached car wash, gas pumps with canopy and diesel gas with canopy. Kwik Trip will operate 24 hours 7 days a week. In addition to the above services, the store will sell alcohol, the interior layout shows the “Beer Cave” and labeled #16 is the liquor cabinet behind the cash registers. The store will employ 30 to 35 employees. The liquor license and outdoor establishment permit will need to be reviewed by the Village Board.

The ARB reviewed the plans at the February 5, 2020 meeting and made the following motion:

A motion by Goetz, seconded by Schauer to approve the site, architectural, lighting, landscape and sign plan for Kwik Trip corner of CTH K and Business Drive with the following conditions:

- *Show a site plan with a pedestrian walk way from Business Drive to the entrance of the store.*
- *Add the address to the screening wall to the right of the monument sign.*

Motion carried.

The request for outside storage is to be limited to the ice machine and propane tanks.

As for all new construction of buildings and uses under a Conditional Use, the Plan Commission has requested that the building have a sprinkler system for the safety and welfare of the public and recognizing the importance of sprinklers in saving lives.

The Petitioner will need to prove the following standards/condition during the Public Hearing process. The Plan Commission may add additional conditions for the Petitioner to meet in the Conditional Use. The shaded areas (if any) reflect items in the code that are unlikely to be meritorious to the application or are administrative in nature.

The Conditional Use Standards:

17.0502 APPLICATION. Applications for conditional use permits shall be made to the Village on forms furnished by the Village and shall include Sections A, E, F and G. and may include any or all of Sections B, C, and D. as determined by the Administrator:

A. Names and addresses of the applicant, owner of the site, or other appropriate entities or persons implementing the project as required by the Administrator.

B. Description of the subject site by lot, block and recorded subdivision or by metes and bounds; address of the subject site; type of structure; proposed operation or use of the structure or site; number of employees; and the zoning district within which the subject site is located. For floodland conditional uses, such description shall also include information that is necessary for the Plan Commission to determine whether the proposed development will hamper flood flows, impair floodplain storage capacity, or cause danger to human or animal life. This additional information may include plans, certified by a registered professional engineer or land survey or, showing elevations or contours of the ground; fill or storage elevations; first floor elevations of structures; size, location and spatial arrangement of all existing and proposed structures on the site; location and elevation of streets, water supply, and sanitary facilities; photographs showing existing land uses and vegetation upstream and downstream; soil types; and other pertinent information.

C. A topographic map, drawn to a scale of not less than 200' to 1" showing the land in question, its legal description and location; location and use of existing buildings; sanitary systems and private water supplies on such land; the high water elevation of any navigable water within 100' of the land in question; and the proposed location and use of any buildings, sanitary systems and wells on such land and within 100' of such land in question.

D. Additional information as may be required by the Plan Commission or Administrator. **{This may come out during the Public Hearing.}**

E. A fee, as may be established and periodically modified by resolution of the Village Board, shall accompany each application. Such fee shall be paid by cash, check or money order to the Village. Costs incurred by the Village in obtaining legal, planning, engineering and other technical and professional advice in connection with the review of the conditional use and preparation of conditions to be imposed shall be charged to the applicant.

F. Where necessary to comply with certain Wisconsin Statutes, an application will be submitted at the appropriate time to the Department of Natural Resources. The site plan and plan of operation information sheet and plan of operation approval form furnished by the Village shall be submitted prior to scheduling before the Plan Commission.

17.0503 REVIEW AND APPROVAL. The Plan Commission shall review the site, existing and proposed structures, architectural plans, neighboring uses, parking areas, driveway locations, highway access, traffic generation and circulation, drainage, sewerage and water systems, and the proposed operation.

A. Upon receipt of the application, foregoing data and fees, the Plan Commission shall establish a date for a public hearing and shall public notice of the hearing once each week for two consecutive weeks in the official

newspaper. Notice of the public hearing shall be given to the owners of all lands within 200' of any part of the land included in such conditional use by mail at least 10 days before such public hearing. A copy of the notice of public hearing along with pertinent information relative to the specific nature of the matter (copy of application and map) shall be transmitted without delay to the Plan Commission. Compliance with this subparagraph shall not be a condition precedent to proper legal notice and no hearing or action taken thereon shall be deemed invalid or illegal because of any failure to mail the notices provided for in this subparagraph.

B. The procedure for public hearing before the Plan Commission shall be as follows: 1. Any person may appear in person, by agent, or attorney. 2. The Plan Commission shall afford the applicant and each interested person opportunity to present evidence to rebut or offer countervailing evidence. 3. The Plan Commission shall take minutes of the proceedings and shall mark and preserve all exhibits. The Plan Commission shall, when requested by an applicant or a petitioner objecting to the action, cause the proceedings to be taken by a stenographer or by a recording device provided that the applicant or the petitioner objecting making the request pays any and all costs for the stenographer or recording device and any copies of the proceedings. If requested by both the applicant and the petitioner the costs shall be split evenly unless otherwise agreed to by the parties.

C. Within 95 days of the completion of the hearing conducted by the Plan Commission, the Plan Commission shall render its written determination stating the reasons therefore. If additional time is necessary beyond the 95 days referred to above, such time may be extended with the consent of the petitioner. Failure of the Plan Commission to render a decision as set forth shall constitute approval of the permit. The factual basis of any decision shall be solely the evidence presented at the hearing. The Village Clerk shall mail a copy of the determination to the applicant.

D. Conditions such as landscaping, architectural design, type of construction, flood proofing, anchoring of structures, construction commencement and completion dates, sureties, lighting, fencing, planting screens, operational control, hours of operation, improved traffic circulation, deed restrictions, highway access restrictions, increased yards, or parking requirements may be required by the Plan Commission upon its finding that these are necessary to fulfill the purpose and intent of this ordinance.

E. Compliance with all other provisions of this ordinance, such as lot width and area, yards, height, parking, loading, traffic, and highway access shall be required of all conditional uses unless otherwise authorized to be modified by a conditional use. Variances shall only be granted as provided in Section 17.1200 of this ordinance.

F. Changes in use subsequent to the initial issuance of a conditional use permit shall result in a need to change the initial conditions and shall require an amendment to the conditional use permit. Enlargement of a conditional use shall not be considered an amendment. If any holder of a conditional use permit wishes to extend or alter the terms of such permit, the permit holder must apply for an amendment to the conditional use permit through the procedure of application for conditional use permits detailed herein. The process for amending a permit shall generally follow the procedures for granting a permit as set forth in Sections 17.0501, 17.0502 and 17.0503, and shall require the filing of an application and a hearing as provided above.

The Zoning District Standards Section 17.0417 B-2 Regional Business District

17.0417 B-2 REGIONAL BUSINESS DISTRICT

The B-2 Regional Business District is intended to provide for the orderly and appropriate development along the STH 164 Corridor, to provide services and retail for the community and surrounding region.

A. Permitted Uses

1. Accommodations and Food Service
 - (a) Hotels and motels
 - (b) Restaurants, snack stands. For a drive-through the Plan Commission must find that the vehicle stacking will not impact surrounding properties or any public roadway.
 - (c) Bars

- (d) Food service contractors and caterers
- 2. Arts, Entertainment and Recreation Services
 - (a) Artists offices/studios
- 3. Educational, Health Services, and Social Services
 - (a) Fine arts and language schools and studios
 - (b) General medical services
 - (c) Business, secretarial, computer, training exam, cosmetology, barber and prep schools.
 - (d) Commercial day care centers provided that any outside play area is surrounded by a security fence; that no day care center is located within 300 feet of a gasoline service station, underground gasoline storage tanks, or any other storage of explosive material; that no day care center shall be located in an area where air pollution caused by smoke, dust, gases, or other particulate matter would endanger children; that no day care center shall be located in an area where noise would be so loud, shrill, or have an impulse to endanger children; that traffic be managed in a manner to minimize danger to children; and provided that adequate parking and circulation be provided on the day care facility site in accordance with the standards set forth in Section 17.0603(K)(6)(h)(3) of this Ordinance.
- 4. Finance, Insurance, Real Estate, and Leasing
 - (a) Financial service institutions, excluding drive-through
 - (b) Financial investment, insurance offices, and similar financial products
 - (c) Real estate, appraisers, and developer offices
 - (d) Office equipment rental and leasing
 - (e) Rental Centers
- 5. General Services
 - (a) Barber, beauty, nail salons, spa treatment services
 - (b) Personal care and weight loss services
 - (c) Funeral home and funeral services
 - (d) Dry cleaning and laundry services (non-industrial)
 - (e) Travel and visitor services
- 6. Information Services
 - (a) Radio/TV/Cable network, stations, news syndicates excluding towers and dishes.
 - (b) Motion picture theaters excluding drive-in.
- 7. Retail Trade
 - (a) Furniture, flooring, and home furnishing stores
 - (b) Appliances, electronics, camera, office supply and copying stores
 - (c) Home improvement and hardware stores
 - (d) Grocery, supermarkets, convenience, and specialty food stores/markets
 - (e) Liquor/package beverage and tobacco stores
 - (f) Pharmacy/drug, beauty supplies, food supplement, and medical supply stores
 - (g) Clothing/shoes, jewelry, luggage/leather goods, formal wear/costume stores
 - (h) Entertainment stores such as books, music, sporting goods, hobby, and video tape/disc/game rental.
 - (i) Gift shops, florists, variety stores, antiques, used merchandise
 - (j) Pet and pet supply stores
 - (k) Art dealers/store
 - (l) Department stores, supercenters, warehouse clubs
 - (m) Vehicle parts sales, and vehicle maintenance if the use is less than 25% of the facility and is part of a larger retail operation.
- 8. Public Administration and Government Services

- (a) Governmental and cultural uses such as fire and police stations, community centers, public works garages, government administration buildings, parks and playgrounds.
 - 9. Transportation and Warehousing
 - (a) Courier, delivery, postal service businesses
 - 10. Parking Lots
 - (a) Off street parking lots, excluding multi-level parking garages, are allowed without a primary structure if the Plan Commission finds that the parking lot is part of a larger commercial development where the master plan calls for a building to be placed on the site in the future, but the parking lot is necessary for the overall development and cross access and parking agreements are required by the Plan Commission.
- B. Permitted Accessory Uses
 - 1. Storage sheds for storage of ground maintenance equipment.
 - 2. Off-street parking and loading areas. Multi-level parking garages shall be designed to minimize impact to adjacent properties and be designed to architecturally match the principal structure.
 - 3. Satellite dish antennas located on the roof of the principal structure or in the rear yard. Where the satellite dish is roof-mounted, a registered engineer shall certify that the structure is adequate to support the load.
- C. Conditional Uses
 - 1. Conditional uses as allowed in Section 17.0500 Conditional Uses.
 - 2. No Adult Oriented Establishment except as permitted in accordance with Conditional Uses Section 17.0508
- D. Lot Area and Width
 - 1. Lots shall be a minimum of 12,500 square feet in area and shall not be less than 80 feet in width.
 - 2. Lot coverage by buildings, accessory structures, surface parking and loading areas, and driveways shall occupy no more than 75 percent of the lot area. Landscaped open space shall occupy not less than 25 percent of the lot area.
 - 3. The requirements of Section (D)(2) above may be met in the district by including area from outlots that serve stormwater or other directly related purposes for the subject parcel, are owned in part by the parcel, and are reasonably expected to remain in open space for perpetuity as determined by the Administrator. If multiple lots are served by one or more outlot(s) in no case shall the greenspace area of the outlot(s) be counted more than once. Each lot which by this subsection is entitled to satisfy the requirements of Section D(2), in part, by land located on an outlot is entitled to use no more than the percentage of the qualifying outlot land that is equal to the percentage of the subject lot compared to the total area of the lands served by the outlot.
- E. Building Height and Area
 - 1. No principal building or parts of a principal building shall exceed 45 feet in height.
 - 2. Buildings larger than 100,000 square feet in area shall have a deed restriction placed against the lot in a form approved by the Village to ensure the building, if it becomes vacant for more than 5 years to be removed from the site and the site returned to a buildable state.
- F. Setback and Yards
 - 1. There shall be a minimum setback of 40 ft. from the road right-of-way.

2. There shall be a rear yard of not less than 25 ft.
 3. There shall be a sideyard on each side of the buildings of not less than 25 ft., except as follows.
 4. The Plan Commission may reduce setbacks with-in this district outside of a Planned Development Overlay District if it finds that in granting the reduced setbacks:
 - (a) The Site is masterplanned and provides an efficient use of land,
 - (b) The health, welfare, and safety of the public is not jeopardized by the setback reduction.
 - (c) The setback change will encourage pedestrian interaction between buildings.
 - (d) The reduced setback serves to implement the Design Standards of the Village.
 5. No building or structure shall be located closer than 15 ft. to an F-1 Floodway District, F-2 Floodplain Conservancy District, or a LCO Lowland Conservancy Overlay District boundary. Where shoreland regulations apply no building or structures shall be located closer than as allowed by Village shoreland regulations.
- G. Erosion Control
1. See Chapter 14 of the Municipal Code of the Village.
- H. Development Design Guidelines
1. The Village has established clear land use and design principals, as documented in the Village Development Design Guidelines, to guide future development planning decisions towards implementation of the Village's Smart Growth 2020 Comprehensive Plan. These guidelines are intended to serve as basic criteria during reviews, and are not to be construed as the only applicable design elements. All development proposals shall be evaluated against the adopted Village vision of maintaining a small town atmosphere within the Village, featuring a generous amount of greenspace in residential, commercial, and industrial developments.
- I. Plans and Specifications to be submitted to Plan Commission
- To encourage a business environment that is compatible with the residential character of the Village, building permits for permitted uses in Business Districts shall not be issued without review and approval of the Plan Commission. Said review and approval shall be concerned with general layout, building plans, ingress, egress, parking, loading and unloading, and landscapes plans.
1. Pedestrian and Vehicle Access.
 - (a) Property owners will provide cross access easements off-street where feasible.
 - (b) Where feasible and desirable, pedestrian cross access from adjacent building will be encouraged.

And in the Planned Development Overlay Ordinance #833.

17.0506 Conditional Uses

17.0506 CONDITIONAL USES

- A. The following agricultural, mining, commercial, industrial, and institutional uses shall be conditional uses and may be permitted as specified, but all Conditional Use applicants must produce a "Impact Report" detailing the impacts of said use to neighboring properties and to Village services from traffic, parking, and overflow parking, noise, odor, safety, crime, hours of operation, health and sanitation, and property maintenance issues. The Village Administrator shall analyze said report along with any supplemental reports from the Village, and its agents, to create an impact report for the application utilizing the Professional and Technical Trade

standards for traffic, noise, dust, light, crime and fire prevention, etc. as a guide for the same. The Petitioner shall then prove by substantial evidence how their use will mitigate and address the findings of the impact report. In addition additional standards shall apply for specific types of uses as follows:

9. Retail Trade
 - a) Vehicle sales, vehicle service, service of vehicle parts, vehicle parts sales including vehicle washing, vehicle repair stations, service of vehicle parts and vehicle parts sales in the B-2, B-3 and B-4 Districts No outside storage shall be permitted for vehicle parts sales even by issuance of a conditional use permit as set forth in 17.0506(A)(15)(e) of this Ordinance. All other outside storage that may be granted by CU shall be on a hard paved surface and shall be screened from view, or in the case of vehicle sales the landscaping shall be aesthetically pleasing to minimize the visual impact of a parking lot of vehicles.
 - b) Gasoline service stations in the B-2 and B-3 districts provided that the use shall include traffic control measures to ameliorate--traffic congestion; that lighting and glare shall not extend into adjacent residential neighborhoods; and that service islands shall comply with the minimum setback requirements of the district. Canopies over a gasoline service island may extend into front, side or rear yard areas, but shall not encroach more than six (6) feet into any required yard. In no case, may a canopy extend into a street right-of-way.

11. Miscellaneous Items (Towers/Antenna and Outside Storage)
 - a) Commercial Use Outside Storage. Outside storage maybe permitted for commercial uses in the B-1, B-2, B-3, B-4, BP-1, and OP-1, districts. All outside storage areas shall be at least 100 feet from residential, park, and institutional districts located in the Village or adjacent community. In all cases, outside storage shall be screened from all sides. All screening plans are subject to Plan Commission review and approval. Screening shall be a permanent opaque wall matching the materials of the building and may include fencing as deemed appropriate by the Plan Commission. The Plan Commission may allow vegetative screening in part or in whole, where it determines the vegetative screening shall provide sufficient and aesthetically pleasing screening and said screening is appropriate for the type of items being screened from view. The height of the wall necessary shall be sufficient to screen the product(s) in the outside storage area. The Plan Commission shall set the appropriate height of any fencing based upon the site conditions and the types of outdoor storage to be screened. Outside Storage shall not be construed to include the temporary or seasonal outdoor sales or services allowed as part of a Village approved outdoor sales and services permit.

Any other standards from Chapter 17 that may be relevant.

Comments from the public if any.

The Plan Commission continues the public hearing and:

1. Requests the Petitioner to provide additional information next month based upon the testimony at the Public Hearing in order to make a determination on the standards of the Code; or
2. Directs staff to prepare for consideration next month:
 - i. A Conditional Use Order; or
 - ii. An Order finding the Petitioner does not meet the standards.

If the Plan Commission directs a Conditional Use Order be drafted any Plan Commission member may ask for a specific condition to be drafted for consideration in the CU Order. The continued Public Hearing will allow the Plan Commission to hear testimony on the

CU Order from the Petitioner and the Public and in the case of a specific condition requested by a Plan Commission member for the Village to provide evidence for the same.

If the Plan Commission directs an Order finding the Petitioner does not meet the standards the continued public hearing will allow the Plan Commission to hear testimony on the Denial Order.

Adjourn hearing to March 17, 2020 at 6:30 p.m.

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

A. Consideration and possible action on items pertaining to Vista Run Development property located west of Hwy 164 and south of Silver Spring more specifically part of SUXV0227999, SUXV0227999004, SUXV0228996 and SUXV0228996002.

The Plan Commission had recommended approval of this development on November 19, 2019. Since the November review the developer's engineering firm has discovered some grading issues that changed the stormwater layouts, which caused the Developer to rethink the duplex portion of the project and as a result is making some modifications to the plan. The net result is more single family and less single family attached.

The concept will have 206 single family detached lots with two clubhouses including pools, 58 single family attached condominium with a clubhouse and 30 townhouse with 62 acres of Park and natural space and 6.5 acres of open space to be developed at a later time. The plan has eliminated the duplex product and added more single family, while shifting the townhomes to where the duplex's had been. The smallest lots were increased in size as well.

There are many steps needed to take place in order to get to the final stages of development some of the steps, the Land Use amendment and Rezoning will require a public hearing at the March 24, 2020 Village Board.

1. Resolution for Land Use amendment from Low Density Single Family Residential, Medium Density Single Family Residential, Recreational to Medium Density Single Family Residential, Single Family Attached and Two Family Residential, Recreational, Agricultural, Environmental Corridor Isolated Natural Resource Area. .

Since the petitioners have filed a petition to rezone the site it is require the land use map be amended to match the zoning map. The petitioners have filed a petition and are requesting the following change to the land use map:

Portion of SUXV0227999, SUXV0227999004, SUXV0228996 and SUXV0228996002 Silver Spring Road; and

The approximately 176 acres of the subject properties are currently classified on the Land Use Map as the following:

Low Density Single Family Residential
Medium Density Single Family Residential
Recreational

The exhibit with the Resolution is to amend the approximately 176 acres of the subject properties to be classified as:

Medium Density Single Family Residential
Single Family Attached and Two Family Residential
Recreational
Agricultural
Environmental Corridor
Isolated Natural Resource Area

Staff has prepared a Resolution for consideration at this meeting.

The Plan Commission can adopt the Resolution allowing the scheduling of a public hearing before the Village Board, after which the Village Board may consider an Ordinance to amend the Land Use Plan Map. This process is consistent with the adopted public participation process for Land Use Map amendments of the Comprehensive Plan.

Policy Question:

1. Are there any concerns with the petition?
2. Are there any concerns with the proposed amendment to the land use map?
3. Are there any concerns with the Resolution?

Action Items:

1. Act on the Resolution.
2. Direct staff to schedule a public hearing.

Staff Recommendation: Staff recommends approval of the Resolution and for the Plan Commission to recommend to the Village Board the adoption of an Ordinance to amend the Land Use Plan Map, a component of the Comprehensive Plan, for the property, more specifically a portion of SUXV0227999, SUXV0227999004, SUXV0228996 and SUXV0228996002 Silver Spring Road to Medium Density Single Family Residential, Single Family Attached and Two Family Residential, Recreational, Agricultural, Environmental Corridor, Isolated Natural Resource Area conditioned upon the approval of the rezoning Ordinance for the subject property, the Preliminary Plat, and the Developer's Agreement.

2. Rezone Ordinance, from CR-1 and RS-3 Single Family Residential District to RS-2 Single Family Residential District, SFRD-3 Single Family Attached District, Park, with Environmental Overlays and Agricultural with a Planned Development Overlay District.

The petitioners have filed a petition to rezone the approximately 176-acre parcel; since this is a unique subdivision, the site will have different residential zoning districts with a Planned Development Overlay (PDO).

The petitioners are requesting to rezone a portion of SUXV0227999, SUXV0227999004, SUXV0228996 and SUXV0228996002 Silver Spring Road:

FROM:

CR-1 and RS-3 Single Family Residential District

TO:

RS-2 Single Family Residential District, SFRD-3 Single Family Attached District, Park, with Environmental Overlays and Agricultural with a Planned Development Overlay District

The petitioner should address all the conditions as required in Section 17.0435 (D) of the PDO zoning Ordinance. The PDO is intended to allow for a more effective layout of lots, Park space and the uniqueness of the different types of housing options.

Staff has prepared an Ordinance for consideration to rezone the property. The next is for the Plan Commission to recommend to the Village Board and schedule a public hearing.

The only change to this PDO from what was previously shown is that we've increased the minimum lot size to 10,000 square feet from the 9,000 previously listed as they've increased the lot sizes and we've eliminated the duplex language.

Policy Questions:

1. Are there any concerns with the petition?
2. Are there any concerns with the proposed zoning change?
3. Are there any concerns with the Ordinance?

Action Item:

1. Act on the Ordinance.
2. Direct staff to schedule a public hearing.

Staff Recommendation: Staff recommends the Plan Commission recommend to the Village Board to approve the Ordinance to rezone the property, more specifically a portion of SUXV0227999, SUXV0227999004, SUXV0228996 and SUXV0228996002 Silver Spring Road to RS-2 Single Family Residential District, SFRD-3 Single Family Attached District, Park, with Environmental Overlays and Agricultural with a Planned Development Overlay District conditioned upon the approval of the Land Use Map Amendment Ordinance, the Preliminary Plat, and the Developer's Agreement.

3. Preliminary Plat.

The Developer has submitted the required Preliminary Plat (PP), the PP has some minor changes from the PP submitted in November. Again the duplex's are removed, and the townhomes were shifted to their previous location. Single Family was added to where the townhomes were originally located. The lots are slightly larger in the smallest lot category, and the pond areas were reconfigured to reflect the adjusted grading.

Policy Questions:

1. Are there any concerns with the Preliminary Plat?

Action Items:

1. Act on the Plat.

Staff Recommendation: Staff recommends the Plan Commission approve the Preliminary Plat and recommend to the Village Board to approve the Preliminary Plat for

Vista Run the property, more specifically a portion of SUXV0227999, SUXV0227999004, SUXV0228996 and SUXV0228996002 Silver Spring Road, subject to the standard conditions of approval for Plats, final review and conditions by the Village Engineer, approval of the Land Use Map Amendment Ordinance, the PDO Rezoning Ordinance and the Developer's Agreement, establishing a legal lot or lots for remainder portion of land and buildings for Hickory Hill Farms and subject to the standard conditions of Exhibit A.

4. Developers Agreement.

The Developers Agreement is part of the approval process for a new subdivision. The language in the agreement helps establish the responsibility of the developer and time frames to complete items. Key items of the agreement include the extension of the interceptor sewer system, water main looping, sidewalk and paths, site stabilization on previous farmed lands, safety of access during construction, and other items. Please see the agreement for more information.

Policy Questions:

1. Are there any concerns with the Developers Agreement?

Action Items:

1. Act on the Developers Agreement.

Plan Commission - Staff Recommendation: Staff recommends the Plan Commission approve the Developers Agreement for Vista Run subject to approval of the Land Use Map Amendment Ordinance, the PDO Rezoning Ordinance and the Preliminary Plat, and to the standard conditions of Exhibit A.

06. Other Items for future discussion.

07. Adjournment.

Pam



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? Yes If yes, is this a new CU? Yes

(Conditional Use Permits require a Public Hearing)

OR an amendment to a CU? _____

Tax Key # 232,987

Zoning: B-4

Address of Tenant Space: N4W24050 Main St # 206 Sussex 53089

1. Name of Business: Fade & Fancy

Business Address N4W24050 Main Street, WI 53089

City, State, Zip Phone # busypam68@hotmail 262-224-7654

Fax # Email address

2. Business owner contact information: Pam Anagnostopolous

Contact Address 6541 Daisy Ct. Hartford WI 53027

City, State, Zip Phone # busypam68@hotmail.com 262-224-7654

Fax # Email address

3. Building/Land owner contact information: Gerald Meissner

Contact Address N4W24050 Main St, Sussex WI 53089, 262-853-5085

City, State, Zip Phone # Sussexville@gmail.com

Fax # Email address

4. Number of Employees/Shifts: 1 8:00 - am - 9:00 pm

5. Days of Operation: Appointment Only

Put an X in box that applies:

Hours Open for business

Preparation/cleaning

	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
Hours	X	X	X	X	X	X	X
Open for business	8:00	8:00	8:00	8:00	8:00	8:00	8:00
Preparation/cleaning	9:00	9:00	9:00	9:00	9:00	9:00	9:00

Fade & Fancy

Pam Anagnostopolous

262-224-7645

Busypam68@hotmail.com

Full-Service Barber and Hair Styling shop

- Mater Barber
- Licensed Cosmetologist (license #55082-82)
- Instructor

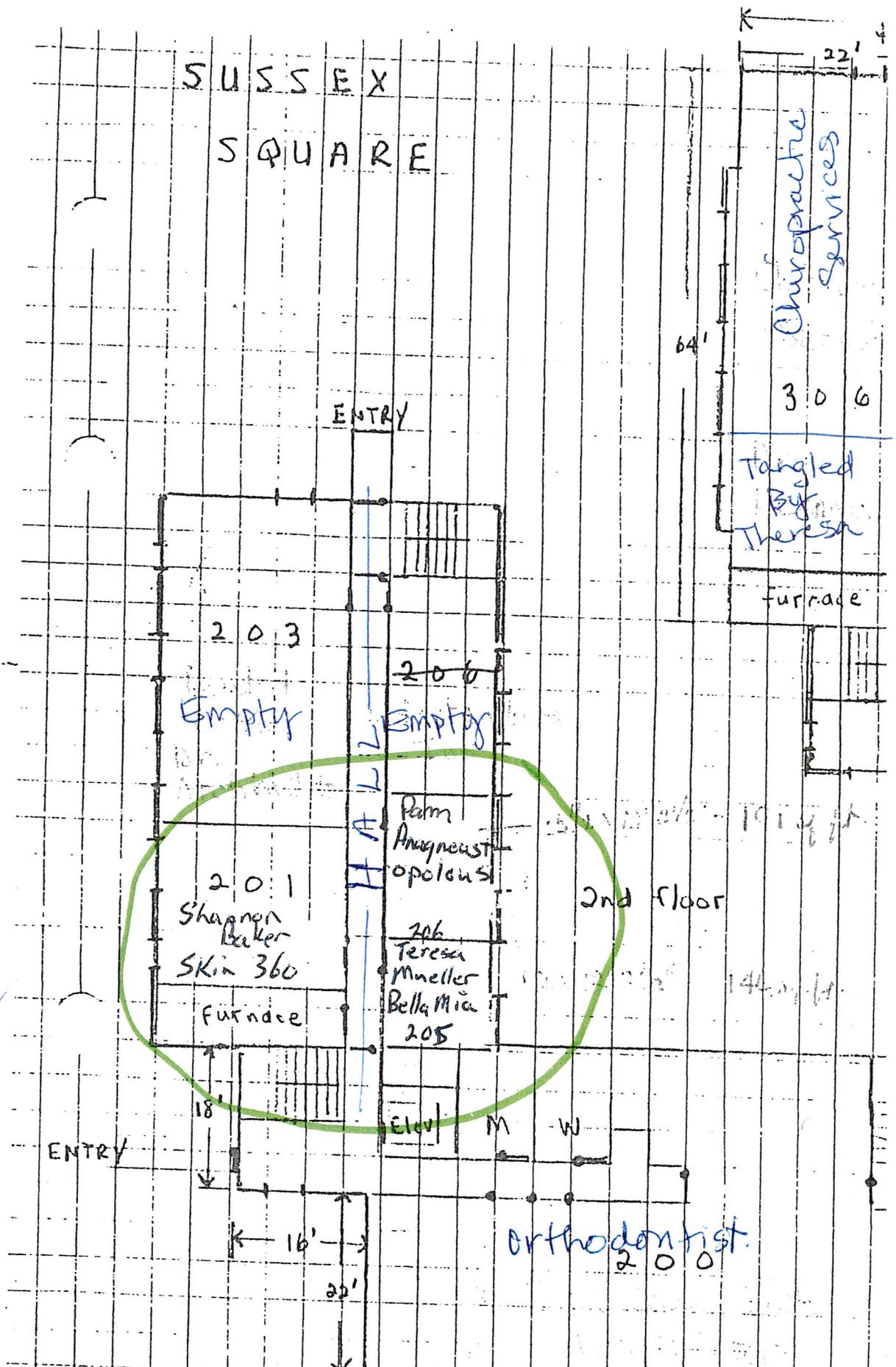
Full-Service Barber Shop

- Clipper Cut
- Razor Cut
- Beard Shaping
- Nose & Ear Wax
- Straight Edge Hot Towel Shave
- Scalp Treatment

Full-Service Salon

- Hair Cut
- Perm
- Color
- Highlight
- Eyebrow Waxing
- Style, Roller & Iron Styling

SUSSEX
SQUARE



Chiropractic
Services

30.6

Tangled
By
Theresa

Furnace

203

Empty

206

Empty

Pam
Anagnost
opologist

2nd floor

201

Shannon
Becker
SKin 360

206
Teresa
Mueller
Bella Mia
205

Furnace

ENTRY

Elev

M

W

orthodontist.
200

16'

22'

64'

22'



Village of Sussex

DISCLAIMER:

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The Village of Sussex does not guarantee the accuracy of the material contained here in and is not responsible for any misuse or misrepresentation of this information or its derivatives.



SCALE: 1 = 83'



Village of Sussex
N64 W23760 Main Street
Sussex, WI 53089
262-246-5200

Print Date: 1/27/2020



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? Yes If yes, is this a new CU? Yes

(Conditional Use Permits require a Public Hearing)

OR an amendment to a CU? _____

Tax Key # 232-987

Zoning: B-4

Address of Tenant Space: N64 W24050 Main Street #205 Sussex 53089

1. Name of Business:

Bella Mia Salon, LLC
 Business
N64 W24050 Main Street Sussex WI 53089 414-232-4092
 Address City, State, Zip Phone #

 Fax # Email address
teresaleitzke@yahoo.com

2. Business owner contact information:

Teresa Mueller
 Contact
N7770 Vicksburg Way Oconomowoc WI 53066 414-232-4092
 Address City, State, Zip Phone #

 Fax # Email address
teresaleitzke@yahoo.com

3. Building/Land owner contact information:

Gerald Messner
 Contact
N64 W24050 Main Street Sussex WI 53089 262-853-5085
 Address City, State, Zip Phone #

 Fax # Email address
Sussexsgllc@gmail.com

4. Number of Employees/Shifts: 1
 Employees

8:00AM - 9:00PM
 Shifts Appointment Only

5. Days of Operation:

Put an X in box that applies:

Hours Open for business

Preparation/cleaning

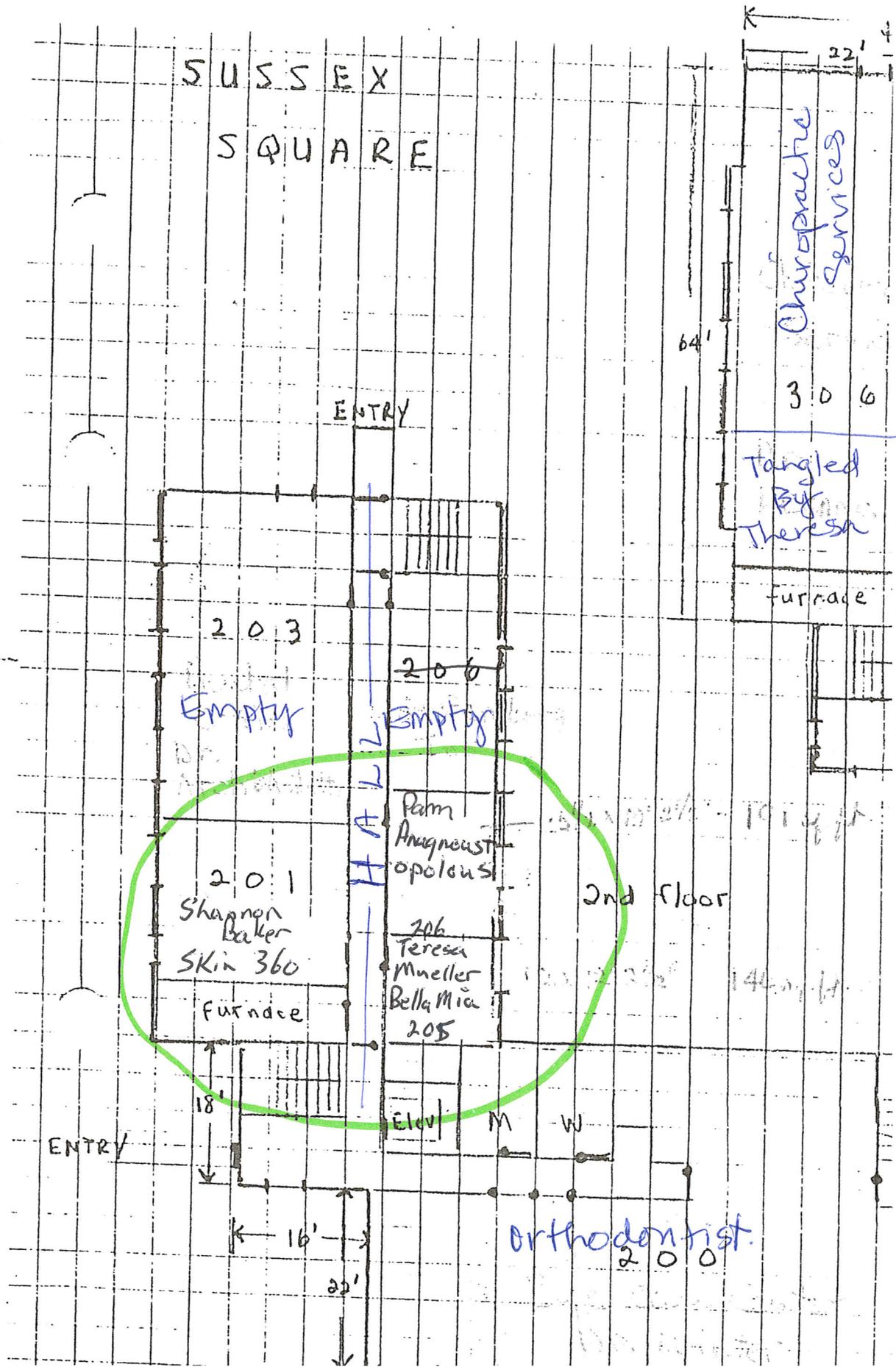
Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
X	X	X	X	X	X	X
8:00pm	8:00pm	8:00AM	8:00AM	8:00AM	8:00AM	8:00AM
9:00pm	9:00pm	9:00pm	9:00pm	9:00pm	9:00pm	9:00pm

Business Plan for Teresa Mueller

- Hair Salon

- HairCuts
- Color
- Perm
- Styles
- Facial Waxing
- Formal Styles

SUSSEX
SQUARE



Chiropractic
Services

306

Tangled
By
Theresa

Furnace

2nd floor

orthodontist
200

ENTRY

ENTRY

203

Empty

206

Empty

201
Shannon
Baker
SKin 360

Furnace

Pam
Anagnostopoulos

206
Teresa
Mueller
Bella Mia
205

Elev

M

W

16'

18'

22'

64'

22'



Village of Sussex

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Village of Sussex
N64 W23760 Main Street
Sussex, WI 53089
262-246-5200

Print Date: 1/27/2020



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? Yes If yes, is this a new CU? Yes

(Conditional Use Permits require a Public Hearing)

OR an amendment to a CU? _____

Tax Key # 232.987 - - - 03

Zoning: B-4

Address of Tenant Space: N64W 24050 Main St, #201, Sussex, WI 53089

1. Name of Business: SKIN 360 Spa & Beauty

Business Address: N64W 24050 Main St, #201, Sussex, WI

City, State, Zip: _____ Phone #: 262-719-4298
 Email address: Shannonebaker@yahoo.com

2. Business owner contact information: Shannon Baker

Contact Address: W271N 4780 Greenhill Ct, Pewaukee, WI 53072

City, State, Zip: _____ Phone #: 262-719-4298
 Email address: Shannonebaker@yahoo.com

3. Building/Land owner contact information: Gerald Meissner

Contact Address: N64W 24050 Main Street, Sussex, WI 53089

City, State, Zip: _____ Phone #: 262-853-5085
 Email address: Sussex5011c@gmail.com

4. Number of Employees/Shifts: 1 Employees 8:00 am - 9:00 pm Shifts

5. Days of Operation: 7 Appointment only

Put an X in box that applies:

Hours Open for business

Preparation/cleaning

Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
X	X	X	X	X	X	X
8:00 AM	8:00 AM	8:00 AM	8:00 AM	8:00 AM	8:00 AM	8:00 AM
9:00 PM	9:00 PM	9:00 PM	9:00 PM	9:00 PM	9:00 PM	9:00 PM

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? _____
 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 479
 If applicable list square footage according to 1st floor 479 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. Contact Gerny Meissner 262-853-5080

12. Parking:
 Total Number of Parking Spaces 56 Number of spaces needed per code 3
 Number of spaces allocated for employee parking 1
 Dimensions of parking lot _____ Is parking lot paved? Yes

13. Signage: What type of signage are you proposing for your business?
Sussex Square Sign Board
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.

Shannon Baker _____
 Name Date
owner/operator
 Title or Position

I am aware and approve of the business to be operating in the building owned by email from Gerny Meissner

 Name Date

 Title or Position

Print Form

Clear Form

SKIN 360 Spa & Beauty
Shannon Baker
262-719-4298
shannonebaker@yahoo.com

I am a Licensed Aesthetician (license # 2942-86) that performs services related to beautification.

What is an Esthetician? An esthetician is a person who specializes in the beautification of the skin. Estheticians (sometimes spelled aestheticians) I perform cosmetic skin treatments, such as facials, superficial chemical peels, body treatments, makeup, lashes, and waxing.

SKIN Related Services

- Microdermabrasion & Dermaplaning (exfoliation) Dermabrasion and **microdermabrasion** can improve the skin on your face.
- Superficial Chemical Peels (can help with the texture of the skin and, hyperpigmentation & acne)
- Led Treatments (help calm and address aging skin)
- Body Treatments (exfoliates/hydrates the skin)
- Hydro Luxx (facial used with serums and microdermabrasion)
- SKIN Classic helps treat minor skin irregularities.
- Waxing, body and face

Makeup Services- Application of Makeup

- Lashes - Lash Lifts & Tints, service that makes the lashes darker and keeps the lashes curled.
- Lash Extensions, Fake Lashes applied to the lash itself.

Retail Items

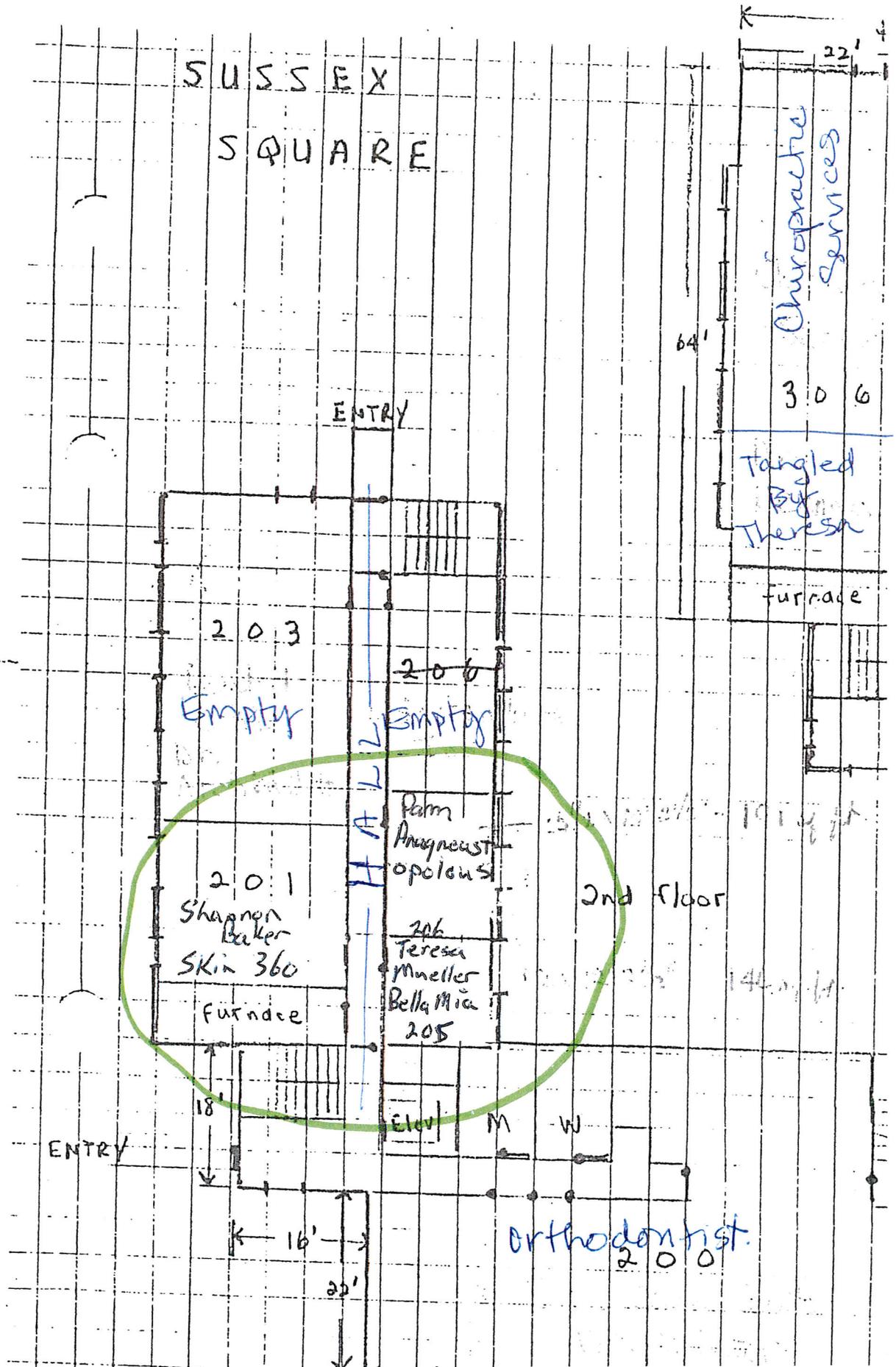
- Skincare
- Lotions
- Bath Bombs
- Cosmetic Items And Makeup Brushes

Please Reach out with any questions.

Best,
Shannon Baker



SUSSEX
SQUARE



Chiropractic
Services

22'

64'

306

Tangled
By
Theresa

Furnace

203

Empty

206

Empty

Pam
Augneust
opolousi

201

Shannon
Baker
SKin 360

2nd floor

206
Teresa
Mueller
Bella Mia
205

Furnace

18'

ENTRY

Elev

M

W

16'

22'

orthodontist
200



Village of Sussex

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SCALE: 1 = 83'



Village of Sussex
N64 W23760 Main Street
Sussex, WI 53089
262-246-5200

Print Date: 1/27/2020

Belfast Station
N64W23246 Main Street
Sussex, WI 53089

January 21, 2020

Bar structure on outside deck.

Belfast Station is looking to build a bar on the outside deck at our location in Sussex. Currently the deck is enclosed by a 6' wall/fence surrounding it. It has 6 tables, but could easily have up to 10 with its current size. After talking with many guests and people that live in the area we asked what they didn't like about the outdoor seating as I never saw anyone use it. I received a lot of feed back that the ambiance was lacking and it feels like you're in a box. Obviously a major goal for us is to attract people year round to the Sussex area. We feel with our Bicycle clubs, run clubs and other networking events the bar would be a great attraction for our guests during the warmer months.

The Bar

The Bar is basically a big box that on the outside looks like a caboose to go with our theme. The bar will only serve beer and in reality is more of an extra seating area designed as a bar. The inside of the bar will have 1 or 2 TV's that people can see from around the deck and hopefully enjoy the game, Olympics, World Cup etc outside while relaxing. The bar itself will probably only have 5 or 6 bar stools. The outside deck is almost 30' x 30' or 900 square feet. The bar will take up about 84 square feet. I believe we will have plenty of room for the current 6 tables and we plan to build a railing looking North towards the Bugline trail that people can sit at and look out over the deck fence. The height of the bar will show about 5' over the fence surrounding the deck, but block the Clark gas station view for our guests.

Attached are some drawing of the deck and a picture of the deck showing where the bar will be located.

Any questions feel free to reach out to me.

Bruce Russell



Kasey and Bruce,

The changes required are cosmetic. Very easy to change. We will have no problem matching the siding on the shed to match the building. We will even natch the corner trim and paint everything the same colors if required.

The roof is also no problem to go to an asphalt shingle roof.

This way both the main building and the shed match.

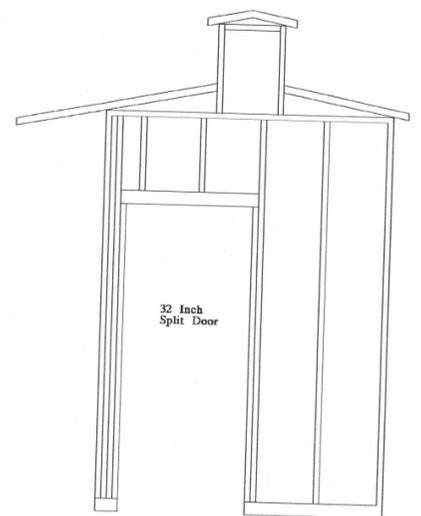
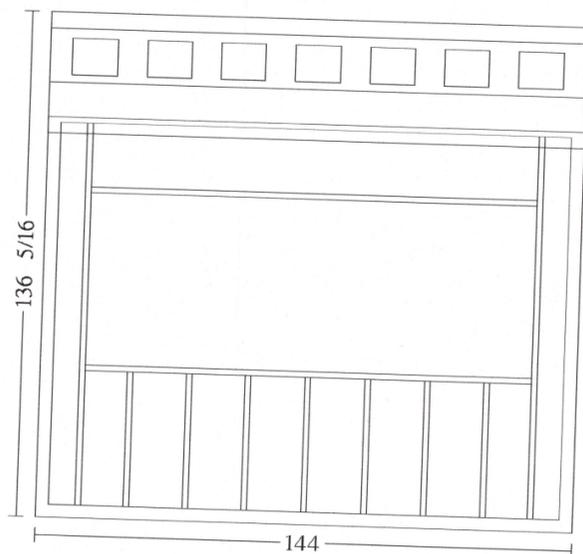
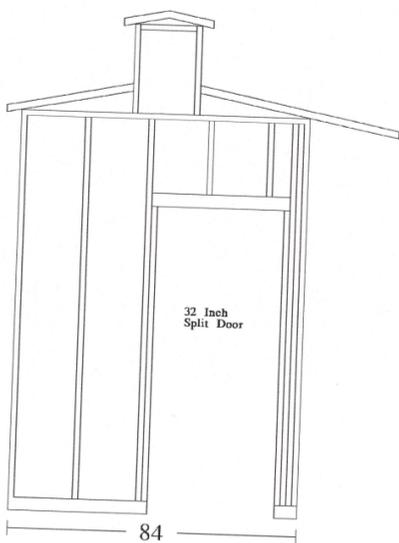
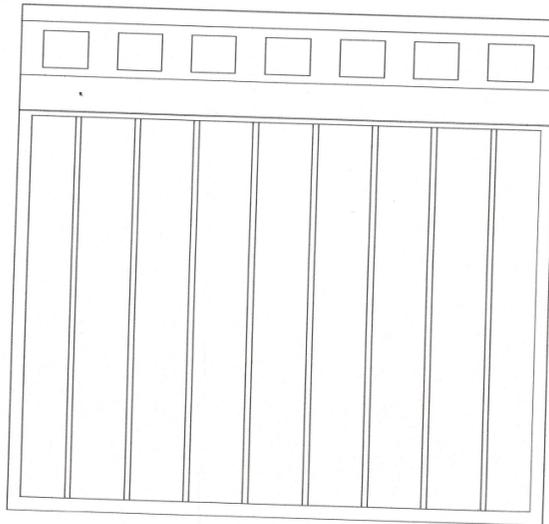
If there is any other verifications you require, please let me know.

I will update the drawings and drop them off by Bruce.

Dale Rajchel
Deluxe Products
(414)698-1410

- 4 x 4 P.T. Base
- 2 x 4 P.T. Framing
- ~~Exterior Covered with 9/16 T1-11 Plywood, Painted~~
- No Floor
- ~~Roof will be Steel Rib Roof~~
- Two Split doors on Right and Left Sides
- Roof Aluminium Security Door to close up Service area
- Electrical Feed to be cored 30 amp circuit.
- Outlit to be installed on main building.
- Lighting to be LED
- Service area counter top will be solid surface (similar to Corian)
- No Plumbing Required
- Inside and outside to be painted. Colors TBD

To match the building.



CERTIFIED SURVEY MAP NO. _____

Being Lot 1 and Lot 2 of Certified Survey Map No. 8890, in the Northwest 1/4 of the Northwest 1/4 of Section 34, Town 8 North, Range 19 East, Village of Sussex, Waukesha County, Wisconsin

SURVEYOR'S CERTIFICATE

STATE OF WISCONSIN)
WAUKESHA COUNTY) SS

I, John P. Konopacki, Professional Land Surveyor, do hereby certify:

That I have surveyed, mapped and divided Lot 1 and Lot 2 of Certified Survey Map No. 8890, recorded in the Register of Deeds office as Document No. 2523993, located in the Northwest 1/4 of the Northwest 1/4 of Section 34, Town 8 North, Range 19 East, Village of Sussex, Waukesha County, Wisconsin, described as follows:

Commencing at the northwest corner of the Northwest 1/4 of said Section 34;

Thence South 00°33'36" West along the west line of said Northwest 1/4, 180.01 feet;

Thence North 89°41'58" East, 52.13 feet to the northwest corner of said Certified Survey Map No. 8890, the southwest corner of Lot 1 of Certified Survey Map No. 7816 and the Point of Beginning;

Thence North 89°41'58" East along the south line of said Lot 1, 449.95 feet to the west right of way line of Executive Drive and a point on a curve;

Thence the following courses along said west right of way line:

Southerly 40.75 feet along the arc of said curve to the left, whose radius is 691.50 feet and whose chord bears South 04°10'23" East, 40.74 feet;
South 05°51'41" East, 314.74 feet to a point of curvature;
Southeasterly 233.27 feet along the arc of said curve to the left, whose radius is 683.00 feet and whose chord bears South 15°38'44" East;
South 25°25'47" East, 209.64 feet to the north line of Lot 1 of Certified Survey Map No. 8059;

Thence South 78°49'32" West along said north line, 346.03 feet;

Thence South 78°35'00" West along the north line of Lot 3 of Certified Survey Map No. 7816 to the east right of way line of State Trunk Highway "164";

Thence North 00°05'23" West along said east right of way line, 825.77 feet to a point on a curve;

Thence northerly 65.48 feet along the arc of said curve and said east right of way line, whose radius is 23035.92 feet and whose chord bears North 00°00'30" West, 65.48 feet to the Point of Beginning.

Containing 430,543 square feet (9.8839 acres) of land, more or less.

That I have made such survey, land division and map by the direction of PRESTWICK DEVELOPMENT LLC, owner of said land.

That such plat is a correct representation of all the exterior boundaries of the land surveyed and the land division thereof made.

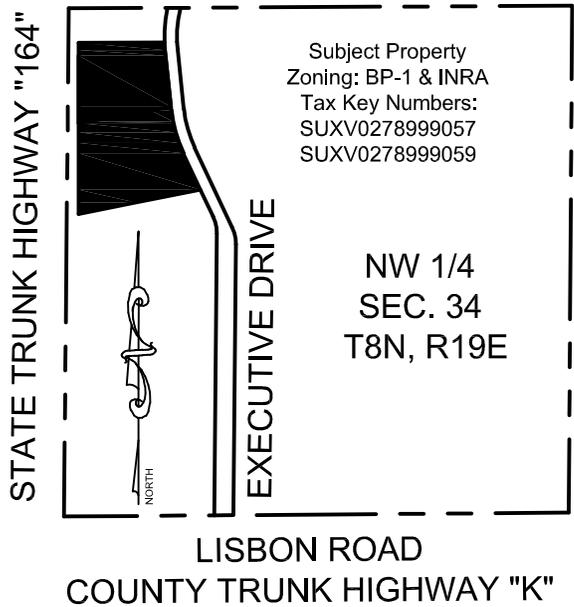
That I have fully complied with the requirements of Chapter 236 of the Wisconsin State Statutes and the Village of Sussex Land Division Ordinance in surveying and mapping the land with in the certified survey map.

Date: JANUARY 29, 2020



John P. Konopacki
Professional Land Surveyor S-2461

VICINITY MAP SCALE 1":1000'



CURVE TABLE							
CURVE NO.	LENGTH	RADIUS	DELTA	CHORD BEARING	CHORD LENGTH	TANGENT IN	TANGENT OUT
C1	40.75'	691.50'	003°22'35"	S04°10'23"E	40.74'	S02°29'06"E	S05°51'41"E
C2	233.27'	683.00'	019°34'06"	S15°38'44"E	232.13'	S05°51'41"E	S25°25'47"E
C3	65.48'	23035.92'	000°09'46"	N00°00'30"W	65.48'	N00°04'23"E	N00°05'23"W

CERTIFIED SURVEY MAP NO. _____

Being Lot 1 and Lot 2 of Certified Survey Map No. 8890, in the Northwest 1/4 of the Northwest 1/4 of Section 34, Town 8 North, Range 19 East, Village of Sussex, Waukesha County, Wisconsin

OWNER'S CERTIFICATE

PRESTWICK DEVELOPMENT LLC, a Limited Liability Company duly organized and existing under and by virtue of the laws of the State of Wisconsin, as owner, does hereby certify that said limited liability company caused the land described on this certified survey map to be surveyed, mapped and divided as represented on this certified survey map.

PRESTWICK DEVELOPMENT LLC, as owner, does further certify that this certified survey map is required by Chapter 236 of the Wisconsin State Statutes to be submitted to the following for approval or objection:

1. Village of Sussex

IN WITNESS WHEREOF, the said PRESTWICK DEVELOPMENT LLC has caused these presents to be signed by (name - print) _____, (title) _____, at (city) _____, _____ County, Wisconsin, on this _____ day of _____, 2020.

In the presence of: PRESTWICK DEVELOPMENT LLC

Name (signature) - Title

STATE OF WISCONSIN)
_____ COUNTY) SS

Personally came before me this _____ day of _____, 2020, (name) _____, (title) _____, of the above named limited liability company, to me known to be the person who executed the foregoing instrument, and to me known to be such _____ (title) of said limited liability company, and acknowledged that they executed the foregoing instrument as such officer as the deed of said limited liability, by its authority.

Notary Public
Name: _____
State of Wisconsin
My Commission Expires: _____

CONSENT OF CORPORATE MORTGAGEE

_____, a corporation duly organized and existing under and by virtue of the laws of the State of Wisconsin, mortgagee of the above described land, does hereby consent to the surveying, mapping and dividing of the land described in the forgoing affidavit of John P. Konopacki, surveyor, and does hereby consent to the above certification of owners.

IN WITNESS WHEREOF, the said _____, has caused these presents to be signed by _____, its President, and its corporate seal to be hereunto affixed this _____ day of _____, 2020.

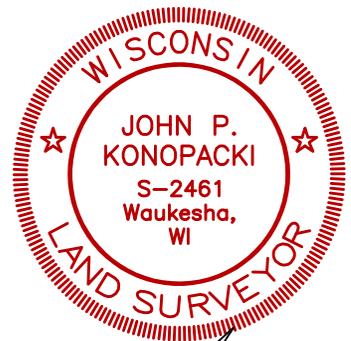
Date

President

STATE OF WISCONSIN)
_____ COUNTY) SS

Personally came before me this _____ day of _____, 2020, _____, to me known to be the person who executed the foregoing instrument and to me known to be such officer of said corporation and acknowledged the same.

Notary Public
Name: _____
State of Wisconsin
My Commission Expires: _____



JANUARY 29, 2020

CERTIFIED SURVEY MAP NO. _____

Being Lot 1 and Lot 2 of Certified Survey Map No. 8890, in the Northwest 1/4 of the Northwest 1/4 of Section 34, Town 8 North, Range 19 East, Village of Sussex, Waukesha County, Wisconsin

PLAN COMMISSION APPROVAL

Approved by the Plan Commission of the Village of Sussex on this _____ day of _____, 2020.

Date

Gregory Goetz, Chairman

Date

Secretary

VILLAGE BOARD APPROVAL

Approved by the Village Board of the Village of Sussex on this _____ day of _____, 2020.

Date

Gregory Goetz, Village President

Date

Sam Liebert, Village Clerk/Treasurer

NOTES:

- All measurements have been made to the nearest one-hundredth of a foot.
- All angular measurements have been made to the nearest one second.
- Flood Zone Classification: The property lies with in Zone "X" of the Flood Insurance Rate Map Community Panel No. 55133C0201G with an effective date of NOVEMBER 05, 2014. Zone "X" areas are determined to be outside the 0.2% annual chance floodplain.



JANUARY 29, 2020



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 W248 N5499 Executive Drive, Sussex, WI 53089

Tax Key # 278.999.057 Zoning: BP-1

1. Name of Business:
The Prestwick Group

Business W248 N5499 Executive Drive, Sussex, WI 53089 (800) 505-7926 #1240
 Address City, State, Zip Phone #
mfrick@prestwick-group.com
 Fax # Email address

2. Business owner contact information:
The Prestwick Group

Contact W248 N5499 Executive Drive, Sussex, WI 53089 (800) 505-7926 #1240
 Address City, State, Zip Phone #
mfrick@prestwick-group.com
 Fax # Email address

3. Building/Land owner contact information:
The Prestwick Group

Contact W248 N5499 Executive Drive, Sussex, WI 53089 (800) 505-7926 #1240
 Address City, State, Zip Phone #
mfrick@prestwick-group.com
 Fax # Email address

4. Number of Employees/Shifts: 134 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			
Hours Open for business	5am - 4:30	5am - 4:30	5am - 4:30	5am - 4:30			

* Office employees work 8am - 4:30 / Shop employees work 5am - 3:30

6. Is this an extension of an existing operation? Yes, this would add manufacturing space
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. (see attached)
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
Arcade permit? No
If yes, explain: _____
If yes, please obtain and complete form.
9. If your proposed operation will utilize a liquor license, what types of entertainment are you proposing? N/A
10. Do you feel there will be any problems such as odor, smoke or noise resulting from this operation? No

If yes, explain: _____

11. Dimensions and levels of all buildings:

	Dimensions	Levels	Square footage
Building 1	<u>204' x 151'</u>	<u>1</u>	<u>33,297 S.F.</u>
Building 2	_____	_____	_____
Building 3	_____	_____	_____

Is the building(s) to be used for multi-tenant purpose? No

12.	Lot size	Depth	Width	Area
	_____	_____	_____	_____

Above to be included on survey

13 Parking: Dimensions of parking lot Parking in Future Phase/Submittal - New Stirling Building
Parking lot construction _____
Type of screening: Fence _____ or Plantings _____
Number of spaces needed per code _____ # of spaces for employees _____
Above to be included on site plan

Please provide the following information:

Total square footage of building, new and existing _____

Total square footage of parking lot, new and existing _____

14. Signs: Type: Free standing _____ Attached to building Yes
Lighted _____ Single or double faced _____

Size 2' H. x 8' W. Location Adjacent to New SE Entry

Above to be included on sign plan

15. What security lighting are you proposing? (Please include on lighting plan)

Wall packs on building facade

16. Is there a need for outside storage? No If yes, explain:

17. Is a Highway access permit needed from the state or County Highway Departments? No

If yes, please attach a copy of the secured permit.
What conditions has the State or County imposed upon your permit?

18. Is there a need for any special type of security fencing? No
If yes, what type?

19. What provisions are you making for fire protection? Adding to existing fire alarm

What provisions are your making for a sprinkler system? Adding to existing sprinkler system

Storage system? N/A

Hydrant stand pipes? N/A

Is there a fire lane shown on your site plan? Yes

Explain: New access drive for docks to the west, access from future parking to the north.
(Separate submittal for parking and Stirling building to be submitted next month.)

20. Surface water drainage facilities and impervious areas, describe and/or include on site plan.

21. Did Wisconsin State Department of Industry Labor and Human Relations approve building plans?

No If yes, explain: Drawings will be submitted for review on 2/4/20

22. Please give a timetable for items to be completed:

Building construction	<u>April - Sept. 2020</u>
Paving	<u>Aug. - Sept. 2020</u>
Landscaping	<u>Aug. - Sept. 2020</u>
Occupancy	<u>Sept. 2020</u>

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.

Matt [Signature]
Name

1/23/2020
Date

Vice President
Title or Position



The Prestwick Group
Plan of Operation for
W248 N5499 Executive Dr, Sussex, Wi 53089

The Prestwick Group, which includes The Prestwick Golf Group, Prestwick Limited, Nex-Terra, and Max-R, plans to expand their existing light manufacturing environment at the W248 N5499 Executive Dr, Sussex, Wi 53089 facility. This expansion would add additional manufacturing space (approx. 30,000sqft) and parking. The Prestwick Group designs, sells, and manufactures high-end golf course and community amenities. Trash containers, entrance signage, water-coolers, benches, tee markers, flags, and course layout signs, are some of the products that we will be manufacturing at this location.

Our light manufacturing environment is consistent with a wood shop when it comes to the tools that our used. We have 5 CNC router tables, drill presses, table saws, drilling machines, Etc. We use UPS and FEDEX to ship small package and we also utilize LTL trucking transportation for inbound and outbound freight.

The Prestwick Group started manufacturing golf course accessories products in 1997 in Nashotah WI, and has been around the lake country area for the last twenty three years. Our past 10 years have been right here in Sussex. We started manufacturing our products out of the best Type 2 HDPE (recycled plastic-milk bottles) materials we could find. Along with the recycled plastic, we have added wood accent pieces and furniture made from ironwood (ipe) and teak. The combination of these three premium materials have been the cornerstone of our product line.

At this time, The Prestwick Group employs 134 full time employees. The office employees have a schedule of 8:00am to 4:30pm. At this time the shop employees work a 1st shift which is from 5:00am to 3:30pm Monday through Thursday.

The Prestwick Group has limited hazardous chemicals and none of them being more toxic than normal bleach. We have invested in fire cabinets and only take out the amount of material that we plan to use that day. We plan to have an open line of communication with the Sussex Fire Dept at all time in regards to material and chemical usage and storage.

Items sold: Tee markers, benches, signage, flags, flag sticks, water bottle boxes, towel valet stations, waste receptacles, podiums, tee signs, directional signage, hazard markers, driving range dividers, cups, water coolers, refreshment centers, bag racks, outdoor tables, outdoor chairs, loungers, ball-washers, ice chests, yardage markers, club washers, divot mix bottles and holders.

Thank you
Matt Frick
V.P. Special Projects
The Prestwick Golf Group
Office# 800-505-7926 x1340
Cell# 262-893-2101



MSI GENERAL CORPORATION
 P.O. BOX. 7
 OCONOMOWOC, WI 53066
 PHONE: 262-367-3661
 FAX: 262-367-7390

WWW.MSIGENERAL.COM
 SINGLE SOURCE RESPONSIBILITY™

ISSUE DATES:

Proposal: --
 Bid: --
 Contract: --
 State Submittal / Permit: 1/9/2020
 As-Built: --

REVISIONS:

1	--
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PROJECT ADDRESS:

The Prestwick Companies
 W248 N5499 Executive Drive
 Sussex, WI 53089

ALL WORK TO BE COMPLETED AS SHOWN, AND IN ACCORDANCE WITH THE LATEST EDITION OF THE MSI GENERAL MASTER SPECIFICATION

ANK PEG PEG

PRELIMINARY
 GRADING PLAN

C-101

4487

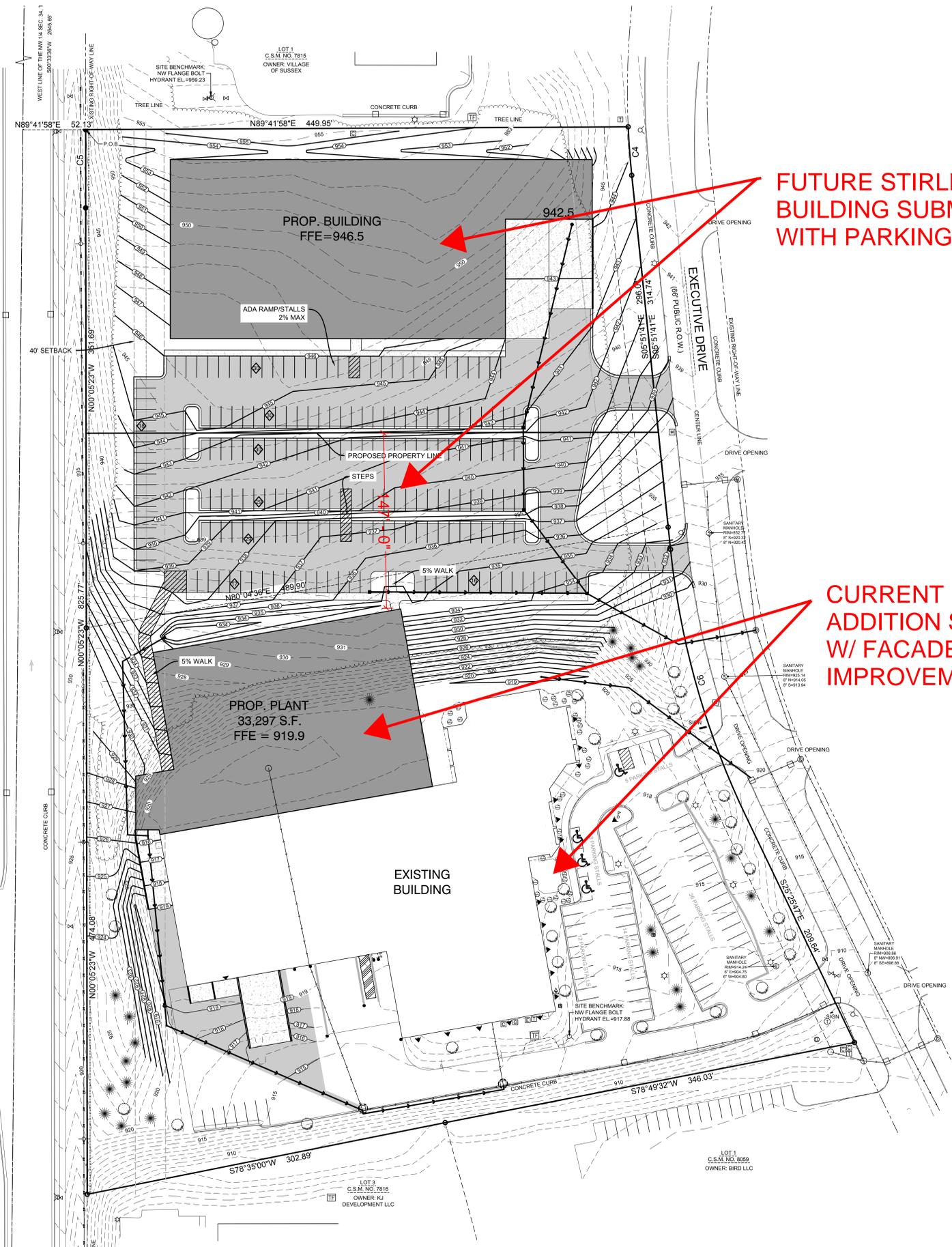
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MANAGERS

ENGINEERS

CONTRACTORS

ARCHITECTS



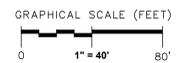
LEGEND

	EXISTING CONTOUR
	PROPOSED CONTOUR
	SPOT ELEVATION
	PROPOSED STORM SEWER
	ASPHALT PAVING
	CONCRETE
	PROPOSED CATCH BASIN
	PROPOSED FLARED END SECTION

LEGEND OF SYMBOLS & ABBREVIATIONS

	SANITARY MANHOLE		FIBER OPTIC MARKER		SIGN
	STORM MANHOLE		FIBER OPTIC MANHOLE VAULT		MAIL BOX
	STORM INLET		TELEPHONE PEDESTAL		FLAG POLE
	CLEANOUT		TELEPHONE MANHOLE VAULT		BASKETBALL HOOP
	CATCH BASIN		TELEPHONE MARKER		BOLLARD
	LATERAL		TRANSFORMER		CROSS CUT
	UNKNOWN MANHOLE		ELECTRIC METER PEDESTAL		IRON PIPE
	WELL		ELECTRIC MANHOLE VAULT		FOUND 3/4" IRON REBAR ROD
	HYDRANT		CABLE TV RISER BOX		MAG NAIL
	WATER VALVE		CABLE TV MANHOLE VAULT		SECTION MONUMENT
	DOWN SPOUT		GAS VALVE		BENCHMARK
	SPRINKLER VALVE		GAS METER		CONIFER TREE
	WATER SHUT OFF		GAS MARKER		DECIDUOUS TREE
	STANDPIPE		AIR CONDITIONING UNIT		BUSH
	WATER MANHOLE		VENT		WETLAND SYMBOL
	FLOOD LIGHT		DIRECTIONAL ARROW		CENTERLINE
	LIGHT POLE		DUMPSITER		CONCRETE
	TRAFFIC SIGNAL		HANDICAP STALL		ELEVATION
	UTILITY POLE		SPOT ELEVATION		EXISTING
	GUY WIRE		INV.		MONUMENT
	EMERGENCY FIRE SERVICE		P.O.B.		P.O.C.
	SANITARY SEWER		P.O.W.		SECTION
	STORM SEWER		SQ. FT.		WITH
	WATER MAIN		(R)		(D)
	FIBER OPTIC LINE				
	TELEPHONE LINE				
	ELECTRIC LINE				
	OVERHEAD WIRES				
	CATV				
	GAS MAIN				
	WETLANDS				
	TREE LINE				
	NO ACCESS				

PLAN | DESIGN | DELIVER





View From NE Entry Drive

190108.00 | January 23, 2019



Entrance/Facade Improvements
& Plant Expansion
W248 W5499 Executive Drive





View from SE Entry Drive

190108.00 | January 23, 2019



Entrance/Facade Improvements
& Plant Expansion
W248 W5499 Executive Drive





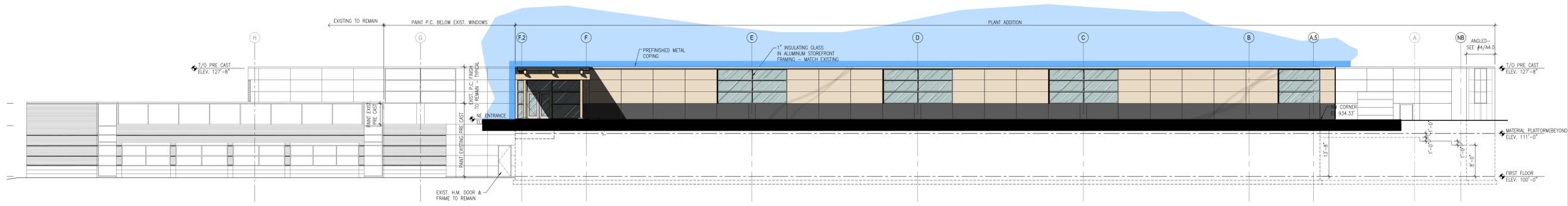
View of New Entrance Canopy

190108.00 | January 23, 2019

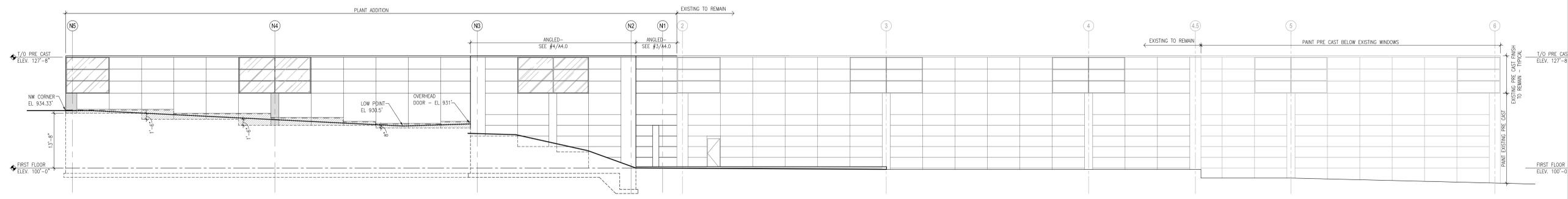


Entrance/Facade Improvements
& Plant Expansion
W248 W5499 Executive Drive

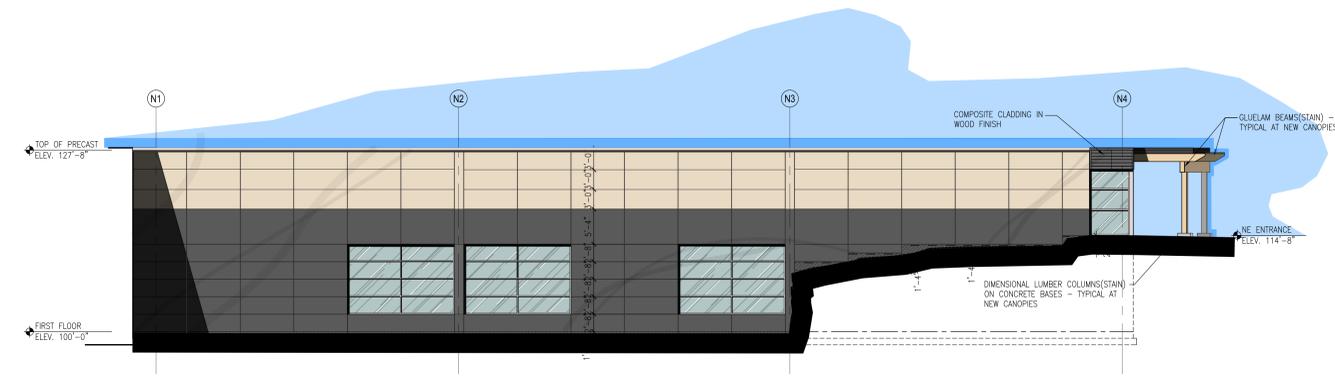




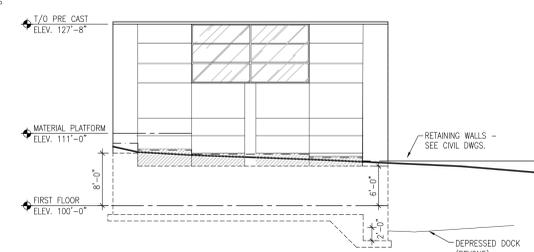
1 North Elevation
3/32" = 1'-0"



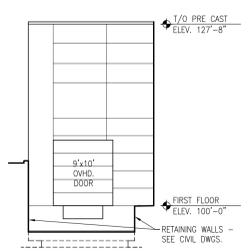
2 West Elevation
3/32" = 1'-0"



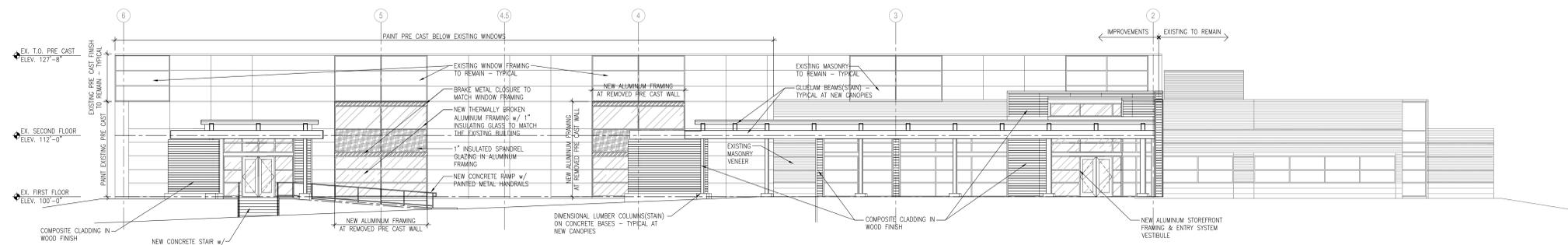
5 Addition East Elevation
3/32" = 1'-0"



4 Partial West Elevation
3/32" = 1'-0" NEW DOOR

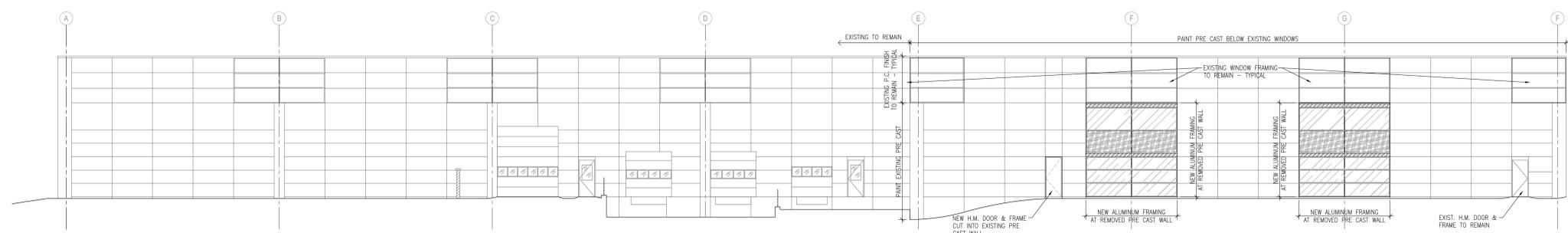
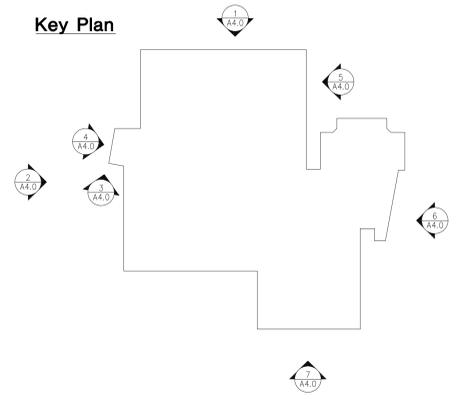


3 Partial South Elevation
3/32" = 1'-0" NEW DOOR

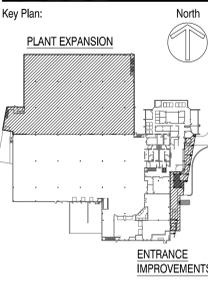


6 New East Elevation
3/32" = 1'-0"

Key Plan



6 Existing Building - South Elevation
3/32" = 1'-0"



STATE TRUNK HIGHWAY "164"
(VARIABLE PUBLIC R.O.W.)

PROPOSED BUILDING #2

(66' PUBLIC R.O.W.)

EXECUTIVE DRIVE



2 POLE FIXTURE TYPES OA/OB
ES1.0

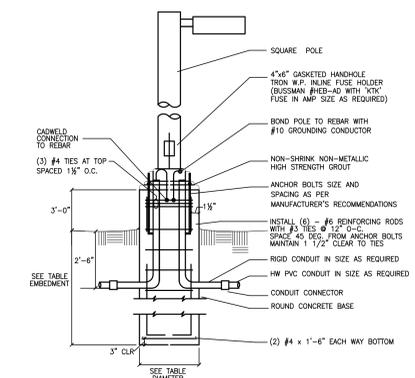
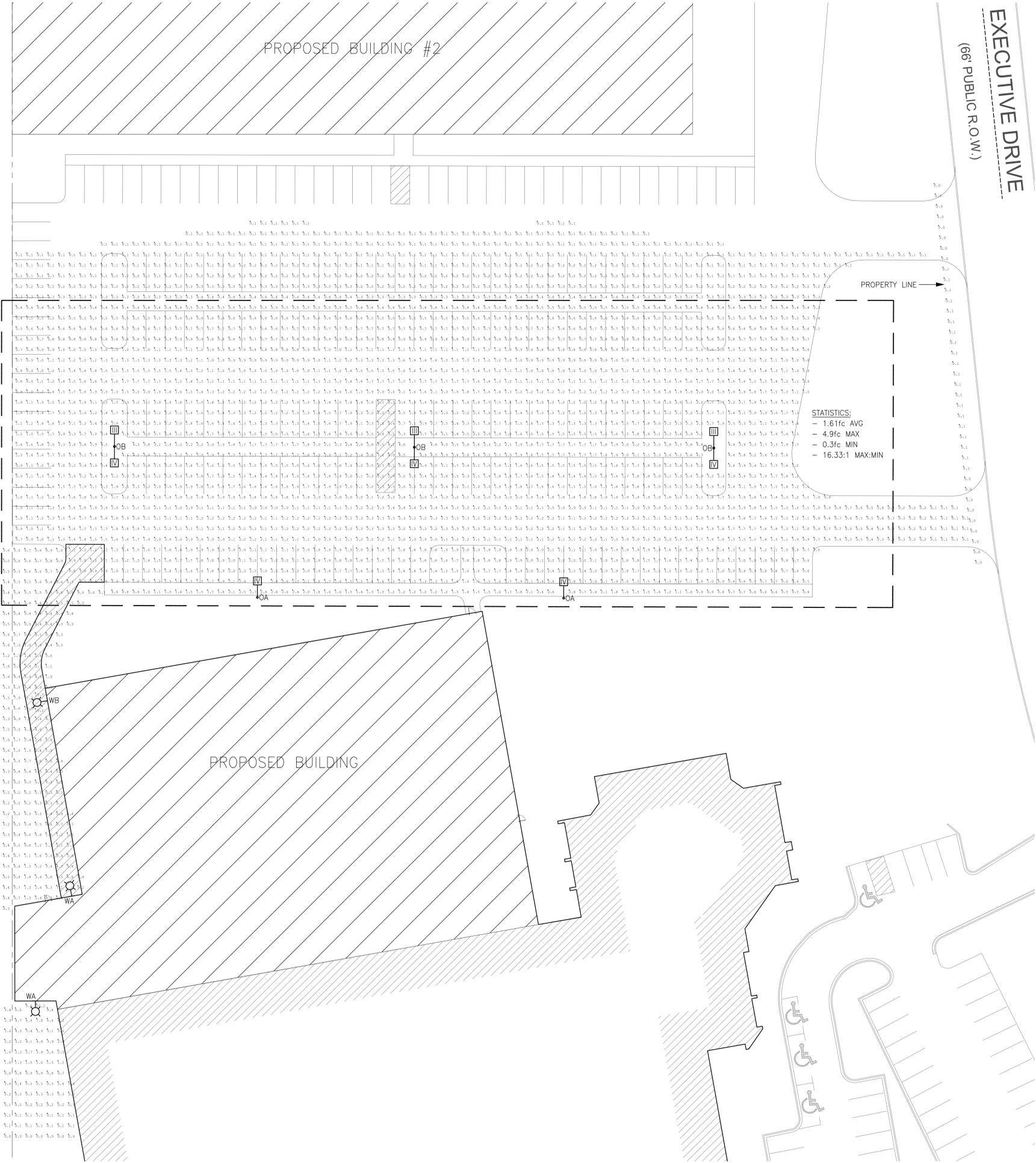
- NOTES:
- TYPE OA: 175/250/125H SINGLE LUMINAIRE ON 24" POLE/24" AFG CONCRETE BASE, 1380Z LUMENS @ 141 WATTS, 4000 KELVIN, TYPE IV DISTRIBUTION, UNIVERSAL, 120-277 VOLTS, 0-LEVEL CONTROL, LITHONIA CAT. NO. K40-LED-400-1000-40K-R4-MOLT-0L-SERIES.
 - TYPE OB: 175/250/125H DOUBLE LUMINAIRE (8000) ON 24" POLE/24" AFG CONCRETE BASE, 1380Z LUMENS @ 141 WATTS/LUMINAIRE, 4000 KELVIN, TYPE II & IV DISTRIBUTION, UNIVERSAL, 120-277 VOLTS, 0-LEVEL CONTROL, LITHONIA CAT. NO. K40-LED-400-1000-40K-R4-MOLT-0L-SERIES.



3 WALL MOUNT TYPES WA/WB
ES1.0

- NOTES:
- TYPE WA: 17"X6.5"X10" WALL MOUNTED FIXTURE, 6000 LUMENS @ 50W, 4000 KELVIN, FORWARD THROW DISTRIBUTION, UNIVERSAL, 120-277 VOLTS, DIMMABLE, LITHONIA CAT. NO. WST LED-PS-40K-VF-MOLT-SERIES.
 - TYPE WB: 17"X6.5"X10" WALL MOUNTED FIXTURE, 6000 LUMENS @ 50W, 4000 KELVIN, WIDE DISTRIBUTION, UNIVERSAL, 120-277 VOLTS, DIMMABLE, LITHONIA CAT. NO. WST LED-PS-40K-W-MOLT-SERIES.

STATISTICS:
- 1.61fc AVG
- 4.9fc MAX
- 0.3fc MIN
- 16.33:1 MAX-MIN



4 POLE BASE DETAIL
ES1.0

- NOTES:
- DIMENSIONS GIVEN ARE MINIMUM. PROVIDE POLE BASE DIAMETER AND DEPTH AS REQUIRED IN ACCORDANCE WITH LOCAL SOIL AND WIND VELOCITY CONDITIONS.
 - ALL LIGHTING POLE CONCRETE BASES SHALL BE LOCATED A MINIMUM OF 12 INCHES OFF THE FACE OF THE CURBING EDGE OF SIDEWALK OR CENTERED WITHIN AN ISLAND. IN ALL CASES, HOWEVER, FINAL LOCATIONS OF LIGHTING POLES MUST BE VERIFIED WITH THE ARCHITECT/ENGINEER PRIOR TO INSTALLATION.
 - ALL DIMENSIONS POLE BASE ARE FOR BIDDING ONLY. POLE BASE SHALL MATCH THOSE AT EXISTING POLES, IF APPLICABLE.

POLE HEIGHT	BASE TAPER/HEIGHT/QUARTER			
	1 HEAD	2 HEAD	3 HEAD	4 HEAD
15'-0"	6'-5 1/2"-0"	6'-5 1/2"-0"	6'-5 1/2"-0"	6'-5 1/2"-0"
20'-0"	6'-5 1/2"-0"	6'-5 1/2"-0"	6'-0 1/2"-0"	6'-0 1/2"-0"
25'-0"	6'-5 1/2"-0"	6'-0 1/2"-0"	6'-0 1/2"-0"	6'-0 1/2"-0"
30'-0"	6'-0 1/2"-6"	6'-0 1/2"-6"	6'-0 1/2"-6"	6'-0 1/2"-6"

NOTES:
1. TABLE IS BASED ON SOIL BEARING PRESSURE OF 3000 PSF. AND A LATERAL BEARING PRESSURE OF 200 PSF/FT.

1 ELECTRICAL SITE PLAN
1" = 20'-0"

Zimmerman
ARCHITECTURAL STUDIOS, INC.
2122 West Mount Vernon Avenue | Milwaukee, WI 53233 | zstudio.com
TELEPHONE [414] 476-9500
FAXSHILE [414] 476-9592

CONSTRUCTION MANAGEMENT
Consultant:

Project:
The Prestwick Companies
Entrance/Facade Improvements and Plant Expansion

Location:
W248 W5499 Executive Drive
Sussex, WI 53089



Sheet:
Electrical Site Photometric Plan

Scale:
1" = 20'-0"

Revisions:

No.	Date	Description
1/23/20	SUSSEX - PLAN COMMISSION & ARI SUBMITTAL	

Date:
January 23, 2020

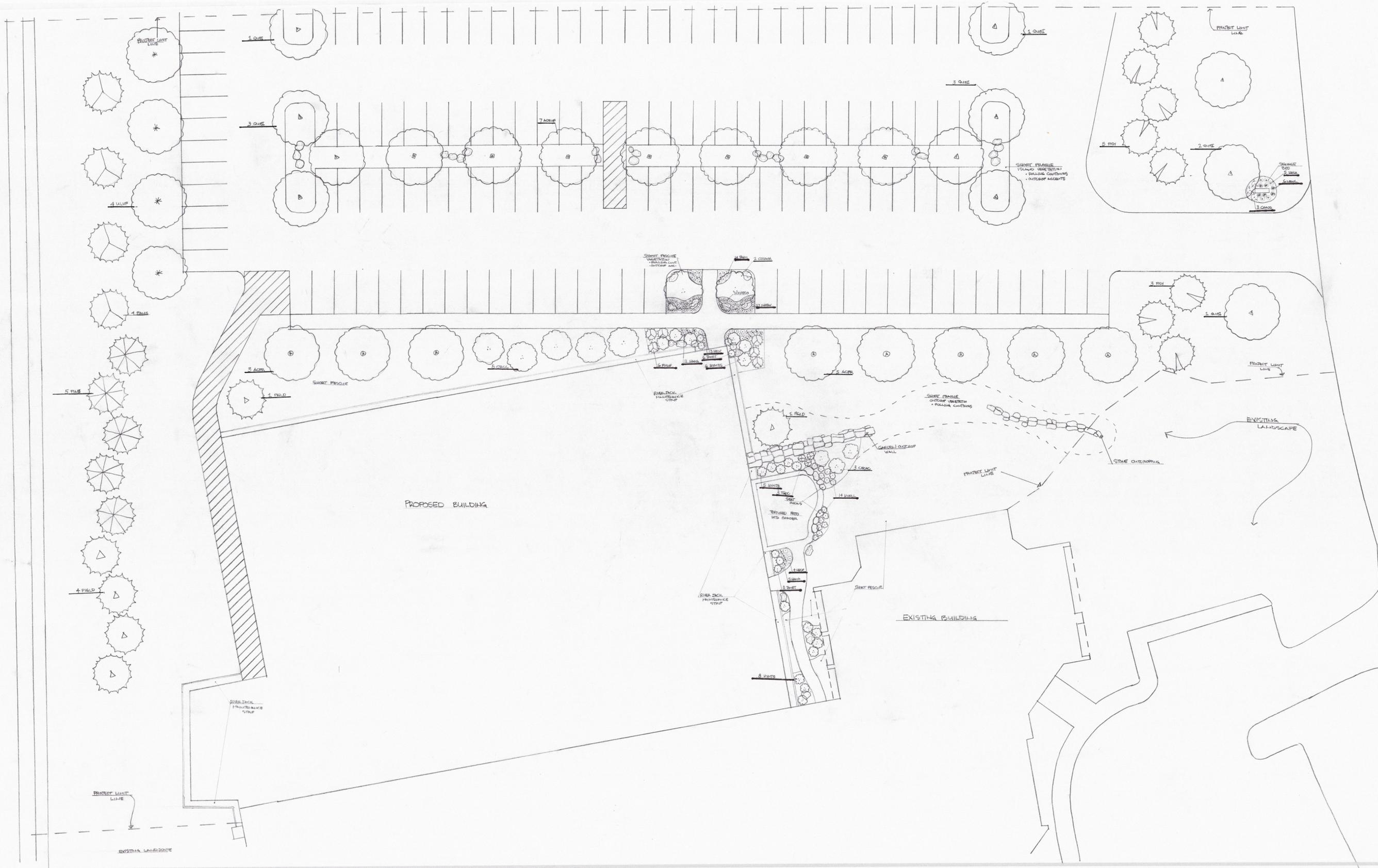
Project No.:
190108.00

Sheet No.:

ES1.0

Scale: 1" = 20'

Landscape Development Plan for:
 The Prestwick Group - Sister Bay Addition
 Preliminary Landscape Plan
 W248 N5499 Executive Drive
 Sussex, WI 53089



Prestwick Sister Bay Addition

Trees			
Qty	Size	Description	Code
11	2.5"	Swamp White Oak	QUBI
8	7"	Scotch Pine	PISY
8	2.5"	Autumn Blaze Maple	ACFR
6	7"	Black Hills Spruce	PIGLD
4	7"	Austrian Pine	PAUS
5	7"	Norway Spruce	PIAB
4	2.5"	Valley Forge Elm	ULVF
7	2.5"	Red Sunset Maple	ACRUF
3	2"	Columbus Strain Redbud	CECAC
2	2"	Winter King Hawthorn	CRVWK
5	2"	Crimson Cloud Hawthorn	CRCC

Shrubs			
Qty	Size	Description	Code
13	18"	Twist N Shout Hydrangea	HYMTS
14	18"	Little Lamb Hydrangea	HYPLL
3	7"	American Arborvitae	THOC
6	24"	Tauntoni Yew	TAMET
6	18"	Bloomstruck Hydrangea	HYMBS
6	24"	Dwarf Mugo Pine	PIMUP

Perennial			
Qty	Size	Description	Code
17	1gal	Sugar Plum Coralbells	HESP
16	1gal	Gold Variegated Hakone Grass	HAMA
27	1gal	Nepeta Blue Wonder	NABW
14	1gal	Heavy Metal Grass	PAHM
5	1gal	Stella D'Oro Daylily	HESO
3	1gal	Overdam Grass	CAAOD
6	1gal	Walker's Low Nepeta	NEWL



PLAN OF OPERATION

To be used for a business with new construction.

Is this request to be considered for a Conditional Use? YES If yes, is this a new CU? YES
 OR an amendment to an existing CU? _____

(Conditional Use Permits require a Public Hearing)

Address location of new construction W235 N6350 HICKORY DRIVE

Tax Key # SUXV0246961002

Zoning: B-4 CENTRAL MIXED USE

1. Name of Business:
SUSSEX ASSISTED LIVING LLC

Business
 101 N WACKER DRIVE, SUITE 608 CHICAGO, IL 60606 312-462-4462
 Address City, State, Zip Phone #
 312-284-8896 tostrom@matthewsseniorliving.com
 Fax # Email address

2. Business owner contact information:
Tom Ostrom

Contact
 101 N WACKER DRIVE, SUITE 608 CHICAGO, IL 60606 312-462-4462
 Address City, State, Zip Phone #
 312-284-8896 tostrom@matthewsseniorliving.com
 Fax # Email address

3. Building/Land owner contact information:
SUSSEX ASSISTED LIVING LLC

Contact
 101 N WACKER DRIVE, SUITE 608 CHICAGO, IL 60606 312-462-4462
 Address City, State, Zip Phone #
 312-284-8896 tostrom@matthewsseniorliving.com
 Fax # Email address

4. Number of Employees/Shifts: 16 3
 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	24	24	24	24	24	24	24

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.

ASSISTED LIVING PROVIDER INCLUDING CBRF AND RCAC.

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
Arcade permit? NO

If yes, explain: _____
If yes, please obtain and complete form.

9. If your proposed operation will utilize a liquor license, what types of entertainment are you proposing? N/A

10. Do you feel there will be any problems such as odor, smoke or noise resulting from this operation? NO

If yes, explain: _____

11. Dimensions and levels of all buildings:

	Dimensions	Levels	Square footage
Building 1	<u>582 X 198</u>	<u>2</u>	<u>103,999</u>
Building 2	<u>14X20 (SHED)</u>	<u>1</u>	<u>280</u>
Building 3	_____	_____	_____

Is the building(s) to be used for multi-tenant purpose? NO

12. Lot size	Depth	Width	Area
_____	<u>+ 800'</u>	<u>+400'</u>	<u>7.32 ACRES</u>

Above to be included on survey

13 Parking: Dimensions of parking lot +800'x42'
Parking lot construction Asphalt w/curb and gutter(on outside)
Type of screening: Fence Fence-middle or Plantings Perimeter
Number of spaces needed per code 94* # of spaces for employees 16

Above to be included on site plan

16 staff stalls, 58 CBRF residents/3=20 stalls, 58 RCAC apartments/1 =58 stalls. 94 stalls required. requesting reduction of RCAC apartment requirement due to limited driving needs. Providing 74 total stalls.

Please provide the following information:
Total square footage of building, new and existing 75,209 sf (footprint)

Total square footage of parking lot, new and existing 61,780 sf

14. Signs: Type: Free standing X Attached to building _____
Lighted X Single or double faced _____

Size 12' X 8' Location NORTHEAST CORNER
Above to be included on sign plan

15. What security lighting are you proposing? (Please include on lighting plan)
STANDARD LIGHTING AT EXTERIOR DOORS AND PARKING LIGHTING.

16. Is there a need for outside storage? NO If yes, explain:

17. Is a Highway access permit needed from the state or County Highway Departments? NO

If yes, please attach a copy of the secured permit.
What conditions has the State or County imposed upon your permit?

18. Is there a need for any special type of security fencing? NO

If yes, what type? _____

19. What provisions are you making for fire protection? NFPA 72 FIRE ALARM SYSTEM

What provisions are your making for a sprinkler system? FULLY SPRINKLED PER NFPA13

Storage system? n/a

Hydrant stand pipes? NONE

Is there a fire lane shown on your site plan? YES

Explain: COMPLETE FIRE LANE LOOP AROUND BUILDING

20. Surface water drainage facilities and impervious areas, describe and/or include on site plan.

Concrete curb & gutter shall direct drainage to stormwater management components (rain gardens, vegetated swales and infiltration trenches).

21. Did Wisconsin State Department of Industry Labor and Human Relations approve building plans?

NO If yes, explain: WI DHS is required to approve CBRF plans.

22. Please give a timetable for items to be completed:

Building construction	<u>June 2021 (Estimated)</u>
Paving	<u>June 2021 (Estimated)</u>
Landscaping	<u>June 2021 (Estimated)</u>
Occupancy	<u>July 2021 (Estimated)</u>

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.


Name _____

1/21/2020
Date _____

Sole Member
Title or Position _____



41 Management is a senior housing management company headquartered in Chicago Illinois. We currently have 17 Wisconsin based campuses and five Minnesota campuses under management. These include CBRF and RCAC licensed facilities as well as unlicensed independent living buildings. We operate under the Matthews Senior Living, Heritage House, Tallgrass, Hartland Place, Kenosha Place, Clifden Court, Courtyard, Encore and Cudahy Place trade names. We are active developers and typically develop, construct and open at least two buildings each year.

Tom Ostrom and Roth Weaver, the two principles of 41 Management, have combined forty years of experience in the senior housing industry. Our experience includes the development, opening, and fill up of new communities, the turnaround of financially, operationally or reputationally challenged communities and the management of stabilized properties. We have operated buildings in more than twenty states.

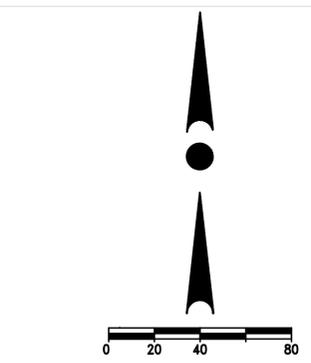
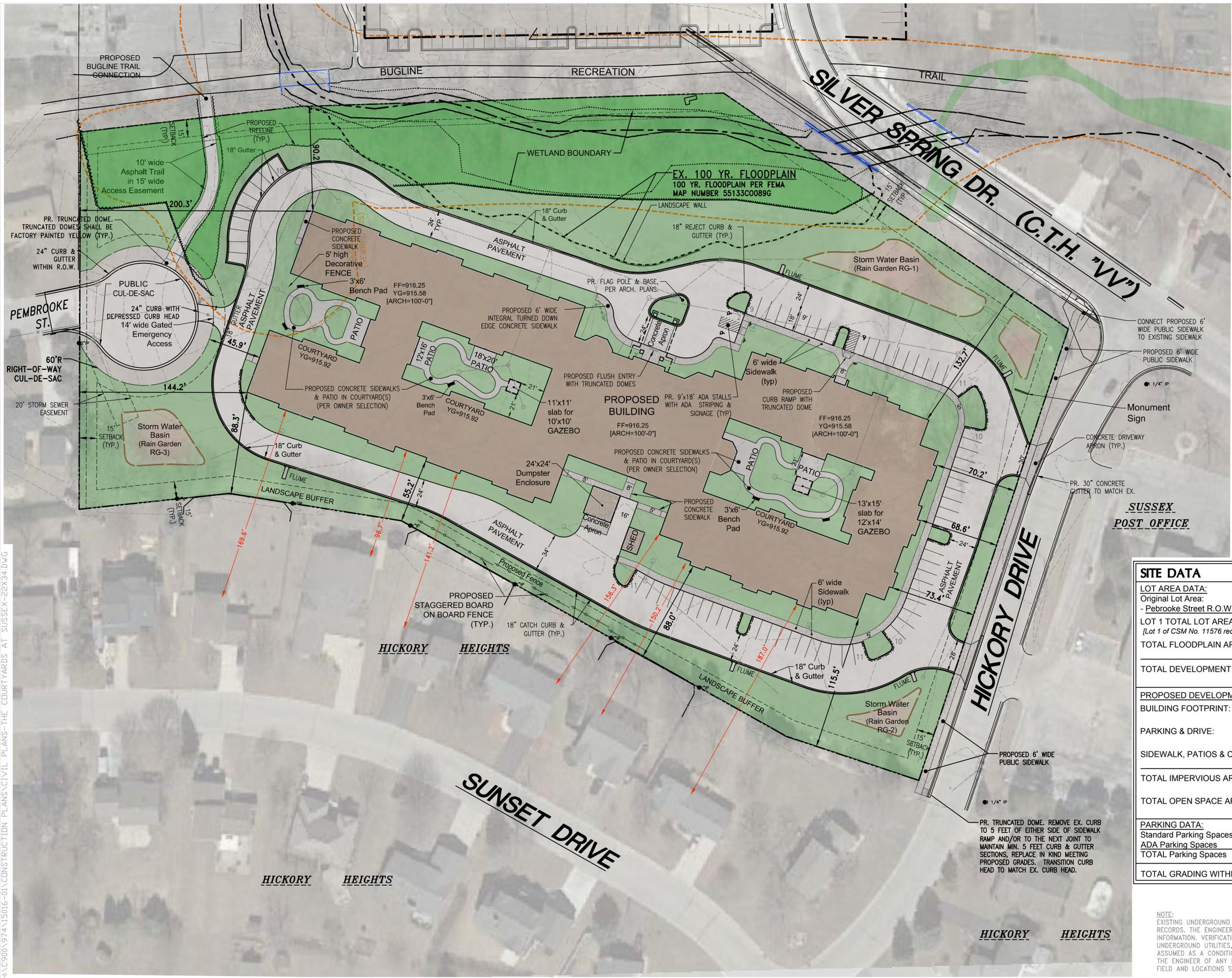
Our approach combines financial discipline, analytical rigor, compassion and a strong clinical capability. Our team includes regional operations managers, a clinical director and an accounting group. We have strong relationships with private equity firms that can bring needed capital for acquisitions. We also have relationships with the largest REITs in the senior housing industry.

The proposed project for Sussex Assisted Living LLC includes a 52 unit/58 resident Community Based Residential Facility, attached to a 58 apartment Residential Care Apartment Complex. Approximately one-half of the CBRF units will be dedicated to Memory Care. All residents in the CBRF will receive personalized care and assistance with activities of daily living. Memory care residents will live in a secure environment with access to a central courtyard. CBRF residents typically do not drive and will be provided with transportation services.

RCAC residents typically require a reduced level of assistance and services compared to CBRF residents. They reside in an apartment type setting with common areas for meals and activities, while still receiving assistance as needed. Although some of the RCAC residents may still drive, the majority would use

transportation services and parking needs would be less than a typical multi-family setting.

We believe The Courtyard at Sussex assisted living community will be a positive addition to the Village and look forward to becoming a part of the community.



LEGEND:

- 904 --- EXISTING CONTOUR
- - - - - EXISTING SANITARY SEWER
- EXISTING SANITARY MANHOLE
- EXISTING WATER MAIN
- EXISTING HYDRANT
- EXISTING STORM SEWER
- EXISTING STORM MANHOLE
- EXISTING STORM INLET
- EXISTING TRANSFORMER
- EXISTING ELECTRIC PEDESTAL
- EXISTING TELEPHONE PEDESTAL
- EXISTING CATV PEDESTAL
- EXISTING POWER POLE
- PROPOSED SANITARY SEWER
- PROPOSED SANITARY MANHOLE
- PROPOSED WATER MAIN
- PROPOSED HYDRANT
- PROPOSED WATER VALVE
- PROPOSED STORM SEWER
- PROPOSED STORM MANHOLE
- PROPOSED STORM INLET
- PROPOSED STORM END SECTION

SITE DATA	
LOT AREA DATA:	
Original Lot Area:	330,039 sf (7.577 acres)
- Pebrooke Street R.O.W.:	-11,219 sf
LOT 1 TOTAL LOT AREA:	318,820 sf (7.3191)
[Lot 1 of CSM No. 11576 recorded as Document No. 4283972]	
TOTAL FLOODPLAIN AREA:	- 44,196 S.F. (1.015 acres)
	13.9% of Lot 1
TOTAL DEVELOPMENT AREA:	274,624 S.F. (6.304 acres)
	86.1% of Lot 1
PROPOSED DEVELOPMENT DATA:	
BUILDING FOOTPRINT:	75,209± sf (1.727 acres)
	23.6% of Lot 1
PARKING & DRIVE:	61,780± sf (1.418 acres)
	19.4% of Lot 1
SIDEWALK, PATIOS & CONCRETE:	12,580 S.F. (0.289 acres)
	3.9% of Lot 1
TOTAL IMPERVIOUS AREA:	149,569 S.F. (3.434 acres)
	46.9% of Lot 1
TOTAL OPEN SPACE AREA:	169,251 S.F. (3.885 Acres)
	53.1% of Lot 1
PARKING DATA:	
Standard Parking Spaces	71 Spaces
ADA Parking Spaces	3 Spaces
TOTAL Parking Spaces	74 Spaces
TOTAL GRADING WITHIN 75' OF CREEK: 8,844 sf (0.203 Acres)	

NOTE:
EXISTING UNDERGROUND UTILITY INFORMATION WAS OBTAINED FROM AVAILABLE RECORDS. THE ENGINEER MAKES NO GUARANTEE AS TO THE ACCURACY OF THIS INFORMATION. VERIFICATION TO THE SATISFACTION OF THE CONTRACTOR OF ALL UNDERGROUND UTILITIES, WHETHER OR NOT SHOWN ON THE PLANS, SHALL BE ASSUMED AS A CONDITION OF THE CONTRACT. THE CONTRACTOR SHALL NOTIFY THE ENGINEER OF ANY DISCREPANCIES BETWEEN LOCATION OF UTILITIES IN THE FIELD AND LOCATIONS SHOWN ON THE PLANS.



4100 N CALHOUN ROAD
BROOKFIELD, WI 53005
PHONE: (262) 790-1480
FAX: (262) 790-1481
EMAIL: info@trioeng.com

PROJECT:
THE COURTYARD AT SUSSEX
SENIOR LIVING FACILITY
VILLAGE OF SUSSEX, WI
PREPARED FOR:
SUSSEX ASSISTED LIVING LLC
101 N WACKER DRIVE, SUITE 608
CHICAGO, IL 60606

REVISION HISTORY	
DATE	DESCRIPTION
01/24/20	INITIAL SUBMITTAL

DATE:
JANUARY 24, 2020

JOB NUMBER:
15016

DESCRIPTION:
PROPOSED SITE PLAN

SHEET
C1.1

H:\C9000\974\15016-01\CONSTRUCTION PLANS\CIVIL PLANS-THE COURTYARDS AT SUSSEX-22X34.DWG



**Ganther Construction
Architecture, Inc.**

4825 County Road A
Oshkosh, Wisconsin 54901
tel. 920.426.4774 fax
920.426.4788 www.ganther.com

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FROM GANTHER CONSTRUCTION
ARCHITECTURE, INC.



PROPOSED PROJECT:

THE COURTYARD AT SUSSEX

W235 N6350 HICKORY DRIVE
SUSSEX, WI

REVISIONS

#	DATE

Project Number 20-1050
 Date 1/21/20
 Drawn By VP
 Checked By KK

T1.1

SITE PLAN SUBMITTAL 1-24-2020



**Ganther Construction
Architecture, Inc.**

4825 County Road A
Oshkosh, Wisconsin 54901
tel. 920.426.4774 fax
920.426.4788 www.ganther.com

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PROPOSED PROJECT:

THE COURTYARD AT SUSSEX

W235 N6350 HICKORY DRIVE
SUSSEX, WI

REVISIONS

#	DATE

Project Number 20-1050
 Date 1/21/20
 Drawn By VP
 Checked By KK

A3.1

SITE PLAN SUBMITTAL 1-24-2020



3 SOUTH MC COURTYARD
A3.1 SCALE: 1" = 20'-0"



2 WEST MC COURTYARD
A3.1 SCALE: 1" = 20'-0"



1 NORTH MC COURTYARD
A3.1 SCALE: 1" = 20'-0"



6 WEST IL COURTYARD
A3.1 SCALE: 1" = 20'-0"



5 NORTH IL COURTYARD
A3.1 SCALE: 1" = 20'-0"



4 EAST MC COURTYARD
A3.1 SCALE: 1" = 20'-0"



8 EAST IL COURTYARD
A3.1 SCALE: 1" = 20'-0"



7 SOUTH IL COURTYARD
A3.1 SCALE: 1" = 20'-0"



PROPOSED GARDEN DESIGN FOR:
THE COURTYARD AT SUSSEX
 SENIOR LIVING FACILITY
SUSSEX, WISCONSIN

GARLAND ALLIANCE
 LANDSCAPE ARCHITECTS

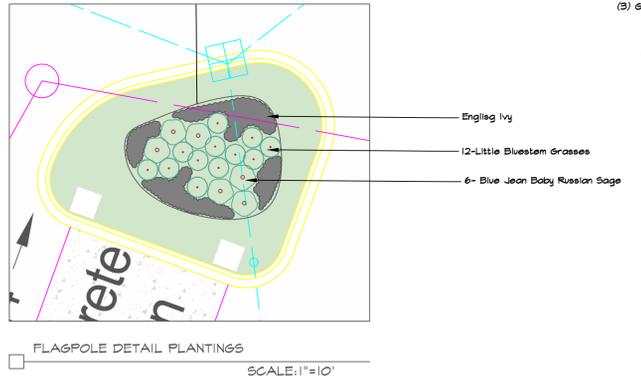
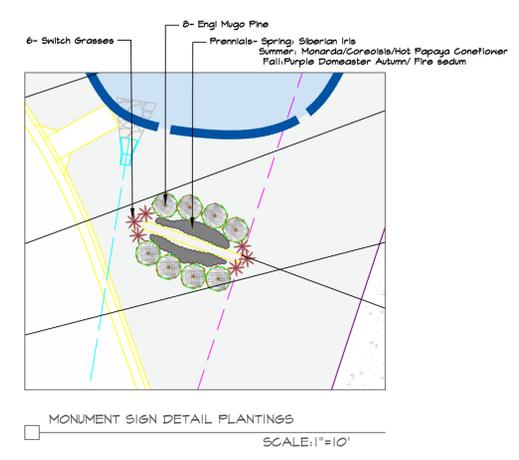
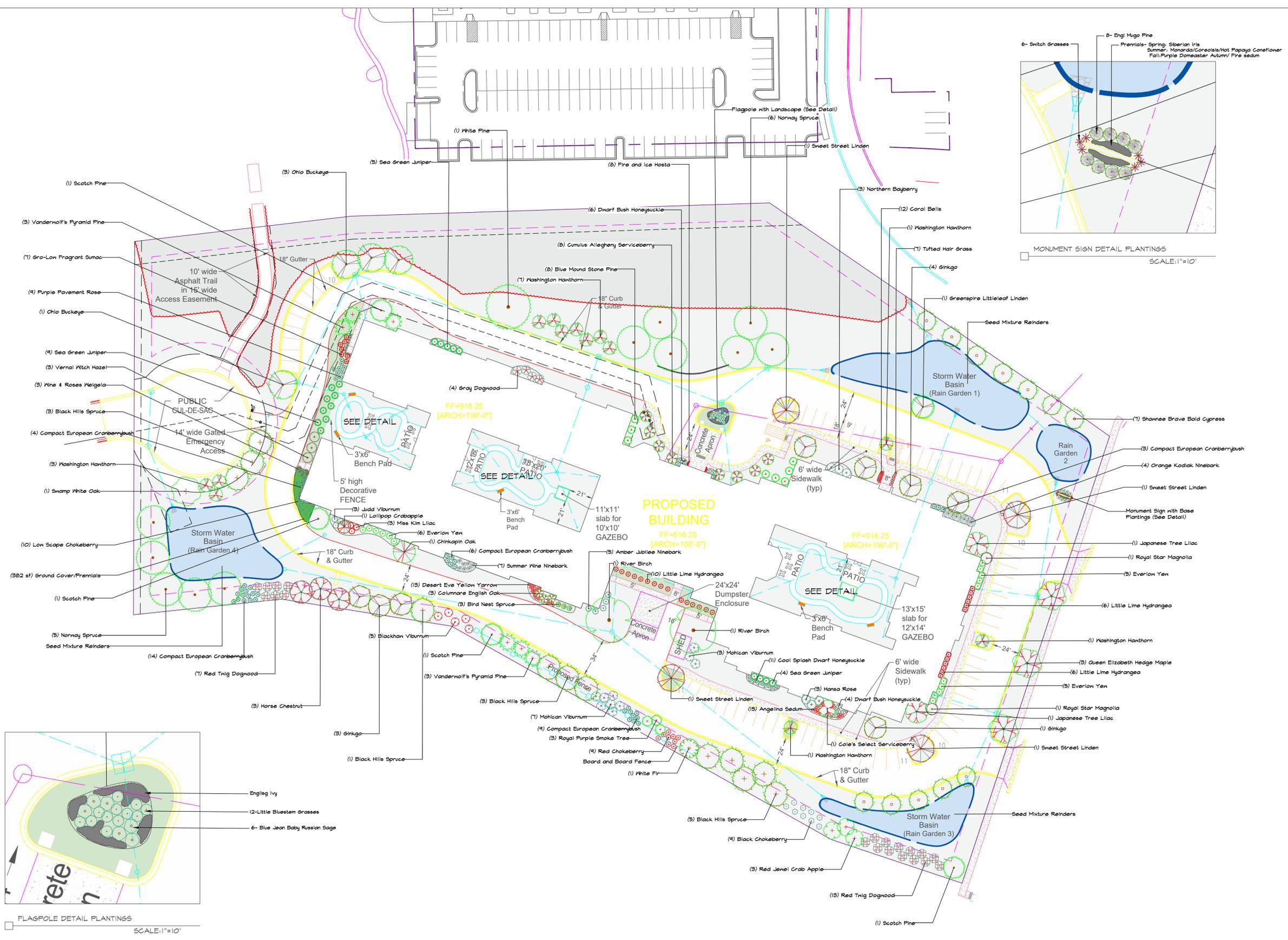


5707 6th Ave.
 Kenosha/WI 53140
 (414) 688-1641
 garlandalliance@gmail.com

REVISIONS:

JANUARY 21, 2020
 JANUARY 23, 2020

SCALE: 1"=40'
 SHEET NUMBER: L1.1



LANDSCAPE PLAN





1/15/2020

Village of Sussex License Committee

Sussex Bowl Outdoor Project

Our current license allows the sale of alcoholic beverages to be sold inside of Sussex Bowl and with-in the fenced in volleyball courts

1. Sussex Bowl will be tearing down and rebuilding its outdoor shed that will be used as an outdoor bar to service the volleyball courts. New Shed not to exceed 250 sq feet.
2. In addition, Sussex Bowl would like to add an area for bags league to take place. Please see attached drawing for bags area. This bags area would be serviced by the outdoor bar that is used for the volleyball courts. The area would be approximately 20 feet by 60 feet.
3. The bags area will be roped off to clearly designated the playing area.

Thank you for your consideration I look forward to working with the Village of Sussex to create safe and friendly area for all ages to enjoy.

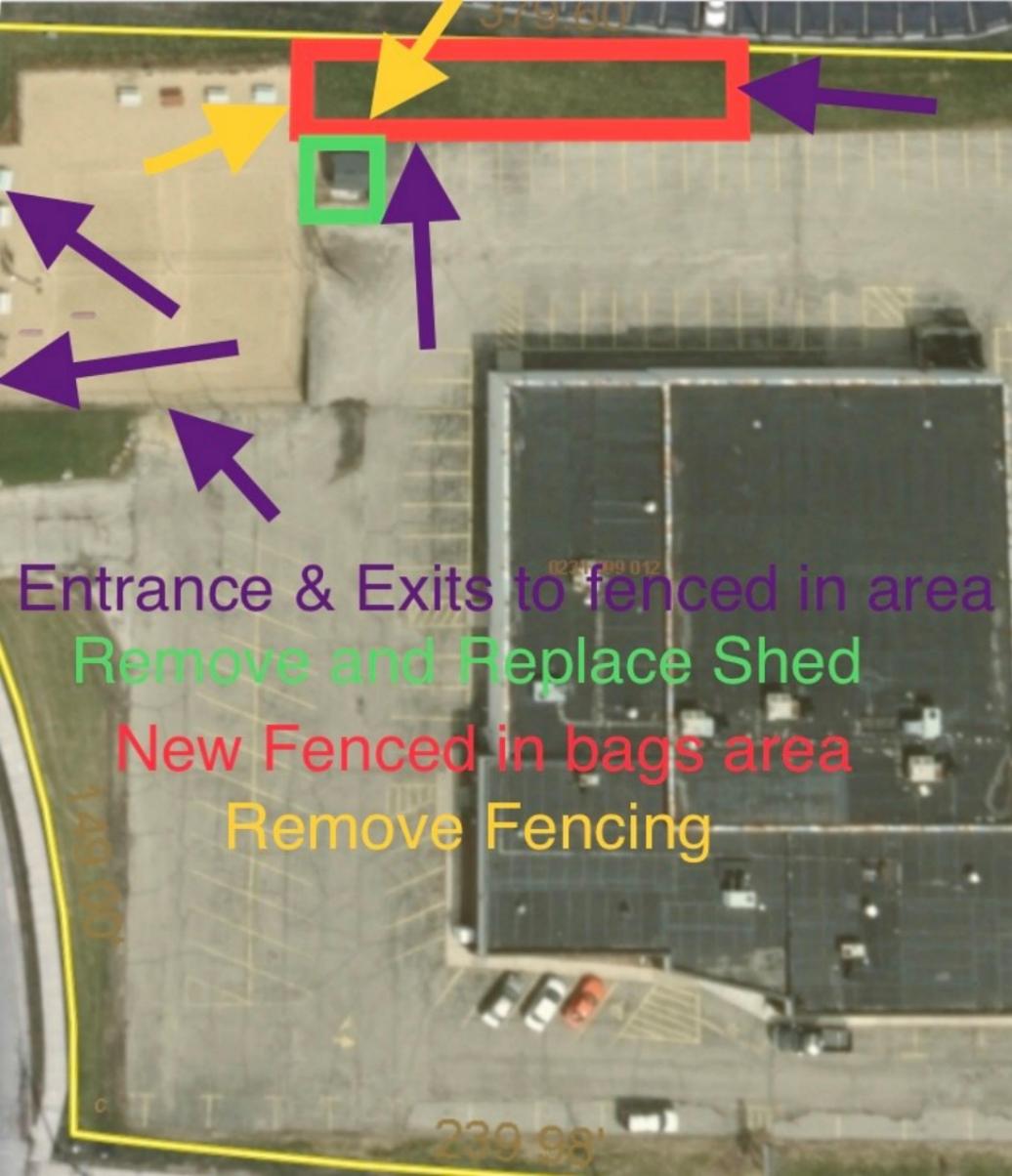
Any Questions please contact Stephen Hoehnen cell:262-719-2189

Sincerely

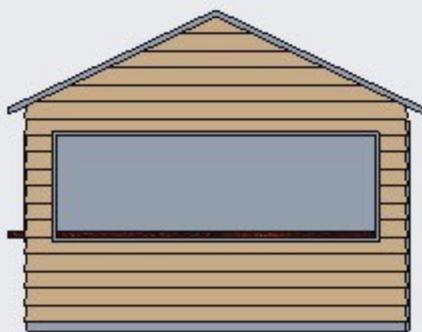
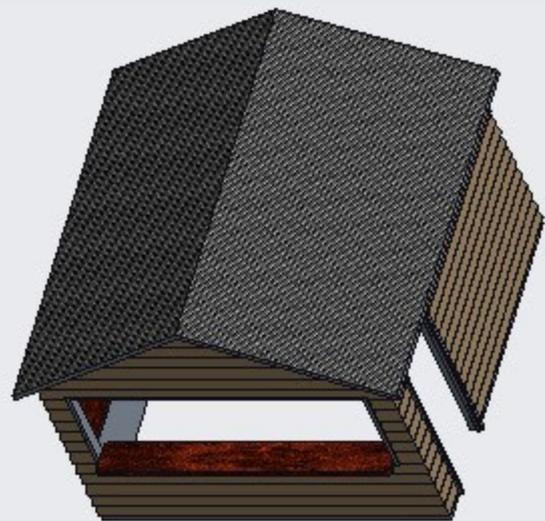
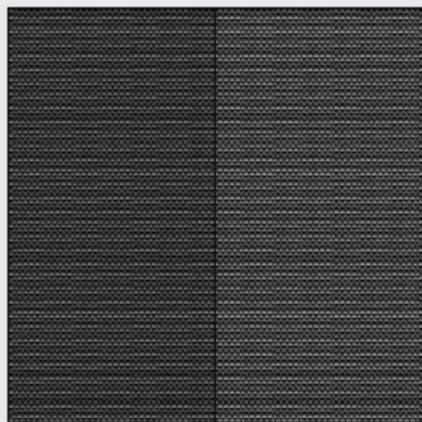
A handwritten signature in black ink, appearing to read "S Hoehnen", written over a faint, illegible printed name.

Stephen Hoehnen

President of Sussex Bowl INC



Entrance & Exits to fenced in area
Remove and Replace Shed
New Fenced in bags area
Remove Fencing





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: Jeremy Smith, Village Administrator

RE: Impact Report on Conditional Use Permit for Sussex Bowl

DATE: February 13, 2020

This impact report for the Conditional Use request to add additional outdoor uses detailing the impacts of said use to neighboring properties and to Village Services.

SITE LOCATION: N64W24576 Main Street **ZONING:** B-1

TRAFFIC AND PARKING IMPACTS:

The anticipated impact to the area will not increase traffic to the area. The petitioner will need to schedule events and account for parking. The site has sufficient parking for the uses.

NOISE, ODOR, DUST AND LIGHT IMPACTS:

Noise generated from the operation is likely from activities in the designated outside areas. Neighboring properties may complain, but the noise from folks playing bean bags will be no more noisy than folks playing volleyball, which already occurs in the area. Sussex Bowl should consider strengthening its outreach effort with its neighbors as it expands its outside use and long term a fence along its southern property line may be appropriate.

The outdoor uses are not likely to cause any odor or dust problems and would not likely impact adjacent property owners.

The lighting is only that which was approved for the building/site and therefore no additional lighting concerns are present.

SAFETY, CRIME, FIRE PROVENTION IMPACTS:

The Director of Police Services has instructed the owners keep the replacement building locked after hours, and all outside activity is to end prior to 10:00 p.m. but otherwise they anticipate no significant impacts from the operation.

The Sussex Fire Department needs information about the Knox Box to the replacement building, but has no specific concerns about fire impacts from the operation.

There is not likely to be any additional nuisance from said operations and no specific concerns with respect to crime or fire.

HEALTH AND SANITATION IMPACTS:

All trash, debris and recycle materials are disposed of by the owner. A use as proposed by the owner is not likely to produce significant waste streams. The owner must maintain proper waste management so that debris is not allowed to accumulate on site, no matter how limited any individual user's garbage footprint will be.

There is not likely to be any health concerns from the operation as proposed.

PROPERTY MAINTENANCE IMPACTS:

The property currently does not have any property maintenance violations and the owner will be required to adhere to all Village Ordinances. All designated outdoor uses must comply with the regulations in the conditional use and outdoor establishment permit.

MISCELLANEOUS IMPACTS:

The Operation as proposed is unlikely to lead to any measurable impact to most Village services beyond normal business operations. It's operation will not result in the need for the Village to fund/hire additional Fire, Police, Public Works, Parks, Library, or Garbage resources. This site in general does require additional Zoning Administration and storage type operations can lead to property maintenance issues over time.

All outstanding fees must be paid prior to a building permit is issued.

Amendment to the liquor license to serve from the shed location must be approved.



PLAN OF OPERATION

To be used for a business with new construction.

Is this request to be considered for a Conditional Use? YES If yes, is this a new CU? YES
 OR an amendment to an existing CU? _____

(Conditional Use Permits require a Public Hearing)

Address location of new construction NE CORNER OF HIGHLANES DR + CTH K

Tax Key # SUXV0273999004 (PART OF) Zoning: B-2 REGIONAL BUSINESS DISTRICT

1. Name of Business:

KWIK TRIP, INC
 Business
1626 OAK ST LA CROSSE, WI 54602 608-793-5547
 Address City, State, Zip Phone #

josgood@kwiktrip.com
 Fax # Email address

2. Business owner contact information:

JEFF OSGOOD - DEVELOPMENT MANAGER
 Contact
1626 OAK ST LA CROSSE, WI 54602 608-793-5547
 Address City, State, Zip Phone #

josgood@kwiktrip.com
 Fax # Email address

3. Building/Land owner contact information:

STEWART WANGARD / SUSSEX CORPORATE PARK, LLC
 Contact (MARK LAKS CC:)
1200 N. MAYFAIR RD SUITE 310 MILWAUKEE, WI 53226 414-935-4014
 Address City, State, Zip Phone #

swangard@wangard.com
 Fax # Email address

4. Number of Employees/Shifts: 30-35 PART/FULL
 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	24	24	24	24	24	24	24

6. Is this an extension of an existing operation? _____
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. SEE COMPLETION
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
Arcade permit? NO
If yes, explain: OUR LEGAL DEPARTMENT WILL APPLY SEPARATELY
If yes, please obtain and complete form.
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. Dimensions and levels of all buildings:

	Dimensions	Levels	Square footage
Building 1 - <u>STORE</u>	<u>100' X 98'</u>	<u>1</u>	<u>9050 S.F.</u>
Building 2 - <u>GAS CANOPY</u>	<u>40' X 120'</u>	<u>1</u>	<u>4800 S.F.</u>
Building 3 - <u>DIESEL CANOPY</u>	<u>24' X 50'</u>	<u>1</u>	<u>1200 S.F.</u>

Is the building(s) to be used for multi-tenant purpose? NO

Lot size	Depth	Width	Area
<u>138,746 S.F.</u>	<u>432'</u>	<u>285'</u>	<u>3.18 ACRES</u>

Above to be included on survey

13 Parking: Dimensions of parking lot SEE PLAN
Parking lot construction CONCRETE
Type of screening: Fence PARTIAL BRICK WALL or Plantings SEE LANDSCAPE
Number of spaces needed per code 26-50 # of spaces for employees _____
Above to be included on site plan

Please provide the following information:

Total square footage of building, new and existing 15,050 S.F.

Total square footage of parking lot, new and existing 79,692 S.F.

14. Signs: Type: Free standing 7 Attached to building 13
Lighted 10 Single or double faced 14 SF / 6 DF
Size S.F. LISTED ON SIGN PLAN Location _____
Above to be included on sign plan

15. What security lighting are you proposing? (Please include on lighting plan)

JUST OUR NORMAL SITE LIGHTING PER PLAN. NO SPECIAL SECURITY LIGHTING

16. Is there a need for outside storage? YES If yes, explain:

WE HAVE LP STORAGE SINCE THIS ISN'T PERMITTED TO BE INSIDE. ALSO WE HAVE 2 OUTSIDE FOR MERCHANDISERS. WE HAVE PLACED THIS IN OUR TRUCK ENCLUSURE FOR SCREENING

17. Is a Highway access permit needed from the state or County Highway Departments? NO

If yes, please attach a copy of the secured permit.
What conditions has the State or County imposed upon your permit?

OUR PRIVATE DRIVES ARE COMING OFF OF PRIVATE DRIVES OR DRILLAGE PAVED

18. Is there a need for any special type of security fencing? YES

If yes, what type? WERE REQUIRED TO HAVE A 4' HIGH BRICK WALL

19. What provisions are you making for fire protection? WE ARE REQUESTING NO SPRINKLER SYSTEM

What provisions are your making for a sprinkler system? PER IBC 2015 ADOPTED SPRING 2019 IT ISN'T REQUIRED

Storage system? N/A

Hydrant stand pipes? N/A

Is there a fire lane shown on your site plan? _____

Explain: STATE CODE DOESN'T REQUIRE A SPRINKLER BASED ON OUR BUILDING TYPE + SIZE

20. Surface water drainage facilities and impervious areas, describe and/or include on site plan.

SEE SITE/STORM PLANS + CALCS

21. Did Wisconsin State Department of Industry Labor and Human Relations approve building plans?

NO If yes, explain: DSPS WILL DO REVIEW OF PLANS IN FUTURE

22. Please give a timetable for items to be completed:

Building construction	<u>12/18/2020</u>
Paving	<u>11/30/2020</u>
Landscaping	<u>12/18/2020</u>
Occupancy	<u>12/25/2020</u>

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.

JEFF OSGOOD
Name

12/13/2019
Date

DEVELOPMENT MANAGER
Title or Position



Store Engineering

FAX 608-793-6237

1626 Oak St., P.O. Box 2107
La Crosse, WI 54602

www.kwiktrip.com

Village of Sussex
Kasey Fluett
N64W23760 Main St
Sussex, WI 53089

December 16th, 2019

CUP, Plan of Operation, and ARB Review Submittals

Ms. Fluett,

This letter is intended to accompany our submittal for our application to the Village of Sussex for the requested CUP Application, Plan of Operation Review Application, and ARB Review Application for our proposed project located at the NE Corner of Highlands Dr & CTH K. We are proposing constructing a new Retail Convenience Store w/ attached Carwash, Fueling Canopy and separate Diesel Fuel Canopy.

Kwik Trip, Inc. is proposing the construction of a 9050 S.F. convenience store w/ attached 1-Bay Carwash and an attached dumpster enclosure w/ separate Fueling Canopies. I have submitted 3 – 11x17 copies as well as 3 – 24x36 copies for the Plan of Operation Submittal. I have also submitted the requested 6 – 11x17 copies and 1 – 24x36 copy for the ARB Submittal. Both of these submittals will be included in digital format as well with this letter. I have verified that the fee was ARB \$125.00, Plan of Operation Review \$175.00, CUP Fee \$210.00 and Plan Review Fee \$250.00. I included one check for total of \$760.00 for all fees. If there are any additional hard copies needed please let me know. All other fees will be discussed and can be submitted at any time once the village has determined those fees.

The proposed method of operation for this development will be consistent with that for our existing convenience stores within the area. The requested hours of operation will be 24 hours for all uses. The type of products that will be sold will be similar to that of our existing stores: gasoline, in line diesel, E-85, groceries, bakery and dairy, hot and cold food and beverages, tobacco products, lotto, convenience store merchandise, ice, and propane. The outside merchandising of products is being requested next to the store (ice and propane) and miscellaneous merchandising under the gas canopy. The proposed store is projected to have between 28-35 full and part time employees, with 2-8 on staff at any given time.

The proposed architectural plan will consist of a brick facade with standing seam metal roof. The building and canopy fascia will tie in with franchise colors. The prototype building is larger than previous years building. We have expanded the retail floor area as well as kitchen and mechanical space all on the main level with no basement. The total estimated project costs is \$2,000,000.

Kwik Trip would be happy to provide any additional information or answer any questions or concerns you may have with our submission. Please feel free to call me with any questions.

Sincerely,

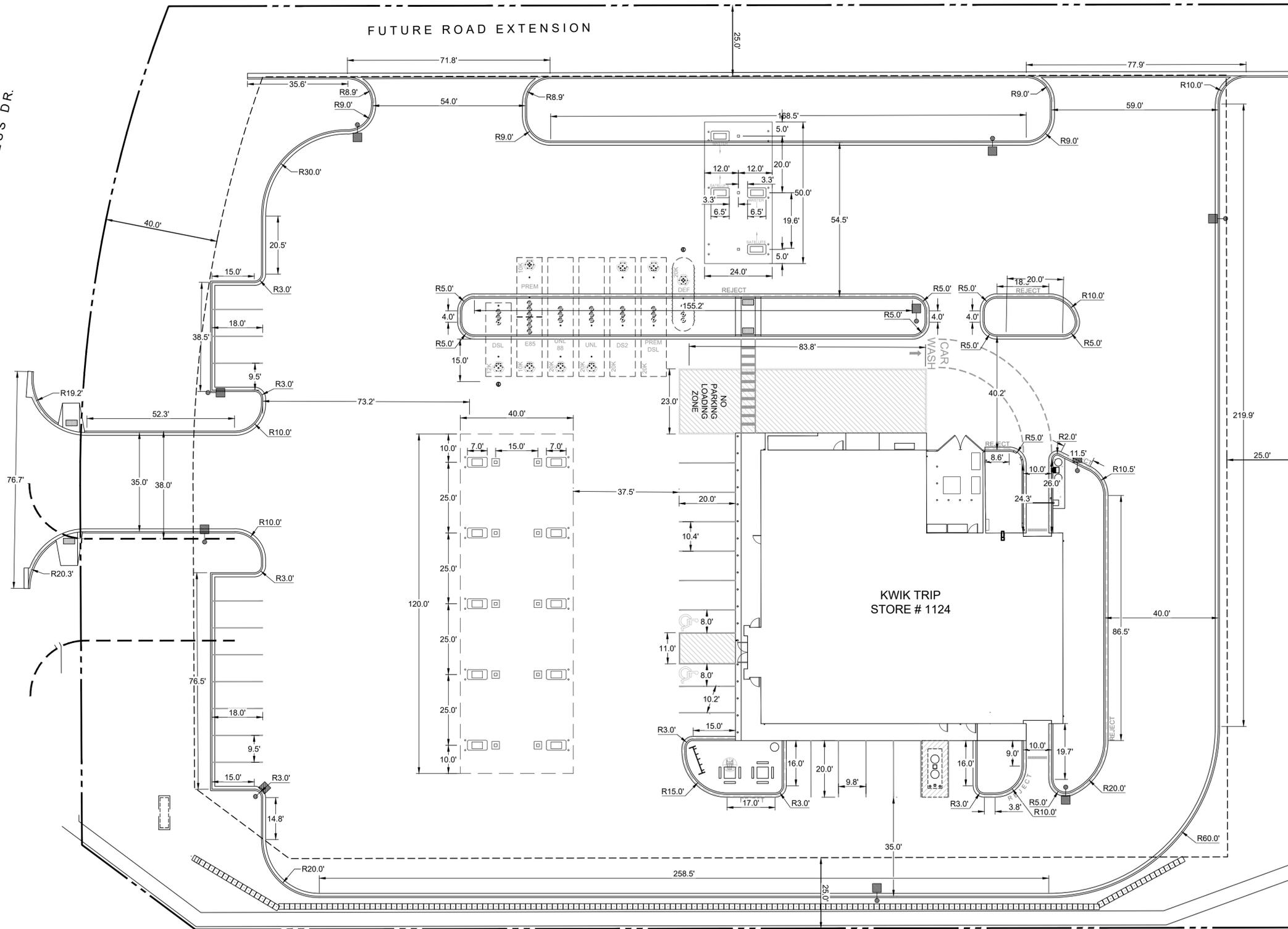
Jeff Osgood – Development Manager - Store Engineering - Kwik Trip, Inc.

608-793-5547 - josgood@kwiktrip.com 1626 Oak St | P.O. Box 2107 | La Crosse, WI 54602

OUR MISSION

To serve our customers and community more effectively than anyone else by treating our customers, co-workers and suppliers as we, personally, would like to be treated, and to make a difference in someone's life.

BUSINESS DR.



LISBON RD.

SITE INFORMATION

ZONING DISTRICT: B-2 - REGIONAL BUSINESS
 TOTAL SITE AREA: 138,346 SF / 3.18 ACRES
 TOTAL DISTURBED AREA: 136,900 SF / 3.14 ACRES
 EXISTING IMPERVIOUS: 2,162 SF
 TOTAL IMPERVIOUS: 95,560 SF (69.1% LOT COVERAGE)
 PAVED AREA: 79,692 SF
 BUILDING AREA: 9,050 SF
 CANOPY AREA: 6,000 SF
 PRO. PERVIOUS: 42,786 SF (30.9% LOT COVERAGE)

PARKING STALL COUNT

STANDARD PARKING: 26 STALLS
 ADA PARKING: 2 STALLS WITH LOADING ZONE
 TRUCK PARKING: 1 UNLOADING STALL
 PER CODE, 346.503, 26-50 TOTAL PARKING STALLS.
 TWO HANDICAP PARKING STALL MUST BE PROVIDED.
 TWO HANDICAP PARKING STALLS ARE SHOWN ON THE PLANS.

BUILDING HEIGHTS - 45' MAXIMUM

CONVENIENCE STORE: 20'-0"
 CANOPY: 15'-6"

BUILDING SETBACKS

FRONT: 40'
 REAR: 25'
 SIDE: 25'

UTILITY COMPANY INFORMATION

ELECTRICITY - WE ENERGY - 262-544-7366
 NATURAL GAS - WE ENERGY - 262-544-7366
 PHONE - SEVERAL PROVIDERS IN THE AREA
 CABLE - SPECTRUM - 833-823-6676
 SANITARY SEWER - VILLAGE OF SUSSEX - 262-820-3130
 WATER SERVICE - VILLAGE OF SUSSEX - 262-246-5200

FIRE LANE:

BUSINESS DRIVE WILL ACT AS THE FIRE LANE ACCESS TO THE BUILDING.

NOTE:

CONTRACTOR SHALL FIELD VERIFY ALL EXISTING UTILITIES ON AND ADJACENT TO THE SITE PRIOR TO THE START OF THE PROJECT.

RADII ARE FROM FACE OF CURB

DIMENSIONS ARE FROM FACE OF CURB

Kwik Trip

Kwik Star

KWIK TRIP, Inc.
 P.O. BOX 2107
 1626 OAK STREET
 LA CROSSE, WI 54602-2107
 PH. (608) 781-8988
 FAX (608) 781-8960

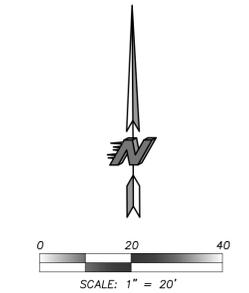
S
SNYDER
 & ASSOCIATES
 5010 VOGES ROAD
 MADISON, WISCONSIN 53718
 608-838-0444

SITE PLAN - LAYOUT
CONVENIENCE STORE #1124
WITH DIESEL
 HWY 164 & LISBON ROAD
 SUSSEX, WISCONSIN

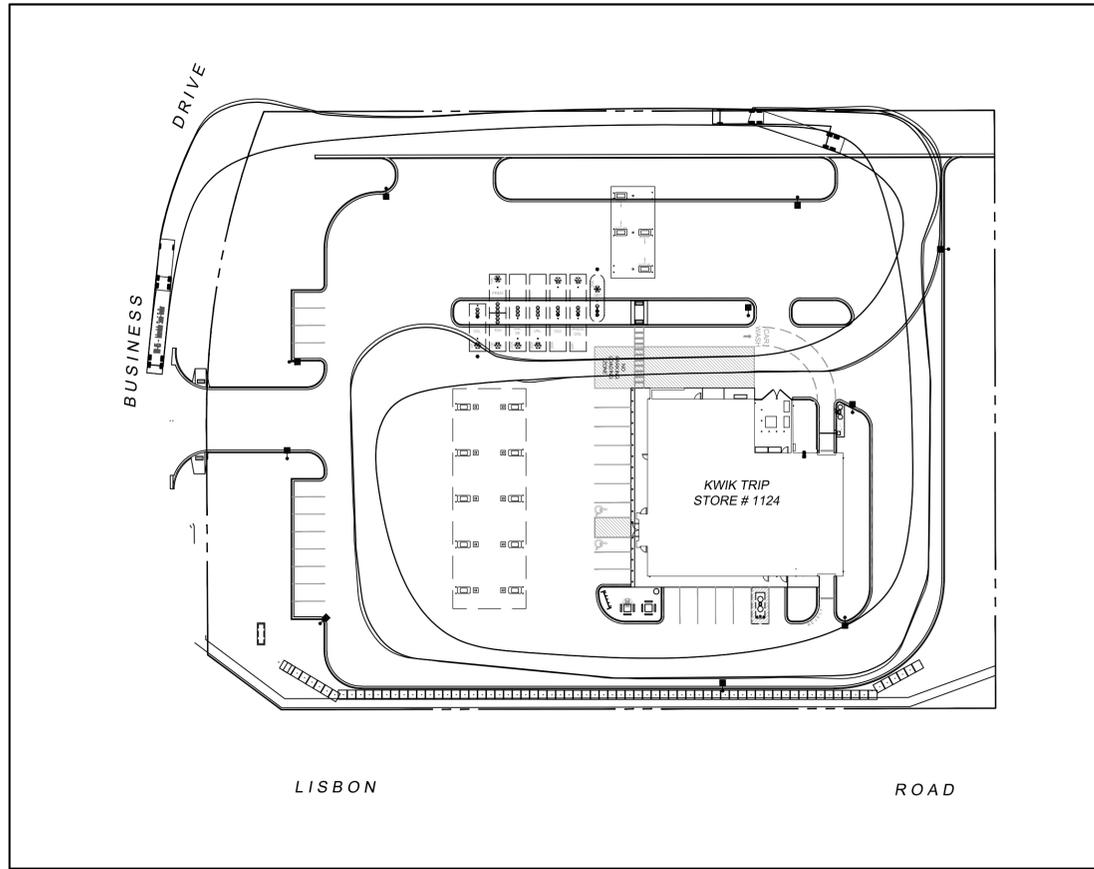
#	DATE	DESCRIPTION

DRAWN BY: Z. ROLE / M. WAHL
 SCALE: NOTED
 PROJ. NO.: 119.1053.30
 DATE: JANUARY 23, 2019
 SHEET: **SP 1.1**

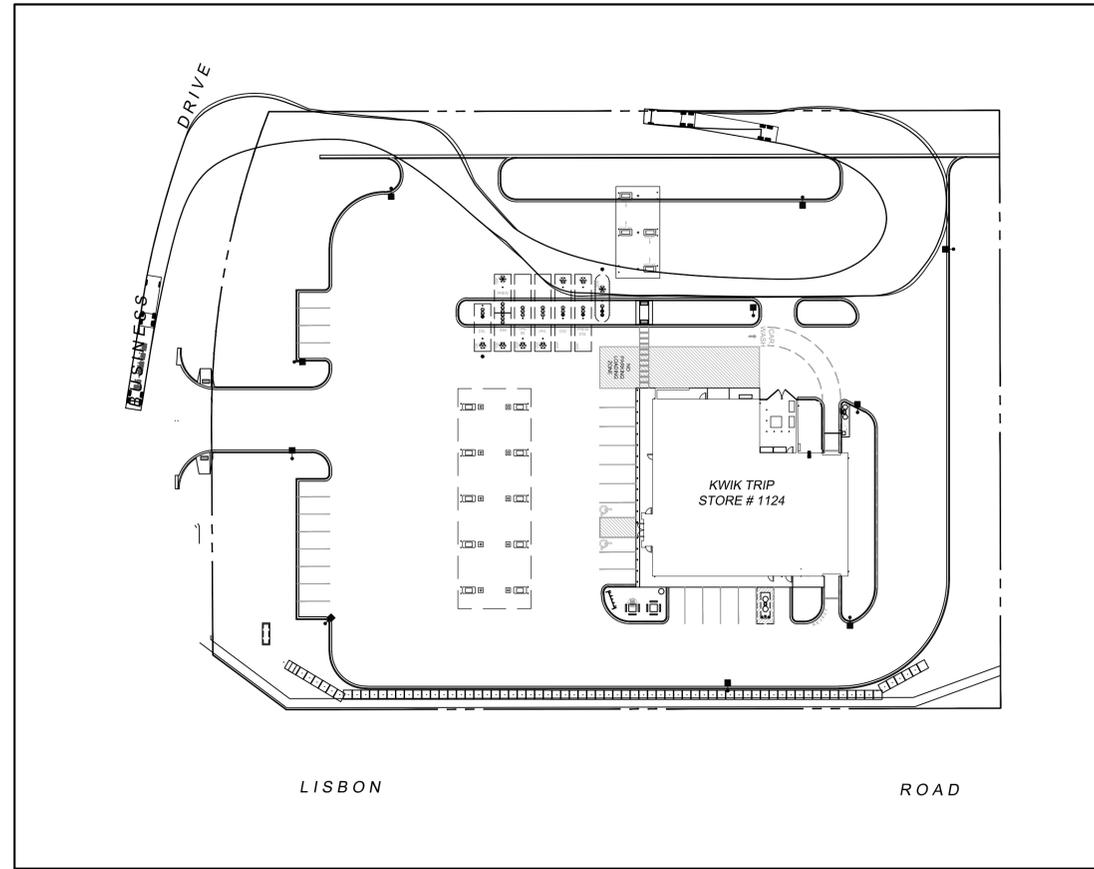
 TO OBTAIN LOCATION OF PARTICIPANTS' UNDERGROUND FACILITIES BEFORE YOU DIG IN WISCONSIN
CALL DIGGERS HOTLINE
1-800-242-8511
TOLL FREE
 WIS. STATUTE 182.0175 (1974) REQUIRES MIN. OF 3 WORK DAYS NOTICE BEFORE YOU EXCAVATE



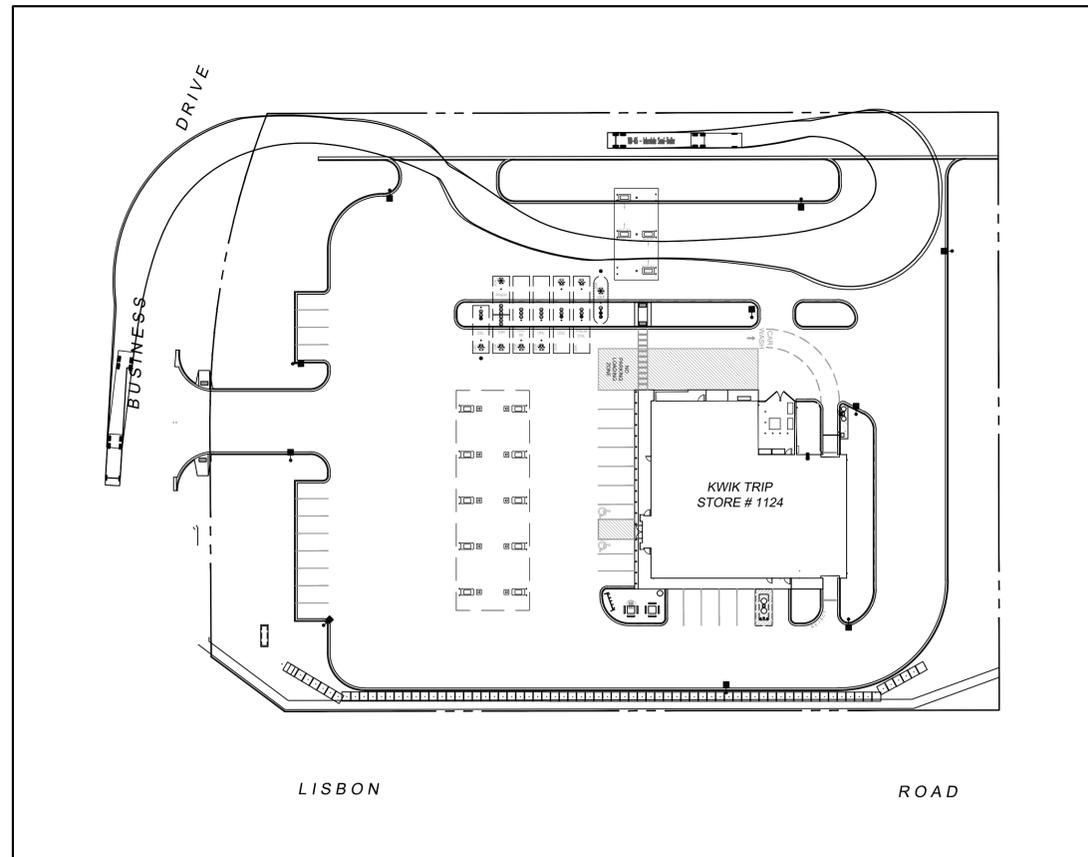
PLOTTING NOTE: PLANS PLOTTED TO 11X17 SHEET SIZE ARE 1/2 SCALE - 1"=40'



TRUCK ROUTE FOR STORE DELIVERY
SCALE: 1" = 50'



TRUCK ROUTE FOR FUEL DELIVERY
SCALE: 1" = 50'



TRUCK ROUTE FOR DIESEL CUSTOMER
SCALE: 1" = 50'

**Kwik
TRIP**

**Kwik
STAR**

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LA CROSSE, WI 54602-2107
PH. (608) 781-8988
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S
**SNYDER
& ASSOCIATES**
5010 VOGES ROAD
MADISON, WISCONSIN 53718
608-838-0444

SITE TURNING MOVEMENT

CONVENIENCE STORE #1124
WITH DIESEL

HWY 164 & LISBON ROAD
SUSSEX, WISCONSIN

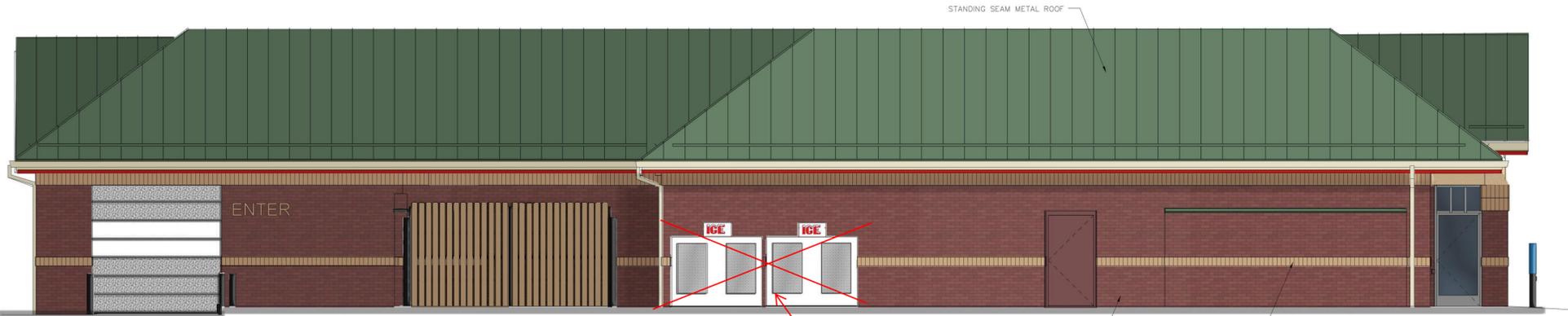
#	DATE	DESCRIPTION

DRAWN BY Z. ROLE / M. WAHL
SCALE NOTED
PROJ. NO. 119.1053.30
DATE JANUARY 21, 2019
SHEET SP 1.0



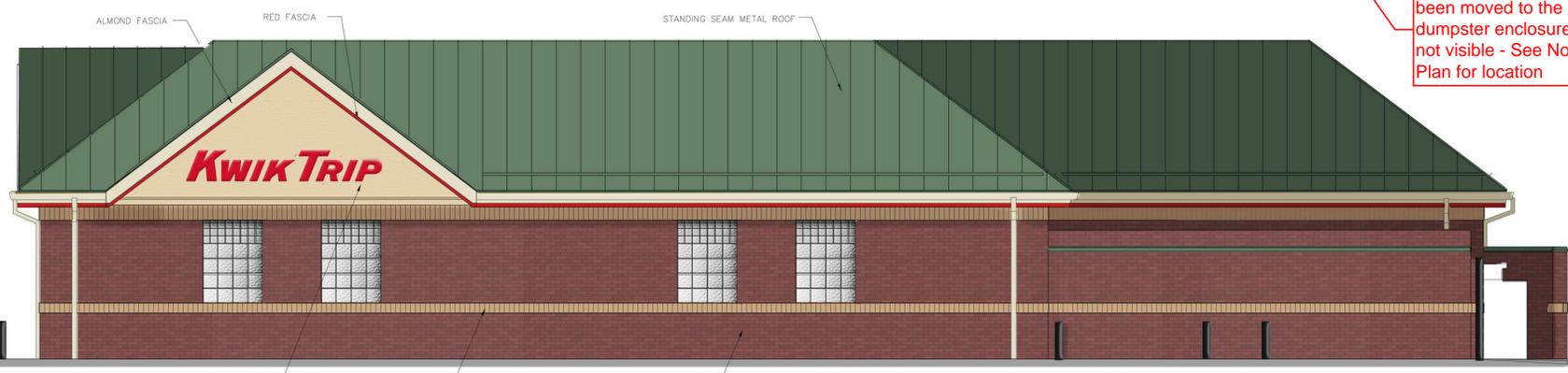
1 FRONT ELEVATION
1/4" = 1'-0"

LP Cage has been moved around the corner on the north side near the dumpster and is shielded from the front by the tote wall enclosure and from the street with landscaping - See Noted Site plan for exact location. This is also a burgundy color to match the brick.



2 LEFT ELEVATION
3/16" = 1'-0"

Ice merchandisers have been moved to the dumpster enclosure and are not visible - See Noted Site Plan for location



3 REAR ELEVATION
3/16" = 1'-0"



4 RIGHT ELEVATION
3/16" = 1'-0"



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***KWIK
TRIP***

***KWIK
STAR***

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10 MPD

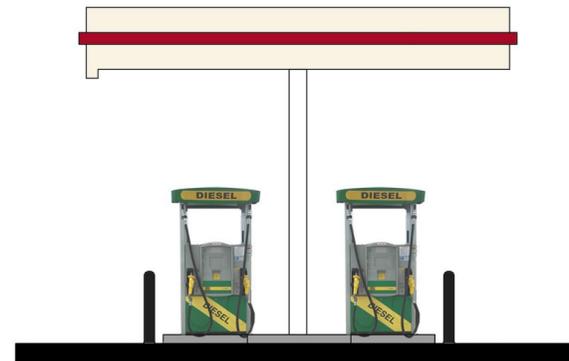
1 FRONT ELEVATION



2 SIDE ELEVATION



1 FRONT ELEVATION



2 SIDE ELEVATION



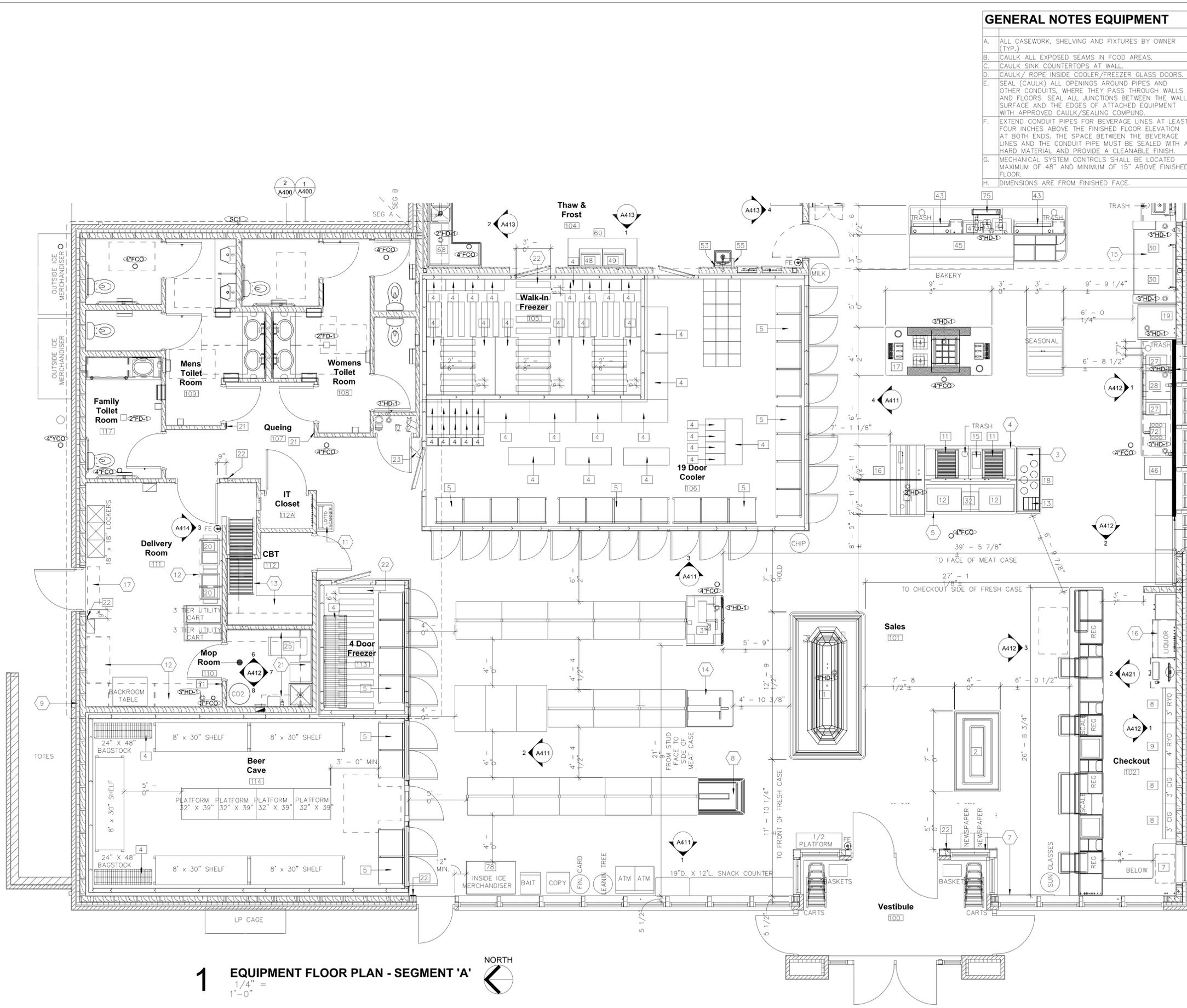
3 REAR ELEVATION

**KWIK
TRIP**

**KWIK
STAR**

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2 LANE DIESEL



- ### GENERAL NOTES EQUIPMENT
- A. ALL CASEWORK, SHELVING AND FIXTURES BY OWNER (TYP.)
 - B. CAULK ALL EXPOSED SEAMS IN FOOD AREAS.
 - C. CAULK SINK COUNTERTOPS AT WALL.
 - D. CAULK/ ROPE INSIDE COOLER/FREEZER GLASS DOORS.
 - E. SEAL (CAULK) ALL OPENINGS AROUND PIPES AND OTHER CONDUITS, WHERE THEY PASS THROUGH WALLS AND FLOORS. SEAL ALL JUNCTIONS BETWEEN THE WALL SURFACE AND THE EDGES OF ATTACHED EQUIPMENT WITH APPROVED CAULK/SEALING COMPOUND.
 - F. EXTEND CONDUIT PIPES FOR BEVERAGE LINES AT LEAST FOUR INCHES ABOVE THE FINISHED FLOOR ELEVATION AT BOTH ENDS. THE SPACE BETWEEN THE BEVERAGE LINES AND THE CONDUIT PIPE MUST BE SEALED WITH A HARD MATERIAL AND PROVIDE A CLEANABLE FINISH.
 - G. MECHANICAL SYSTEM CONTROLS SHALL BE LOCATED MAXIMUM OF 48" AND MINIMUM OF 15" ABOVE FINISHED FLOOR.
 - H. DIMENSIONS ARE FROM FINISHED FACE.

EQUIPMENT SCHEDULE

#	TYPE
1	FRESH CASE
2	BAKERY SHELF
3	REFRIGERATED MEAT CASE
4	NSF APPROVED SHELVES - COOLERS/FREEZERS
5	NSF APPROVED SHELVES - COOLERS/FREEZERS
7	UTILITY CART
8	3'-0" METAL LIGHTED CIGARETTE MERCHANDISER
9	4'-0" METAL LIGHTED CIGARETTE MERCHANDISER
11	ROLLER GRILL
12	HOT FOOD DISPLAY
13	CRACKER & SILVERWARE BASKET
14	FIXIN'S CONDIMENT HOLDER
15	CHILI CHEESE DISPLAY
16	PIZZA CASE
17	MULTI-TERRIA CONDIMENT
18	SOUP WELL
19	ICE CREAM NOVELTY CASE
20	BAG-IN-A-BOX RACK
21	ADA 6"x6" MEN/WOMEN SIGNAGE WITH BRAILLE SEE SHEET A403 FOR TYP. LOCATION
22	ADA 3"x6" EXIT SIGNAGE WITH BRAILLE SEE SHEET A501 FOR TYP. LOCATION
23	SECURITY MIRROR
25	FLOOR SCRUBBER
27	MALT BLENDER
28	MALT BLENDER FREEZER
30	FOUNTAIN MACHINE
32	PIZZA WARMER
33	HOT WATER DISPENSER
43	COFFEE CONDIMENT DISPLAY
44	CREAMER
45	BAKERY CASE
46	SMOOTHIE MACHINE
47	MICROWAVE - SNACK
48	MICROWAVE - KITCHEN
49	SCALE/LABEL MACHINE
53	SOAP DISPENSER
55	PAPER TOWEL DISPENSER-KITCHEN
60	6'-0" STAINLESS TABLE
68	42" STAINLESS DRY RACK
71	CO2 SIGNAGE BY OWNER
72	WHIPPED CREAM DISPENSER
75	30" DRIP TRAY
78	INSIDE ICE MERCHANDISER

EQUIPMENT PLAN KEY NOTES

#	Description	
1	CAPPUCCINO AND BAKERY ISLAND. SEE DETAIL	6
2	CONDIMENT DISPLAY (TYP. OF 2). SEE DETAIL	9
3	SOUP CART. SEE DETAIL	7
4	ROLLING GRILLE MOVABLE CART. SEE DETAIL	11
5	HOT FOOD DISPLAY MOVABLE CART. SEE DETAIL	10
6	BAKERY DISPLAY. SEE DETAIL	8
7	1'-0" H. X 5'-0" L. WOOD CART BUMPER. MOUNT DIRECTLY ABOVE WALL BASE.	13
8	PRODUCE CART. SEE DETAIL	14
9	CO2 FILL W/ 3/4" PEX PIPING TO MOP ROOM. RISE UP EXT. WALL AND FOLLOW CEILING. MOUNT AT 42" A.F.F.. R.O. 8 1/8" H. X 7 1/8" W. MIN.	12
10	NOT USED	5
11	LOTTO SCANNER. SEE DETAIL	4
12	8'-0" STANDARDS AT 4" A.F.F. FOR SHELVING (TYPICAL AT 3 WALLS.)	4
13	32"D. COUNTER MOUNTED 31 3/4" A.F.F. TO TOP	
14	BREAD CART. SEE DETAIL	
15	FOUNTAIN WALL. SEE DETAIL	
16	LIQUOR CABINET. SEE DETAIL	
17	AIR CURTAIN UNIT ABOVE.	
18	HATCH INDICATES ELECTRICAL RACE WAY.	
19	END OF ELECTRICAL FACEWAY. PROVIDE SOLID SURFACE END CAP.	
20	SOLID SURFACE TOP ONLY.	
21	SHELVES ON MTL. STANDARDS AND BRACKETS (VERIFY MTG. HTG. OF STANDARDS SHELVES). SEE INTERIOR ELEVATIONS A412.	
22	36" L. X 6" W. GRIP STRIPS ON FREEZER FLOOR. STRIPS TO BE SPACED 6" APART.	

1 EQUIPMENT FLOOR PLAN - SEGMENT 'A'
 1/4" = 1'-0"
 NORTH

VANTAGE ARCHITECTS INC
 750 N. Third Street
 La Crosse, WI 54601
 Ph (608) 784-2729 Fax (608) 784-2826



KWIK TRIP, Inc.
 P.O. BOX 2107
 1626 OAK STREET
 LA CROSSE, WI 54602-2107
 PH. (608) 781-8988
 FAX (608) 781-8960

PROJECT TITLE:
Store - Gen 2- RH - 1CW

PROJECT LOCATION:

JOB #:
 DATE:
 DRAWN BY:
 TYPE:
 REVISIONS
 NO. DATE

SHEET TITLE
 Equipment Floor Plan - Segment 'A'

SHEET NO.
A120A

EQUIPMENT SCHEDULE

#	TYPE
14	FIXIN'S CONDIMENT HOLDER
19	ICE CREAM NOVELTY CASE
27	MALT BLENDER
30	FOUNTAIN MACHINE
33	HOT WATER DISPENSER
34	ICE TEA MAKER
35	SLUSHIE MACHINE
36	SURFSHOT FLAVORSHOT 2
38	COFFEE BREWER
39	COFFEE GRINDER
40	FRANKE FOAMMASTER FM800
41	ICE DISPENSER
42	IMIX-3 MACHINE
43	COFFEE CONDIMENT DISPLAY
44	CREAMER
45	BAKERY CASE
47	MICROWAVE - SNACK
48	MICROWAVE - KITCHEN
49	SCALE/LABEL MACHINE

EQUIPMENT SCHEDULE

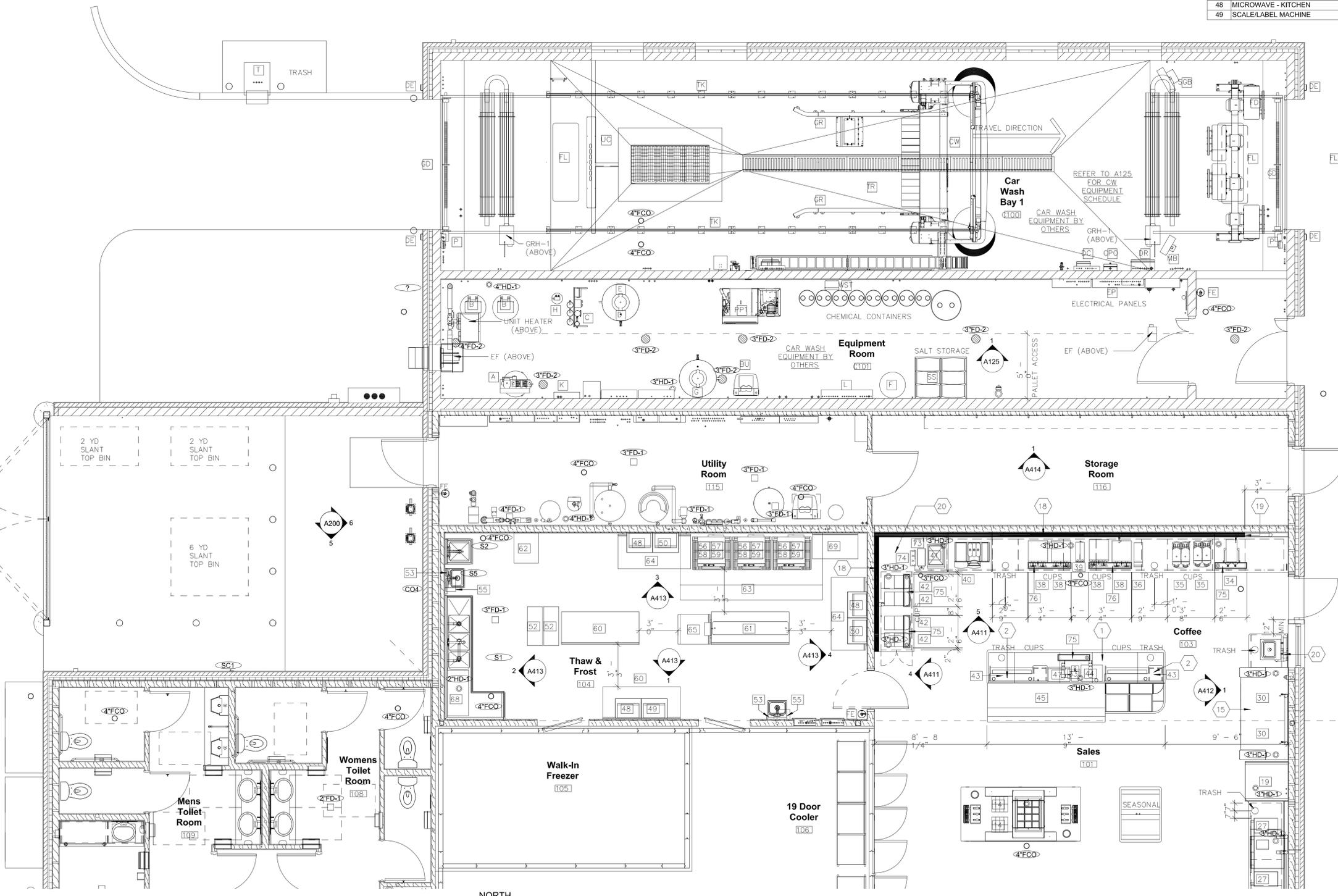
#	TYPE
50	MONITOR
52	BIN RACK
53	SOAP DISPENSER
55	PAPER TOWEL DISPENSER-KITCHEN
56	TURBOCHEF B3 OVEN RACK
57	TURBOCHEF OVEN
58	TURBOCHEF B3 OVEN
59	CART (STAINLESS STEEL)
60	6'-0" STAINLESS TABLE
61	6'-0" STAINLESS TABLE w/ CENTER SHELF ABOVE
62	BAKERY RACK WITH COVER
63	CAPTIVE AIRE HOOD
64	REFRIGERATED PREP TABLE
65	UNDERCOUNTER FREEZER KITCHEN
68	42" STAINLESS DRY RACK
69	2'-0" W. X 3'-6" L. STAINLESS TABLE
73	COLD BREW DISPENSER
74	COLD BREW CUPS
75	30" DRIP TRAY
76	40" DRIP TRAY

GENERAL NOTES EQUIPMENT

- A. ALL CASEWORK, SHELVING AND FIXTURES BY OWNER (TYP.)
- B. CAULK ALL EXPOSED SEAMS IN FOOD AREAS.
- C. CAULK SINK COUNTERTOPS AT WALL.
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1 EQUIPMENT FLOOR PLAN - SEGMENT 'B'
 1/4" = 1'-0"



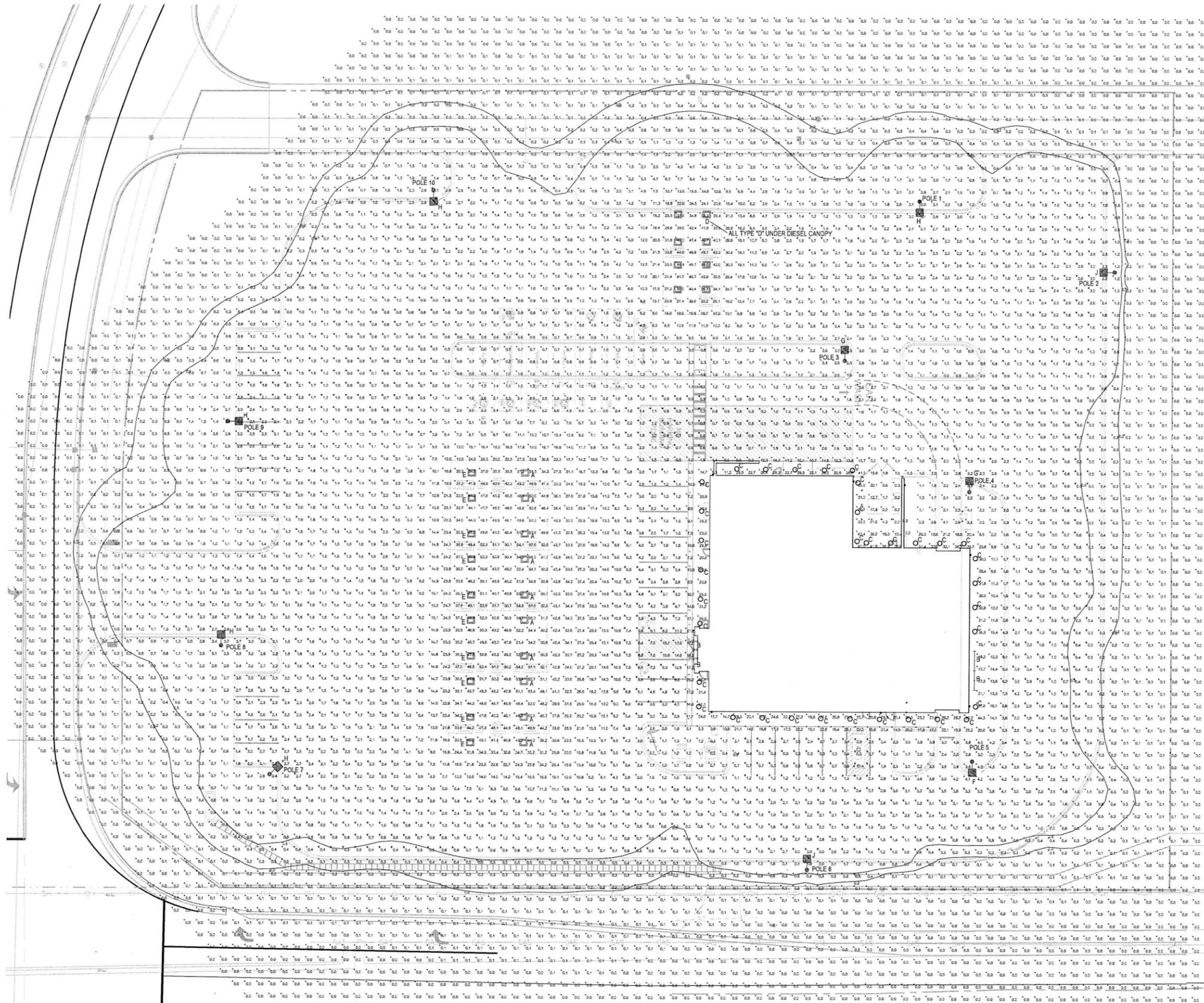
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PROJECT TITLE:
Store-Gen 2- RH - 1CW
 PROJECT LOCATION:

JOB #:
 DATE:
 DRAWN BY:
 TYPE:
 REVISIONS
 NO. DATE

SHEET TITLE
 Equipment Floor Plan - Segment 'B'
 SHEET NO.
A120B



CALCULATION STATISTICS

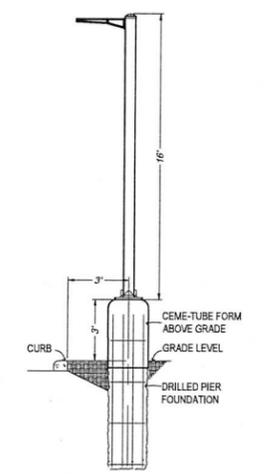
OVERALL SITE:	PARKING-LOADING-CIRCULATING:
AVERAGE: 3.9%	AVERAGE: 12.8%
MAXIMUM: 57.6%	MAXIMUM: 6.3%
MINIMUM: 0.0%	MAXIMUM: 42.7%
	AVERAGE: 6.0%

NOTE: FOOTCANDLE LEVELS SHOWN ON THIS PLAN ARE CALCULATED AT GRADE LEVEL.

- FIXTURE QUANTITIES**
- A - 10
 - B - 4
 - C - 35
 - D - 8
 - E - 10
 - F - 1
 - G - 2
 - H - 5
 - J - 2
- PROVIDE (10) 16' POLES.

- FIXTURE SYMBOLS:**
- A, D & E LED LIGHT MOUNTED UNDER FUEL CANOPIES
 - B LED STRIP LIGHT MOUNTED IN GABLE
 - C RECESSED LED DOWNLIGHT
 - F, G, H & J POLE MOUNTED LED FIXTURE

- FIXTURE TYPES:**
- A - LSI LIGHTING: SCV4LED-23L-SCFT-UNN-DIM-50-WHT MOUNT FIXTURES WITH FORWARD THROW OPTIC AMING AT STORE FRONT.
 - B - LED STRIP LIGHT MOUNTED IN GABLE LITHONIA-TZL-1N1-96
 - C - RECESSED LED DOWNLIGHT GOTHAM EVO-35/50-8AR-WD-120-TRW
 - D - LSI LIGHTING: SCV4LED-10L-SC-UNV-DIM-50-BLK
 - E - LSI LIGHTING: SCV4LED-15L-SC-UNV-DIM-50-WHT
 - F - LSI LIGHTING: SLJ4LED-9L-SIL-2-UNV-50-70CRI-WHT
 - G - LSI LIGHTING: SLJ4LED-9L-SIL-5W-UNV-50-70CRI-WHT
 - H - LSI LIGHTING: SLJ4LED-9L-SIL-FT-UNV-50-70CRI-WHT
 - J - LSI LIGHTING: SLJ4LED-9L-SIL-FT-UNV-50-70CRI-WHT-4L



LOT LIGHT ELEVATION DETAIL
NOT TO SCALE

PHOTOMETRIC SITE PLAN
SCALE: 1" = 20'-0"

2019-0195.57
GRAEF
One Honey Creek Corporate Center
125 South 64th Street, Suite 401
Milwaukee, WI 53214-1470
414 / 258 1500
414 / 258 0037 fax



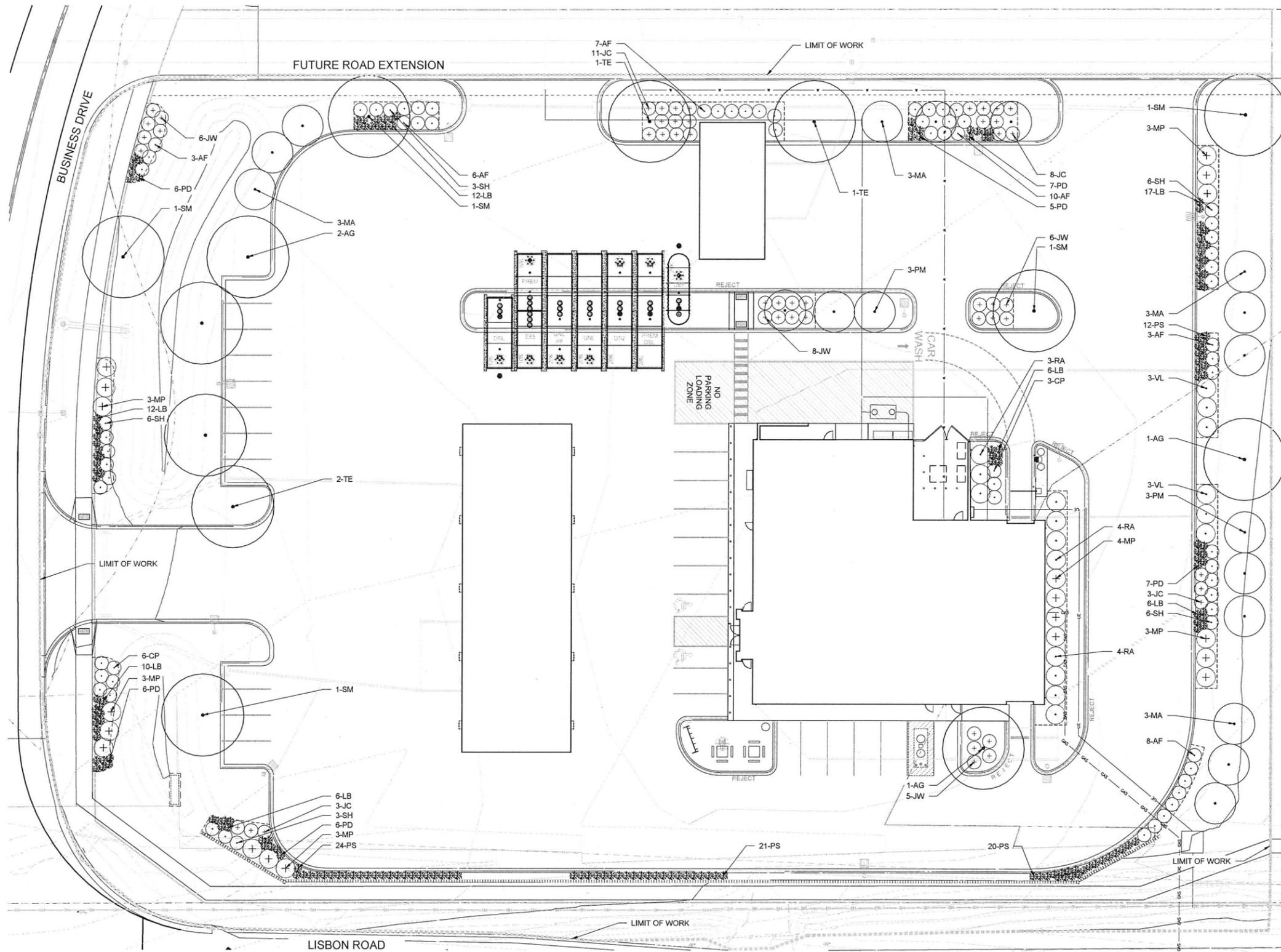
KWIK TRIP, Inc.
P.O. BOX 2107
1626 OAK STREET
LA CROSSE, WI 54602-2107
PH. (608) 781-8988
FAX (608) 781-8960



PHOTOMETRIC SITE PLAN
CONVENIENCE STORE #1124
HWY 164 & LISBON ROAD
SUSSEX, IOWA

#	DATE	DESCRIPTION

DRAWN BY	AMM
SCALE	NOTED
PROJ. NO.	119.1053.30
DATE	DECEMBER 12, 2019
SHEET	E1



LANDSCAPE LEGEND

- ① SOD (20,978 SF), REFER TO CONSTRUCTION NOTES FOR TYPE
- ② SHRUB BED WITH HARDWOOD MULCH (54 CY DOES NOT INCLUDE STAND-ALONE TREES OUTSIDE SHRUB BED AREAS), REFER TO CONSTRUCTION NOTES FOR TYPE
- ④ TURF SEED (11,838 SF)
- ⑤ ROCK MULCH (11 CY), REFER TO CONSTRUCTION NOTES FOR TYPE
- SPADE CUT EDGER AT 4" DEPTH (780 LF)
- LIMIT OF WORK
- DECIDUOUS CANOPY TREE
- LARGE DECIDUOUS ORNAMENTAL TREE
- ⊕ EVERGREEN
- ⊕ DECIDUOUS SHRUBS
- ⊕ EVERGREEN SHRUBS
- ⊕ ORNAMENTAL GRASSES

LANDSCAPE CONSTRUCTION NOTES

1. KENTUCKY BLUEGRASS PROVIDED BY PFAFF SOD & LANDSCAPING (262.255.1185) OR APPROVED EQUAL.
2. PROVIDE 3" DEPTH SHREDDED HARDWOOD MULCH AROUND ALL STAND-ALONE TREES TO A MIN. 3-FOOT PERIMETER, AND IN ALL AREAS NOTED ON PLANS OVER GEOTEXTILE WEED CONTROL FABRIC. NO WEED CONTROL FABRIC IS REQUIRED IN GROUND COVER OR PERENNIAL AREAS. MULCHED LANDSCAPE BEDS SHALL HAVE A SPADED VERTICAL EDGE WHEN PERIMETER IS NOT CONCRETE CURB. MULCH PROVIDED BY CERTIFIED PRODUCTS, INC. (262.542.2270) OR APPROVED EQUAL.
3. MULCHED LANDSCAPE BEDS SHALL HAVE A SPADED VERTICAL EDGE AT 4" DEPTH WHEN PERIMETER IS NOT CONCRETE SIDEWALK OR CURB.
4. TURF SEED PROVIDED BY CERTIFIED PRODUCTS, INC. OR APPROVED EQUAL.
5. #2 WASHED STONE (1-2") ROCK MULCH PROVIDED BY CERTIFIED PRODUCTS, INC. OR APPROVED EQUAL.
6. REFER TO CONSTRUCTION SEQUENCE FOR NOTES REGARDING SITE RESTORATION.

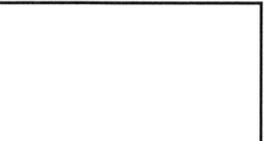
PLANT SCHEDULE

KEY	COMMON NAME
CANOPY TREES	
SM	SIENNA GLEN MAPLE
TE	TRIUMPH ELM
AG	AUTUMN GOLD GINKGO
ORNAMENTAL TREES	
MA	ADIRONDACK CRABAPPLE
PM	AMUR CHOKECHERRY
DECIDUOUS SHRUBS	
5'-7' SPREAD	
SH	SMOOTH HYDRANGEA
CP	ROCK COTONEASTER
AF	ARCTIC FIRE DOGWOOD
7' + SPREAD	
RA	GRO-LOW SUMAC
VL	WAYFARING TREE VIBURNUM
EVERGREEN SHRUBS	
5'-7' SPREAD	
JC	BLUEBERRY DELIGHT JUNIPER
JW	WISCONSIN JUNIPER
7'+ SPREAD	
MP	DWARF MUGO PINE
ORNAMENTAL GRASSES	
LB	LITTLE BLUESTEM
PS	SHENANDOAH SWITCH GRASS
PD	PRAIRIE DROPSEED

PLANTING PLAN



KWIK TRIP, Inc.
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FAX (608) 781-8960



PLANTING PLAN
CONVENIENCE STORE #1124
 HWY 164 & LISBON RD
 SUSSEX, WISCONSIN

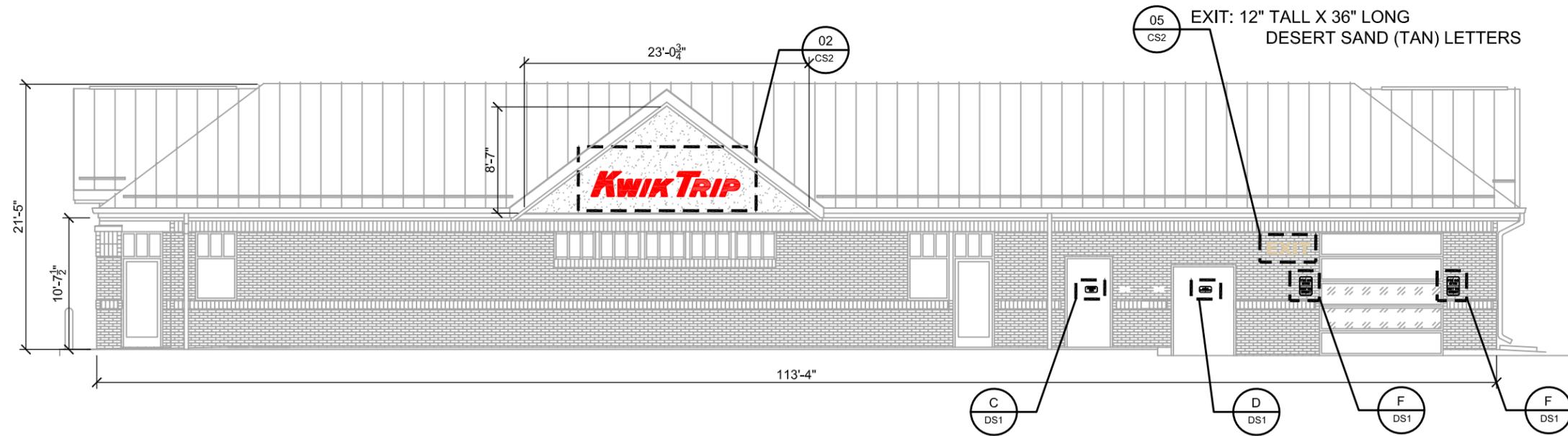
#	DATE	DESCRIPTION

DRAWN BY S. ANDERSON / L. OLSON
SCALE NOTED
PROJ. NO. 119.1053.30
DATE DECEMBER 12, 2019
SHEET L2.1



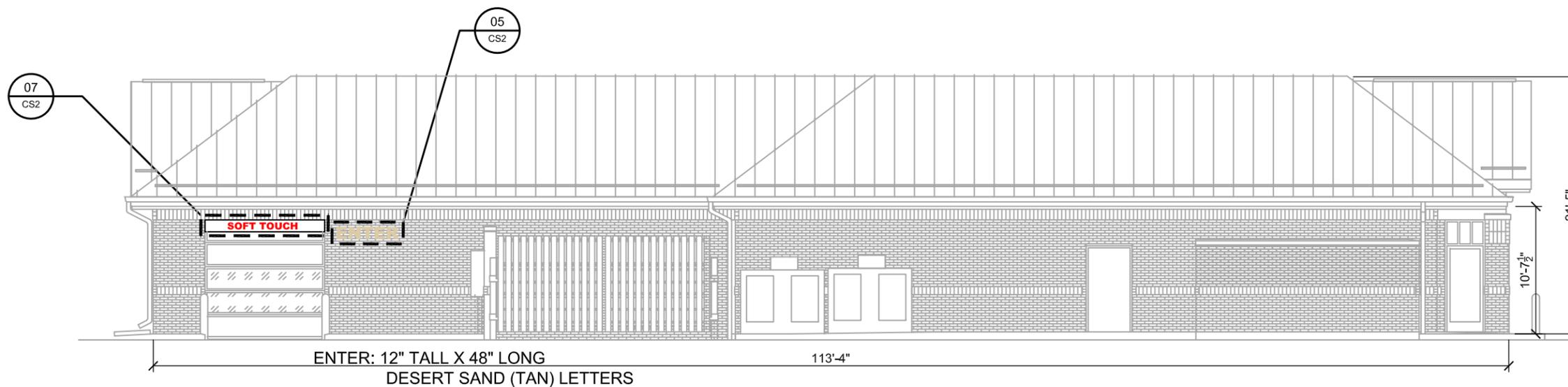
BUSINESS DRIVE

CTH K



STORE ELEVATION

SCALE: 3/32" = 1'-0"



STORE ELEVATION

SCALE: 3/32" = 1'-0"



LOGO DETAIL - SIGN #02

SCALE: 1/2" = 1'-0"



SOFT TOUCH

NON-LIT INFORMATIONAL SIGN
RED VINYL ON WHITE ALUMINUM
1'-0"H X 10'-0"W = 10.0 SQ FT

INFORMATIONAL SIGN #07

SCALE: 1/2" = 1'-0"



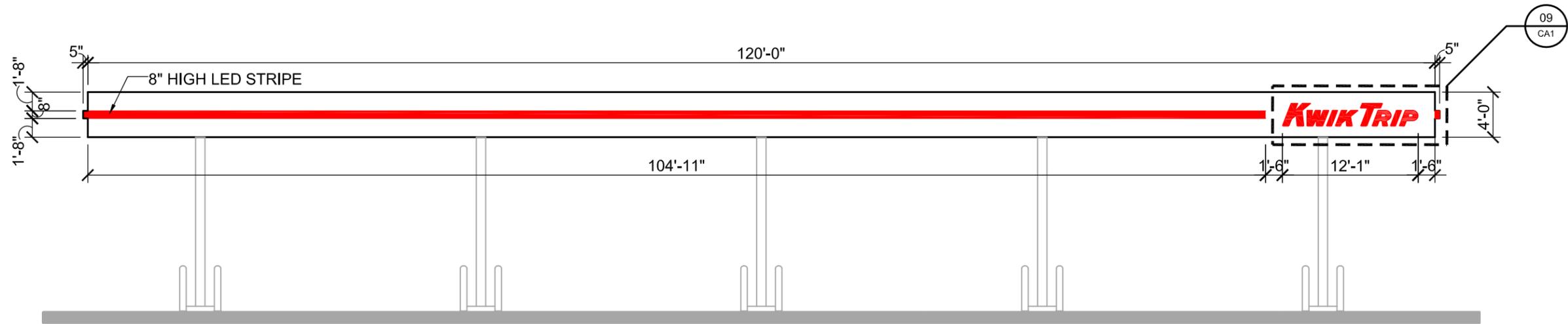
KWIK TRIP, Inc.
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1626 OAK STREET
LA CROSSE, WI 54602-2107
PH. (608) 781-8988
FAX (608) 781-8960

CONVENIENCE STORE SIGNAGE

CONVENIENCE STORE #1124
w/ SIDE DIESEL & CARWASH

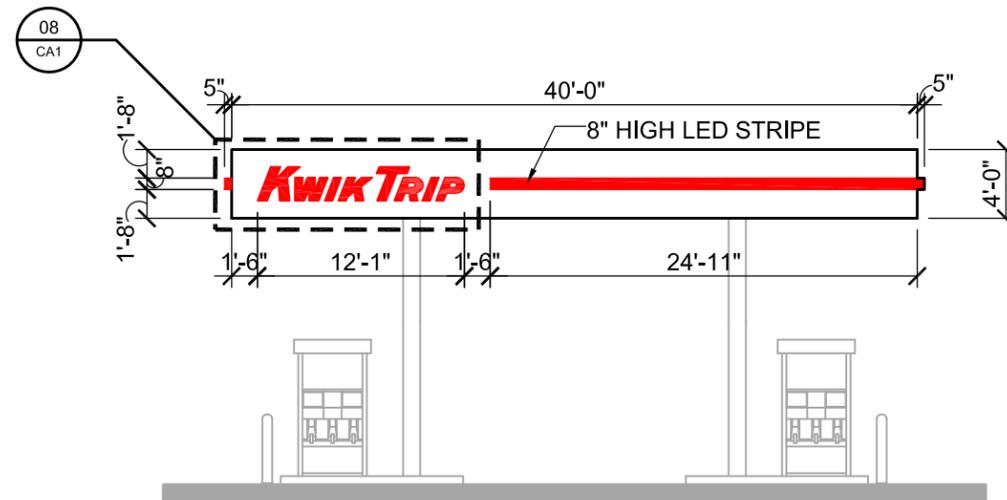
SWC HWY 164 & CTH K
SUSSEX, WI

#	DATE	DESCRIPTION
DRAWN BY		KMK
SCALE		MULTIPLE
PROJ. NO.		0001
DATE		2019-12-10
SHEET		CS2



CANOPY ELEVATION

SCALE: 3/32" = 1'-0"



CANOPY ELEVATION

SCALE: 3/32" = 1'-0"



LOGO DETAIL - SIGNS #08 & #09

SCALE: 1/2" = 1'-0"

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FAX (608) 781-8960

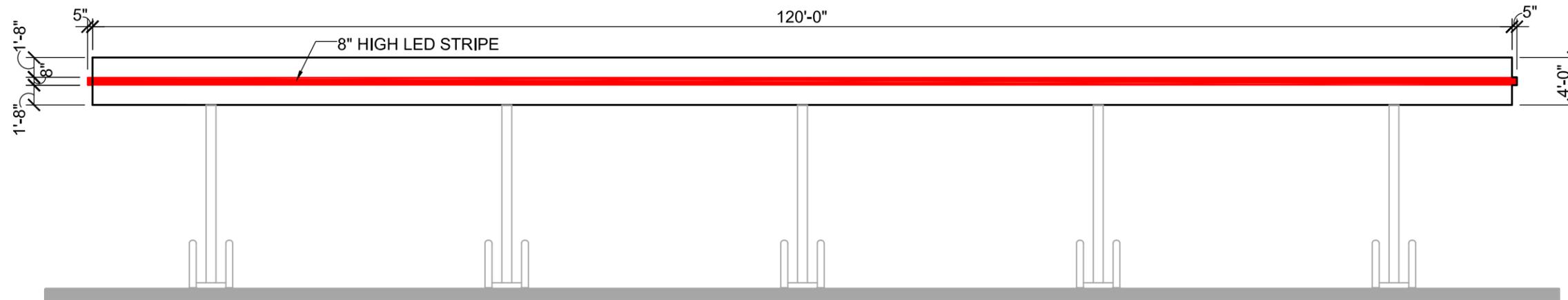
CANOPY SIGNAGE

CONVENIENCE STORE #1124
w/ SIDE DIESEL & CARWASH

SWC HWY 164 & CTH K
SUSSEX, WI

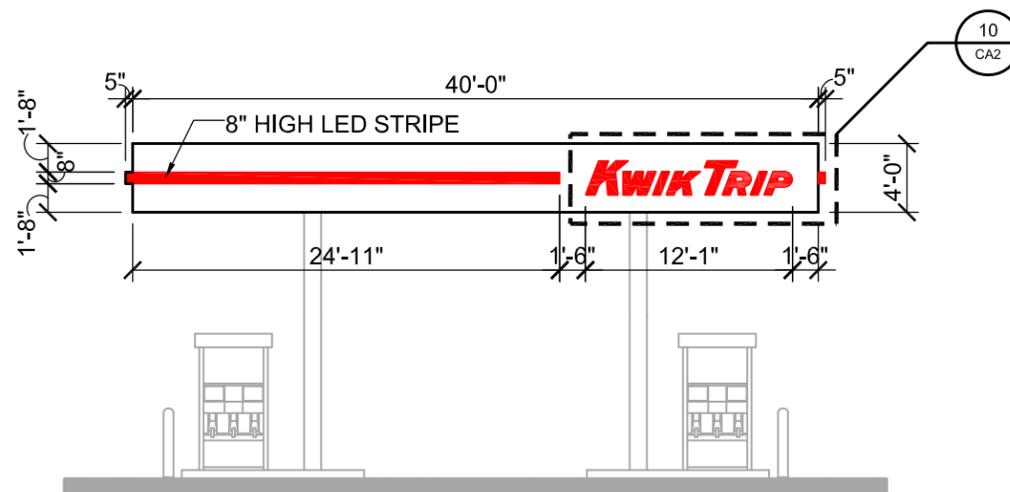
#	DATE	DESCRIPTION

DRAWN BY: KMK
SCALE: MULTIPLE
PROJ. NO.: 0001
DATE: 2019-12-10
SHEET: CA1



CANOPY ELEVATION

SCALE: 3/32" = 1'-0"



CANOPY ELEVATION

SCALE: 3/32" = 1'-0"



LOGO DETAIL - SIGN #10

SCALE: 1/2" = 1'-0"

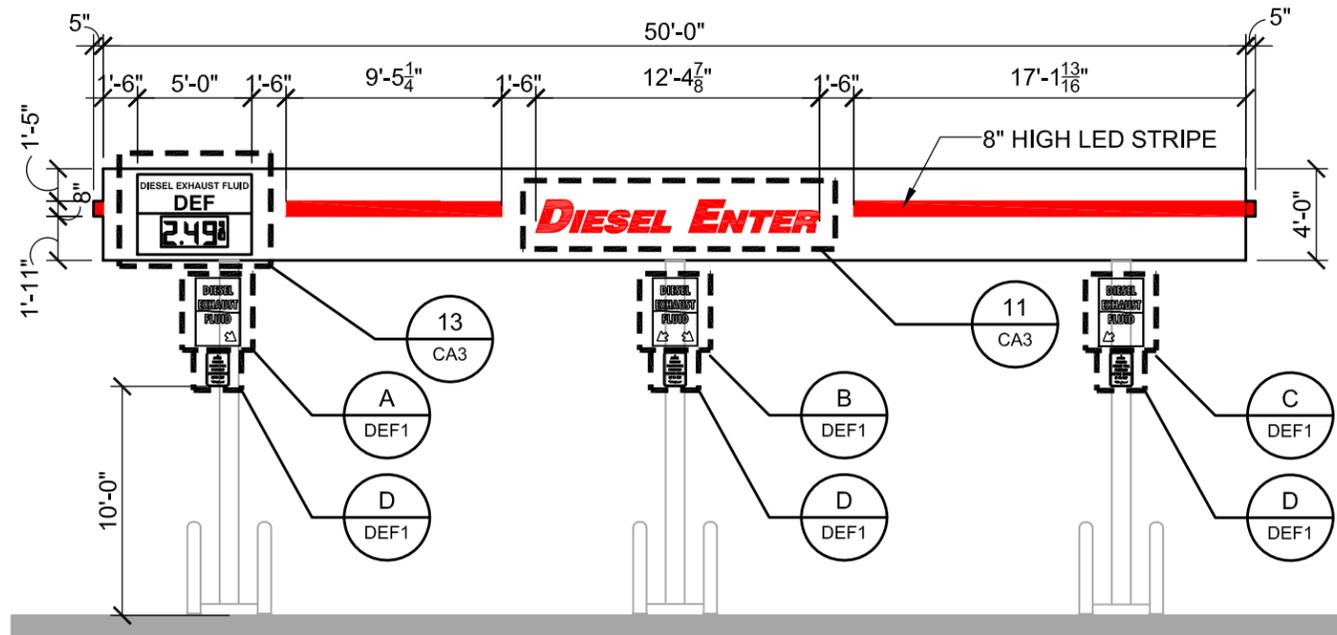


KWIK TRIP, Inc.
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LA CROSSE, WI 54602-2107
PH. (608) 781-8988
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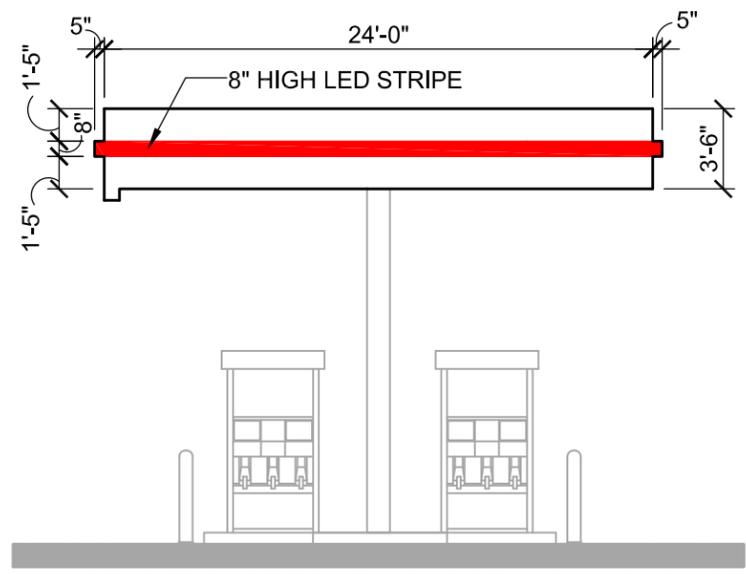
CANOPY SIGNAGE
CONVENIENCE STORE #1124
w/ SIDE DIESEL & CARWASH
SWC HWY 164 & CTH K
SUSSEX, WI

#	DATE	DESCRIPTION

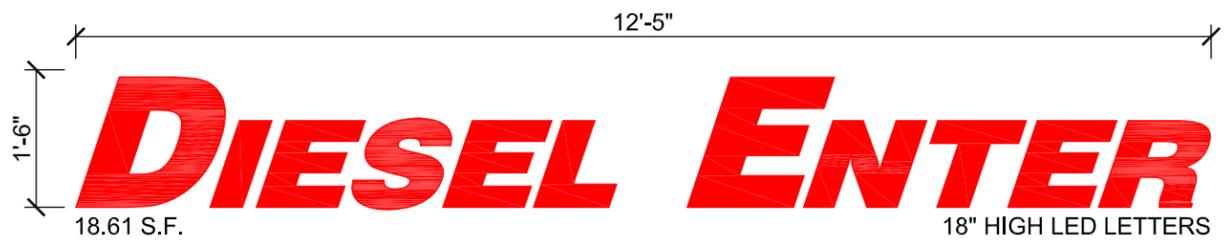
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SCALE: MULTIPLE
PROJ. NO.: 0001
DATE: 2019-12-10
SHEET: CA2



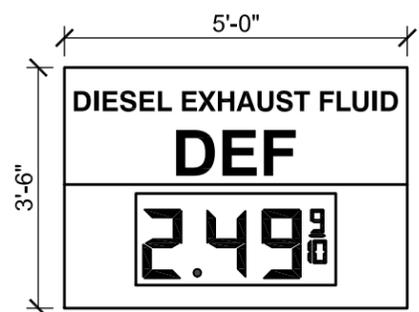
CANOPY ELEVATION
SCALE: 1/8" = 1'-0"



CANOPY ELEVATION
SCALE: 1/8" = 1'-0"



LOGO DETAIL - SIGN #11
SCALE: 1/2" = 1'-0"

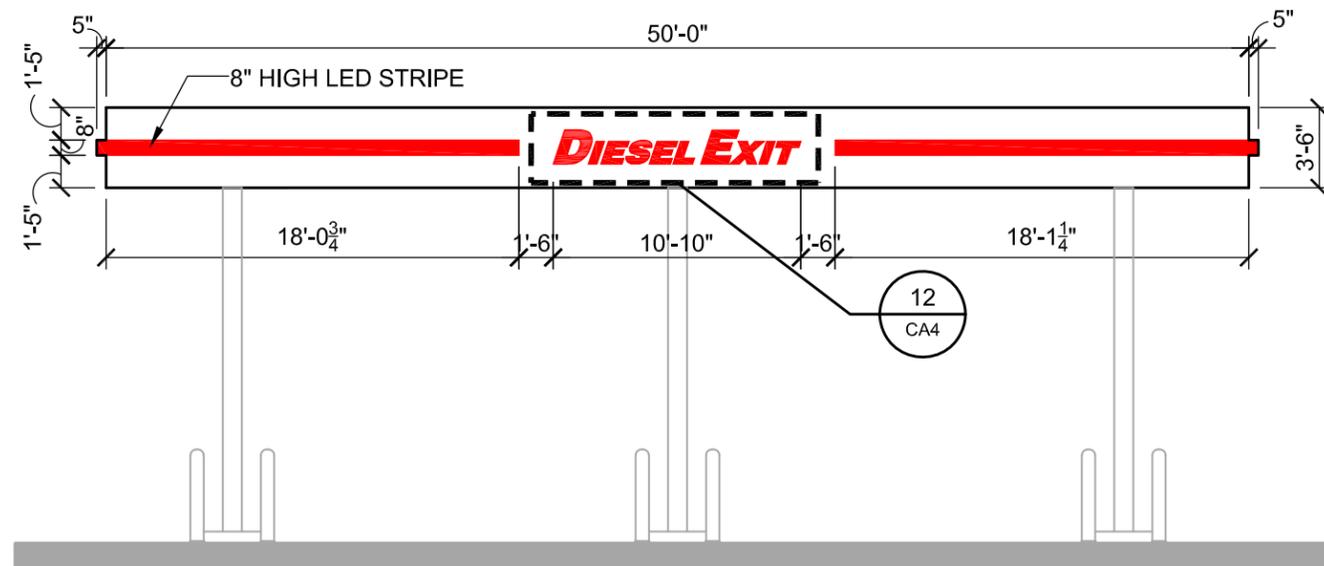


DEF DETAIL - SIGN #13
SCALE: 3/8" = 1'-0"



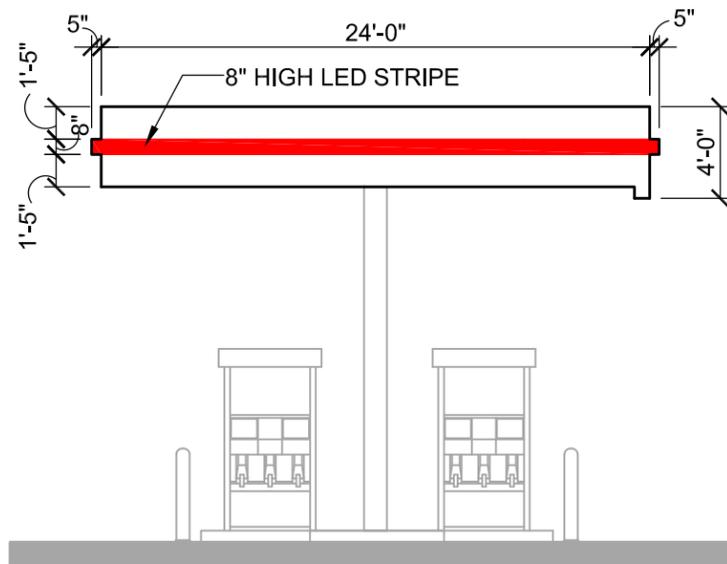
KWIK TRIP, Inc.
P.O. BOX 2107
1626 OAK STREET
LA CROSSE, WI 54602-2107
PH. (608) 781-8988
FAX (608) 781-8960

CANOPY SIGNAGE	CONVENIENCE STORE #1124 w/ SIDE DIESEL & CARWASH		SWC HWY 164 & CTH K SUSSEX, WI
	#	DATE	
DRAWN BY: KMK			
SCALE: MULTIPLE			
PROJ. NO.: 0001			
DATE: 2019-12-10			
SHEET			CA3



CANOPY ELEVATION

SCALE: 1/8" = 1'-0"



CANOPY ELEVATION

SCALE: 1/8" = 1'-0"



LOGO DETAIL - SIGN #12

SCALE: 1/2" = 1'-0"

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FAX (608) 781-8960

CANOPY SIGNAGE

CONVENIENCE STORE #1124
w/ SIDE DIESEL & CARWASH

SWC HWY 164 & CTH K
SUSSEX, WI

#	DATE	DESCRIPTION

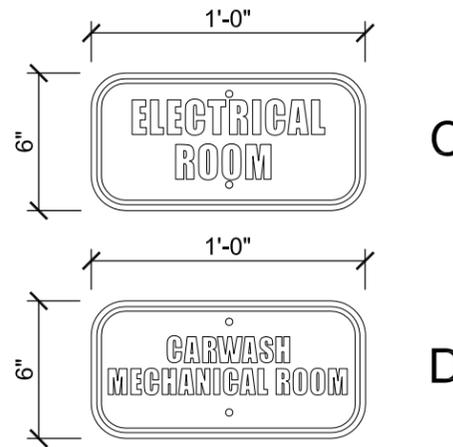
DRAWN BY	KMK
SCALE	MULTIPLE
PROJ. NO.	0001
DATE	2019-12-10
SHEET	CA4



5" WHITE VINYL ADDRESS LETTERS
ON GLASS DOOR AS SHOWN ABOVE
(VERIFY ACTUAL NUMBERS WITH PROJECT MANAGER)

ADDRESS SIGN A

SCALE: 3/4" = 1'-0"



INFORMATIONAL SIGNS C & D

SCALE: 1 1/2" = 1'-0"

GENERAL SPECIFICATIONS

Ⓐ ROOM SIGNS
Qty: 3 total (different copy on each)
Size: per art
Material: white sign blank
Finish: cut vinyl

Install along with various signs for same site, crew to give to KT trim guys to install.

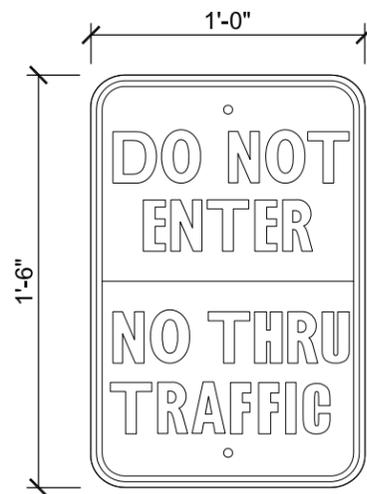
**KWIK
TRIP**

**KWIK
STAR**

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LA CROSSE, WI 54602-2107
PH. (608) 781-8988
FAX (608) 781-8960

GENERAL SPECIFICATIONS

Ⓐ 18"x12" ALUMINUM SIGN
Qty:
Size: 18"x12"
Material: Standard white blank
Finish: cut vinyl graphics
Pole Size:
Pole Material:
Pole Finish:
Install:
HAGL:
OAH:



F

INFORMATIONAL SIGN F

SCALE: 1 1/2" = 1'-0"



NON-LIT DIRECTIONAL SIGN
WHITE VINYL ON RED ALUMINUM
1'-0"H X 4'-0"W = 4.0 SQ FT

DIRECTIONAL SIGN #04

SCALE: 3/4" = 1'-0"

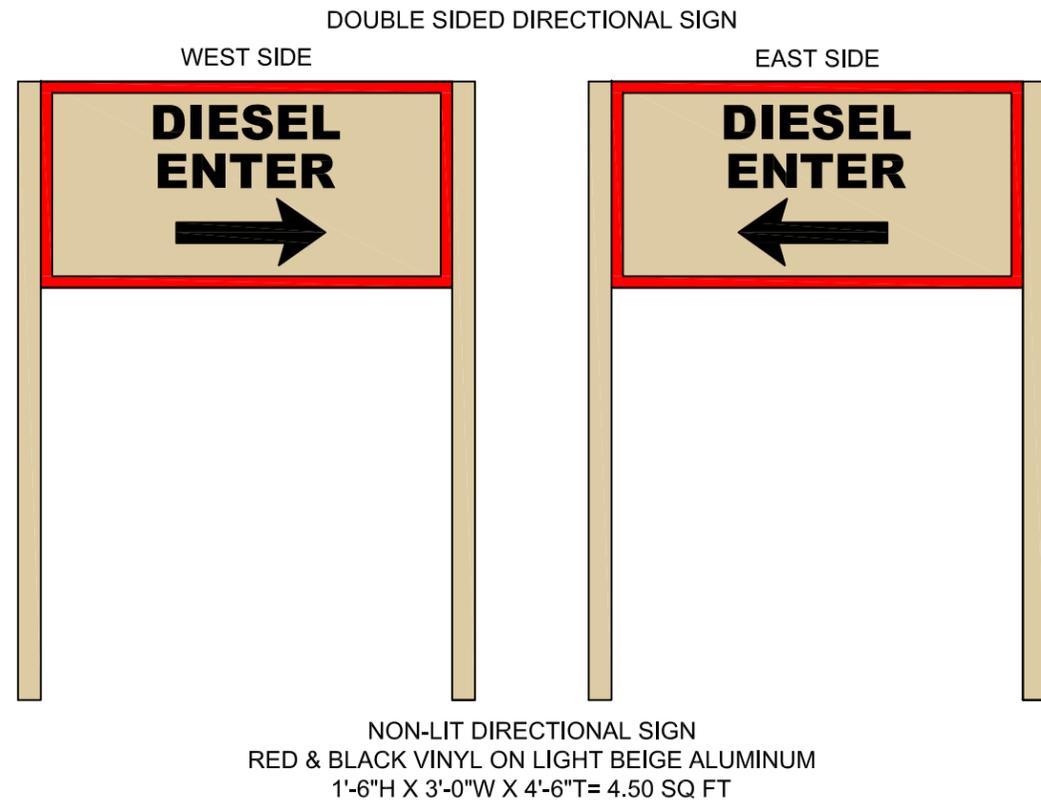
DIRECTIONAL SIGNAGE

CONVENIENCE STORE #1124
w/ SIDE DIESEL & CARWASH

SWC HWY 164 & CTH K
SUSSEX, WI

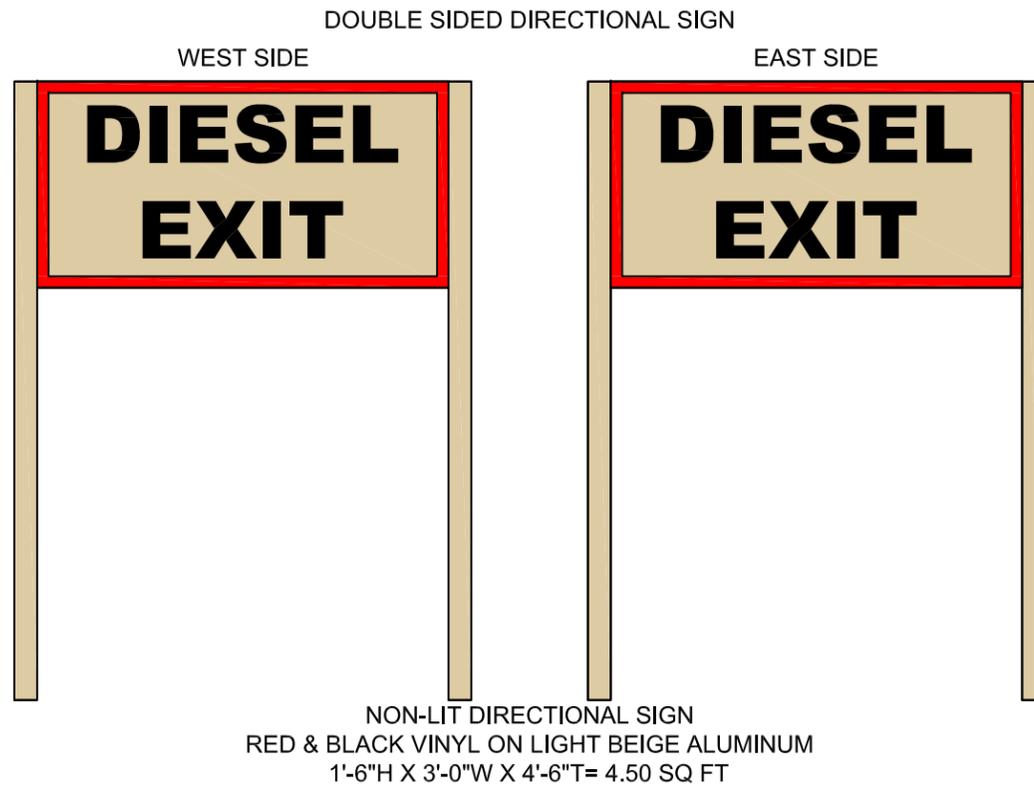
#	DATE	DESCRIPTION

DRAWN BY: KMK
SCALE: MULTIPLE
PROJ. NO.: 0001
DATE: 2019-12-10
SHEET: DS1



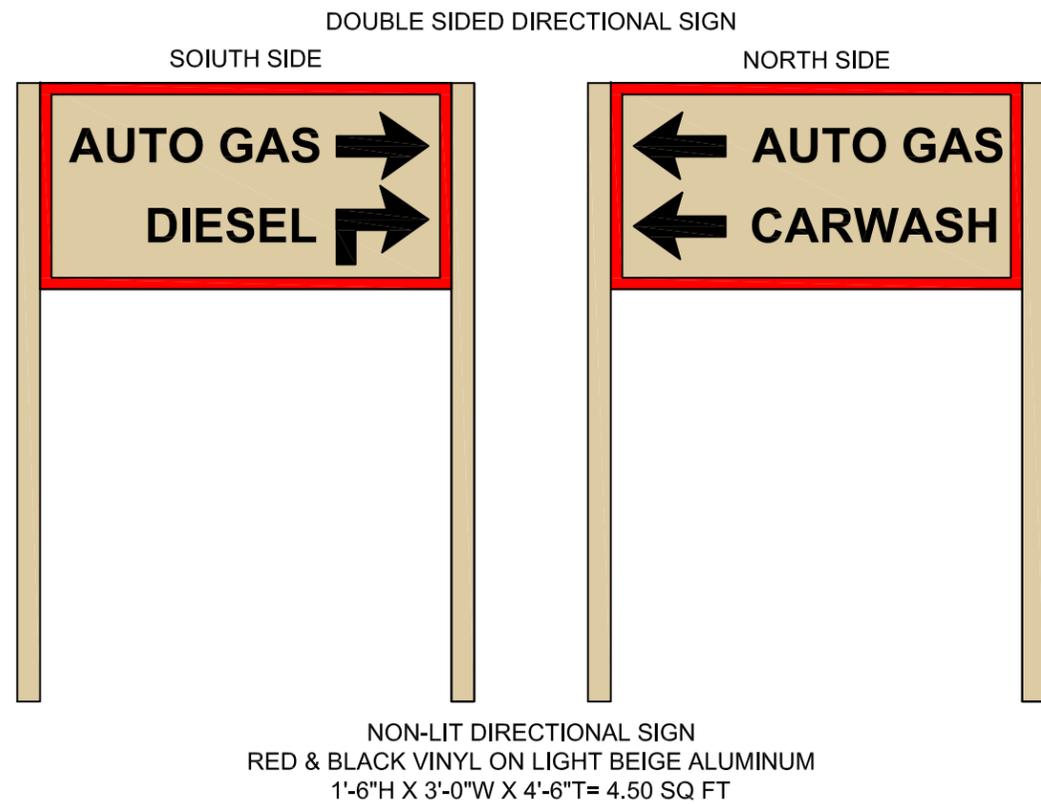
DIRECTIONAL SIGN #14

SCALE: 3/4" = 1'-0"



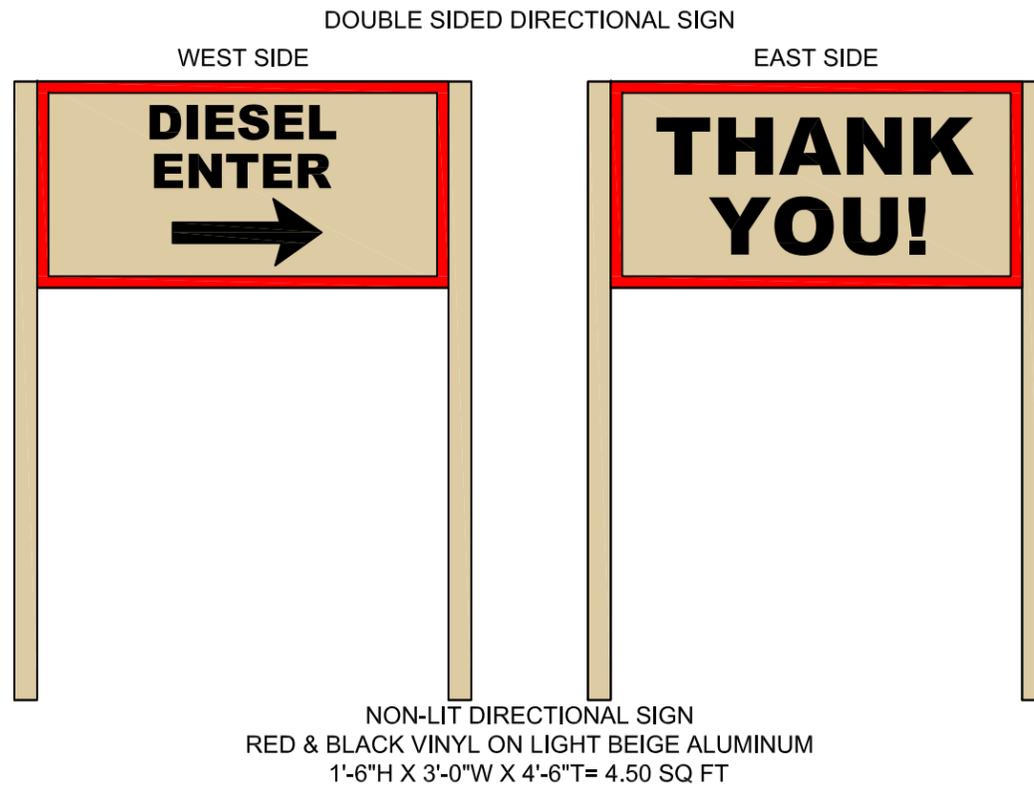
DIRECTIONAL SIGN #15

SCALE: 3/4" = 1'-0"



DIRECTIONAL SIGN #16

SCALE: 3/4" = 1'-0"



DIRECTIONAL SIGN #17

SCALE: 3/4" = 1'-0"



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DIRECTIONAL SIGNAGE

CONVENIENCE STORE #1124
w/ SIDE DIESEL & CARWASH

SWC HWY 164 & CTH K
SUSSEX, WI

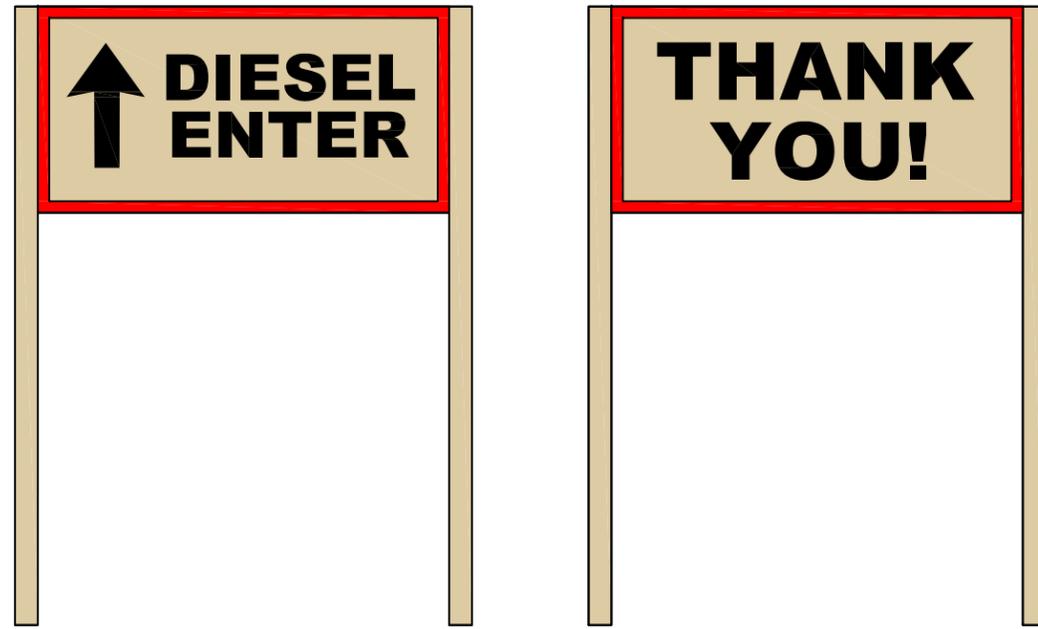
#	DATE	DESCRIPTION

DRAWN BY: KMK
SCALE: MULTIPLE
PROJ. NO.: 0001
DATE: 2019-12-10
SHEET: DS2

DOUBLE SIDED DIRECTIONAL SIGN

WEST SIDE

EAST SIDE



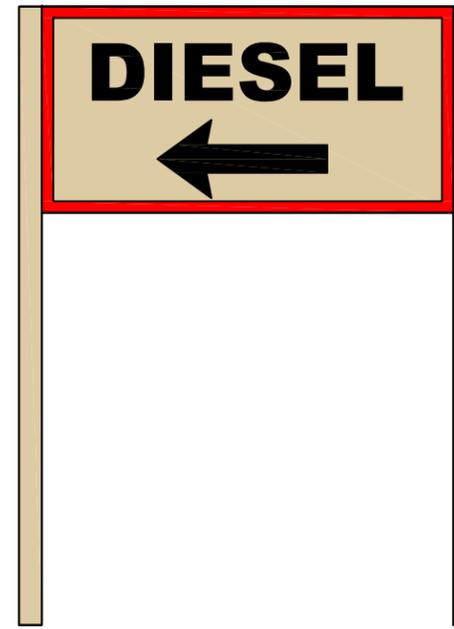
NON-LIT DIRECTIONAL SIGN
RED & BLACK VINYL ON LIGHT BEIGE ALUMINUM
1'-6"H X 3'-0"W X 4'-6"T= 4.50 SQ FT

DIRECTIONAL SIGN #18

SCALE: 3/4" = 1'-0"

SINGLE SIDED DIRECTIONAL SIGN

WEST SIDE



NON-LIT DIRECTIONAL SIGN
RED & BLACK VINYL ON LIGHT BEIGE ALUMINUM
1'-6"H X 3'-0"W X 4'-6"T= 4.50 SQ FT

DIRECTIONAL SIGN #19

SCALE: 3/4" = 1'-0"

#20 KWIK TRIP FREESTANDING MONUMENT SIGN

SEE ATTACHMENT FROM LA CROSSE SIGN CO

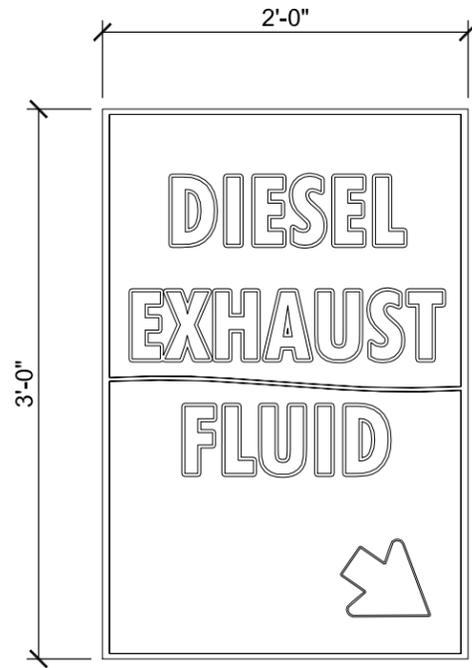


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DIRECTIONAL SIGNAGE
CONVENIENCE STORE #1124
w/ SIDE DIESEL & CARWASH
SWC HWY 164 & CTH K
SUSSEX, WI

#	DATE	DESCRIPTION

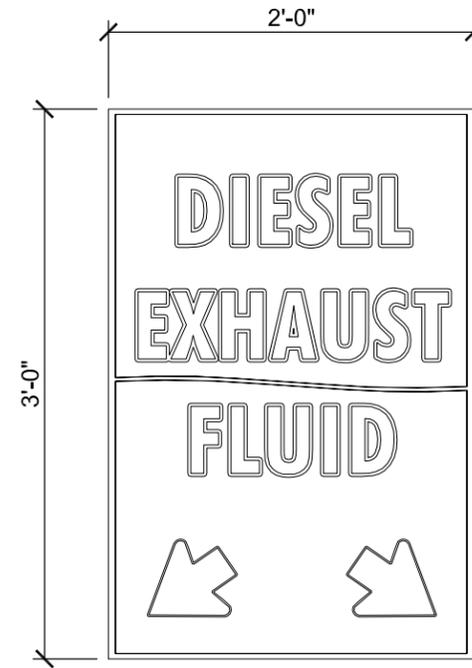
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SCALE	MULTIPLE
PROJ. NO.	0001
DATE	2019-12-10
SHEET	DS3



QTY: X

DEF SIGN A

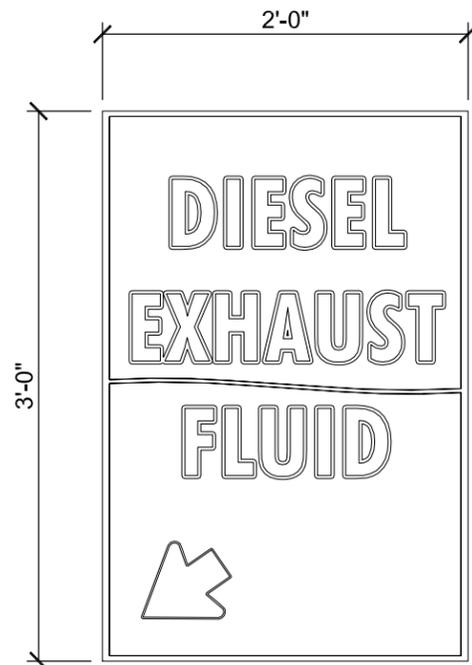
SCALE: 3/4" = 1'-0"



QTY: X

DEF SIGN B

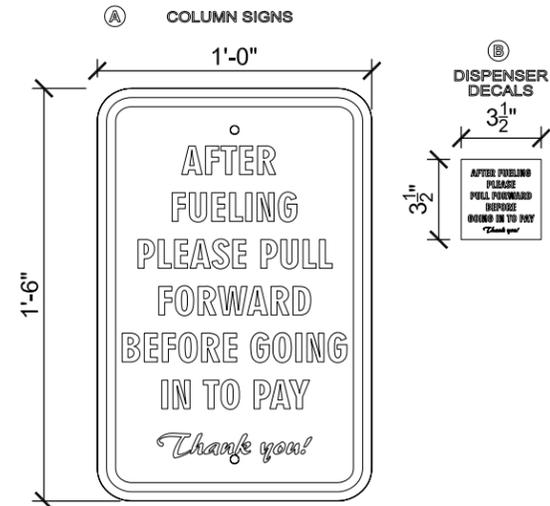
SCALE: 3/4" = 1'-0"



QTY: X

DEF SIGN C

SCALE: 3/4" = 1'-0"



PULL AHEAD SIGN D

SCALE: 1 1/2" = 1'-0"



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 LA CROSSE, WI 54602-2107
 PH. (608) 781-8988
 FAX (608) 781-8960

DEF / DSL SIGNAGE
 CONVENIENCE STORE #1124
 w/ SIDE DIESEL & CARWASH
 SWC HWY 164 & CTH K
 SUSSEX, WI

#	DATE	DESCRIPTION

DRAWN BY: KMK
 SCALE: MULTIPLE
 PROJ. NO.: 0001
 DATE: 2019-12-10
 SHEET: DEF1



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: Jeremy Smith, Village Administrator

RE: Impact Report on Conditional Use Permit for Kwik Trip

DATE: February 12, 2020

This impact report for the Conditional Use request for a gas station, car wash and outside storage, Kwik Trip detailing the impacts of said use to neighboring properties and to the Village Services.

SITE LOCATION: Corner of CTH K and Business Drive

ZONING: B-2 with PDO

b) Gasoline service stations in the B-2 and B-3 districts provided that the use shall include traffic control measures to ameliorate--traffic congestion; that lighting and glare shall not extend into adjacent residential neighborhoods; and that service islands shall comply with the minimum setback requirements of the district. Canopies over a gasoline service island may extend into front, side or rear yard areas, but shall not encroach more than six (6) feet into any required yard. In no case, may a canopy extend into a street right-of-way.

TRAFFIC AND PARKING IMPACTS:

The anticipated impact to the area will be Kwik Trip estimates they will see approximately 1,600 customers visit daily. This will add traffic to Hwy K, but have negligible impact to STH 164. A traffic impact analysis was required by the County and the State and roadway improvements are being installed (signalized intersection, etc.) that account for this traffic and the other traffic coming from the business park development. The truck traffic is not typically during peak times however, trucks entering the site will need to follow a specific travel pattern. Kwik Trip will need to provide the information to their delivery trucks and is adding appropriate signage to the site.

The site will have 28 parking stalls and 1 stall for unloading trucks.

NOISE, ODOR, DUST AND LIGHT IMPACTS:

Noise generated from the operation may impact adjacent property owners, but said adjacent property owners are commercial uses or farming. The frequency of noise will increase from current farming uses , but is no more intense than the gas station and Meijers store kiddie corner from the site.

The storage of the type of items listed by the owners is not likely to cause and odor or dust problem and would not likely impact adjacent property owners.

The lighting is only that which was approved for the building/site and there are no lighting concerns present.

SAFETY, CRIME, FIRE PROVENTION IMPACTS:

The Director of Police Services does anticipate additional calls to this site for gas skips, alarms and shop lifting, the highest time for calls at other Kwik Trip stores is between 3pm to 11pm. The volume of increased calls is not expected to put pressure on police resources beyond normal growth parameters. The Director also anticipates this as another place for community policing as police

officers often frequent this establishment in other communities as a place to stop for breaks and interact with the public.

The Sussex Fire Department needs information about the Knox Box to the building, but has no specific concerns about fire impacts inside the operation. There is a concern that no parking or standing should occur in the fire lanes to ensure quick and safe access for fire vehicles.

There is not likely to be any additional nuisance from said operations and no specific concerns with respect to crime or fire were indicated.

HEALTH AND SANITATION IMPACTS:

All trash, debris and recycle materials are disposed of by the owner. The use as proposed by the owner is not likely to produce significant waste streams, but even a nominal waste increase from the drivers must be mitigated. Kwik Trip has many locations and a strong track record with regards to maintaining a clean site.

There is not likely to be any health concerns from the operation as proposed.

PROPERTY MAINTENANCE IMPACTS:

The property is subject to and must adhere to Village Ordinances. There are no concerns at this time.

MISCELLANEOUS IMPACTS:

The Operation as proposed is unlikely to lead to any measurable impact to most Village services beyond normal business operations. Its operation will not result in the need for the Village to fund/hire additional Fire, Public Works, Parks, Library, Administration, or Garbage resources. There may be some additional police resources occasionally allocated to speed enforcement or other petty crimes from the area based upon complaints, but the Village would not hire additional officers based upon the expected volume, but rather reallocate time as necessary. This site and use may require additional Zoning Administration from noise over time more than a typical use.

THE PLAN COMMISSION MUST MAKE THE FOLLOWING FINDINGS:

The driveway width to be in excess of 32 feet may be permitted that the wider driveway is necessary to the sound development of the parcel; and will not create or exacerbate an existing traffic problem.

It is staff's recommendation that the extra driveway width will enhance the traffic flow from the site.

To reduce the 40 foot setback from the street right of way to 25 feet; The Plan Commission may reduce setbacks within the B-2 district if it finds that in granting the reduced setbacks

- (a) The Site is masterplanned and provides an efficient use of land,
- (b) The health, welfare, and safety of the public is not jeopardized by the setback reduction.
- (c) The setback change will encourage pedestrian interaction between buildings.
- (d) The reduced setback serves to implement the Design Standards of the Village.

The right of way along County Highway K is excessively wide and the Village did the same thing when approving Meijer's across the street. The brick retaining wall acts as an appropriate buffer and the reduced setback allows for the efficient use of the site and helps the health, safety and welfare of the public and further serves the Design Standards of the Village through the attractive screening wall.

RESOLUTION NO. 20-10

AMENDMENT #2 OF THE
2040 COMPREHENSIVE PLAN
FOR THE VILLAGE OF SUSSEX, WISCONSIN
AND SPECIFICALLY THE LAND USE MAP A
COMPONENT OF THE COMPREHENSIVE PLAN

WHEREAS: the Village Board is authorized by state law to adopt and amend a comprehensive plan as defined in Sections 66.1001(1)(a) and 66.1002(2) of the Wisconsin Statutes; and

WHEREAS: The Village Board adopted a comprehensive plan on March 25, 2003 and updated to the 2040 Comprehensive Plan on May 22, 2018 and on occasion amendments will be made; and

WHEREAS: The Sussex Plan Commission has received a petition to amend the Land Use Map and finds it to be acceptable; and

WHEREAS: The Village desires to amend the adopted 2040 Comprehensive plan, specifically the Land Use Plan Map component of the same, based on a request by the petitioner, Neumann Developments, Inc. on behalf of property owners Hickory Farms Inc. portion of SUXV0227999, SUXV0227999004, SUXV0228996 and SUXV0228996002 Silver Spring Road; and

WHEREAS: The approximately 176 acres of the subject properties are currently classified on the Land Use Map as the following:

- Low Density Single Family Residential
- Medium Density Single Family Residential
- Recreational

WHEREAS: The approximately 176 acres of the subject properties as shown on the exhibit, upon adoption of an ordinance amendment would be classified as:

- Medium Density Single Family Residential
- Single Family Attached and Two Family Residential
- Recreational
- Agricultural
- Environmental Corridor
- Isolated Natural Resource Area

NOW THEREFORE, BE IT RESOLVED by the Plan Commission of the Village of Sussex, adopts this resolution and recommends that the Village Board of the Village of Sussex adopt an ordinance entitled Amendment #2 to the Village of Sussex 2040 Comprehensive Plan of the Land Use Map a component of the comprehensive plan for the Village of Sussex to accomplish the following:

Amend the classification for portion of SUXV0227999, SUXV027999004, SUXV0228996 and SUXV0228996002 Silver Spring Road approximately 176 acres on the Land Use Map as shown on the exhibit to the following:

- Medium Density Single Family Residential
- Single Family Attached and Two Family Residential
- Recreational
- Agricultural
- Environmental Corridor
- Isolated Natural Resource Area

Exhibit A legal description attached hereto and incorporated herein.

ADOPTED THIS _____ DAY OF _____ 2020

Approved by a vote of ___ ayes ___ nays.

By: _____
Gregory L. Goetz, Chairman

Attest: _____
Linda Steinmetz, Deputy Clerk

August 2, 2019

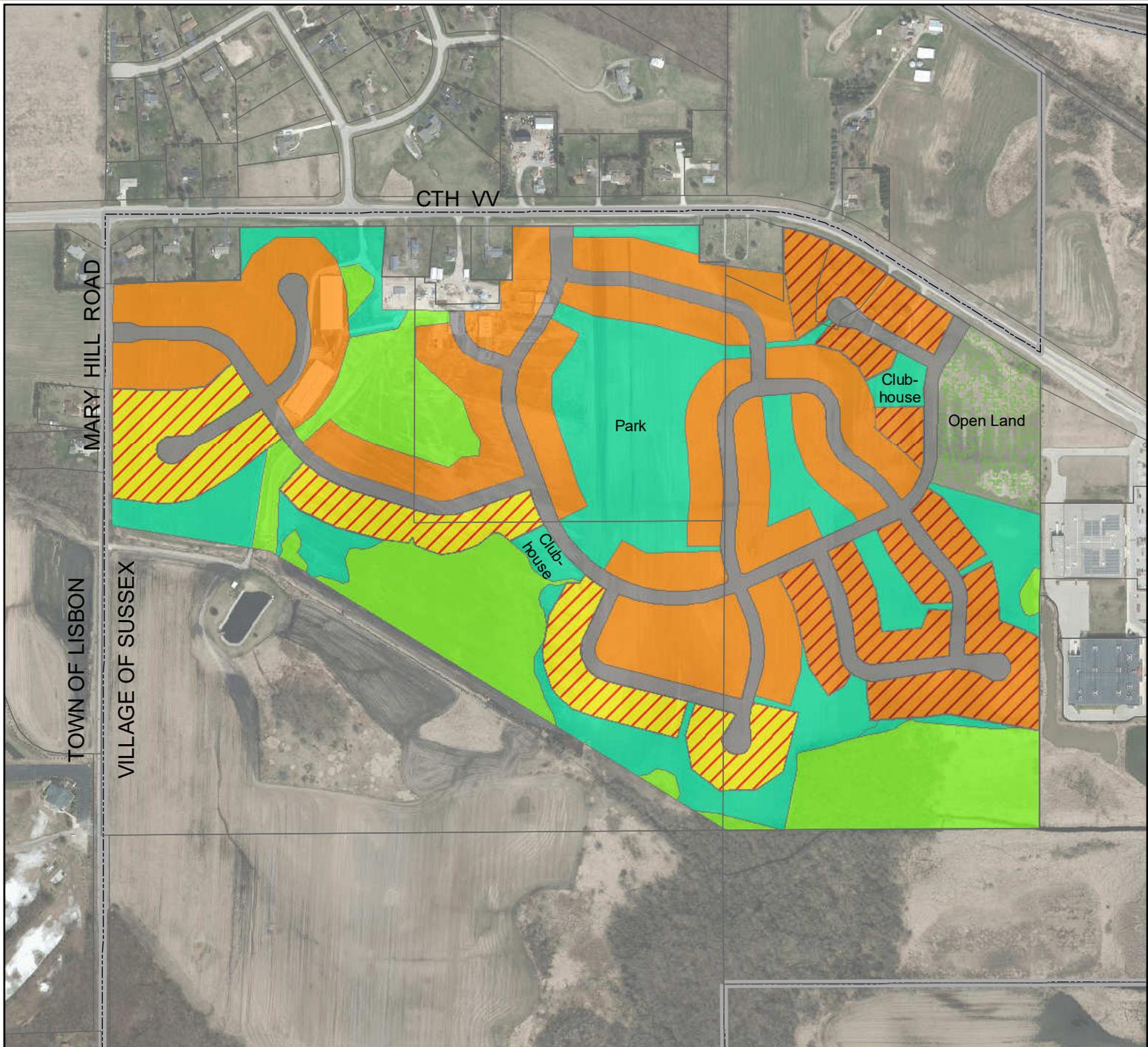
Project No. NEUMA-149103

Proposed Legal Description

Being a part of the Northeast 1/4, Southeast 1/4, Southwest 1/4 and Northwest 1/4 of the Southwest 1/4 and the Southwest 1/4, and Northwest 1/4 of the Southeast 1/4 of Section 21, and the Northeast 1/4 of the Northwest 1/4 of Section 28, Township 8 North, Range 19 East, Village of Sussex, Waukesha County, Wisconsin more fully described as follows:

Beginning at the North 1/4 corner of said Section 28; thence South 00°31'46" East along the East line of the Northwest 1/4 of said Section 28, a distance of 185.69 feet to the centerline of an unnamed creek; thence the following eight courses along the centerline of the unnamed creek, North 68°52'57" West, 32.73 feet; thence North 47°32'38" West, 70.10 feet; thence North 52°27'32" West, 756.12 feet; thence North 58°21'34" West, 1116.35 feet; thence North 59°05'54" West, 430.52 feet; thence North 71°52'37" West, 21.78 feet; thence North 80°27'05" West, 536.46 feet; thence North 89°46'14" West, 83.14 feet to the West line of the Southwest 1/4 of Section 28; thence North 00°24'29" East along said West line 1088.38 feet; thence North 88°25'29" East, 578.46 feet to the East line of Lot 1 of Certified Survey Map No. 5531; thence North 01°34'31" West along said East line 225.70 feet to the Southerly right-of-way of C.T.H. "VV", being 65.05 feet South of the Wisconsin Department of Transportation Reference Line; thence North 89°49'15" East along said Southerly right-of-way line 620.36 feet; thence South 04°56'41" West, 210.80 feet; thence South 00°09'31" East, 143.43 feet; thence North 89°50'29" East, 501.35 feet; thence North 00°09'31" West, 125.00 feet; thence North 89°50'29" East, 54.17 feet; thence North 00°09'31" West, 228.59 feet to the southerly right-of-way of C.T.H. "VV", being 65.05 feet South of the Wisconsin Department of Transportation Reference Line; thence North 89°49'15" East along said Southerly right-of-way line 797.02 feet; thence South 00°22'15" West, 158.20 feet; thence North 89°38'41" East, 115.50 feet; thence South 00°22'15" West, 52.42 feet; thence South 65°27'29" East, 270.22 feet; thence North 00°50'35" West, 315.47 feet to the Southerly right-of-way line of CTH VV; thence Southeasterly 350.81 feet along said right-of-way line and the arc of a curve to the right, with a radius of 894.93 feet whose chord bears South 69°14'33" East, 348.57 feet; thence South 58°00'45" East continuing along said Southerly right-of-way line 907.81 feet to a point on the East line of the West 1/2 of the Southeast 1/4 of said Section 21; thence South 00°10'25" West along said East line 1,956.02 feet to the South line of said Southeast 1/4; thence South 89°45'15" West along said South line 1,346.49 feet to the point of beginning.

Said lands contain 7,775,690 square feet (178.50 acres).



Vista Run Proposed Landuse

Date: 1-30-20

Legend

-  Agriculture
-  Low Density Single-Family Residential
-  Single-Family Attached and Two-Family Residential
-  Medium Density Single-Family Residential
-  Recreational
-  Secondary Environmental Corridor
-  Streets and Highways
-  Civil Division



0 300 600 1,200



Feet



LAND USE MAP AMENDMENT PETITION

TO: The Honorable President and Members of the Village Board for the Village of Sussex

I (we), the undersigned, being the owner(s) of all the area herein described, hereby petitions the Village Board of the Village of Sussex, Wisconsin, to amend the Land Use Map for the following described property:

Address: multiple parcels - see attached description
(Please attach a legal description)

Current Land Use: medium density SF Residential / Low density SF Residential / Ag. / Environmental

Requested Land Use: Refer to attached map

Purpose of amendment: For the development of a mixed use residential neighborhood

Please provide the following:

Site Plan: submit a proposal of the land and identify the areas to be amended using the legend from the current Land Use Map. Provide estimated acreage of the proposed site.

Neumann Developments Inc.
Owner, Agent or Attorney

Owner, Agent or Attorney

N27W24025 Paul Ct, Suite 100
Address Pewaukee, WI 53072

Address

Contact Name : Bryan Lindgren

Address: Same

Phone #: 262-542-9200

E-mail: blindgren@neumanncompanies.com

Needed at time of submittal:
Land Use Map Amendment fee of \$500.00

For office use only

Plan Commission recommendation: _____

Date filed with Village Clerk: _____

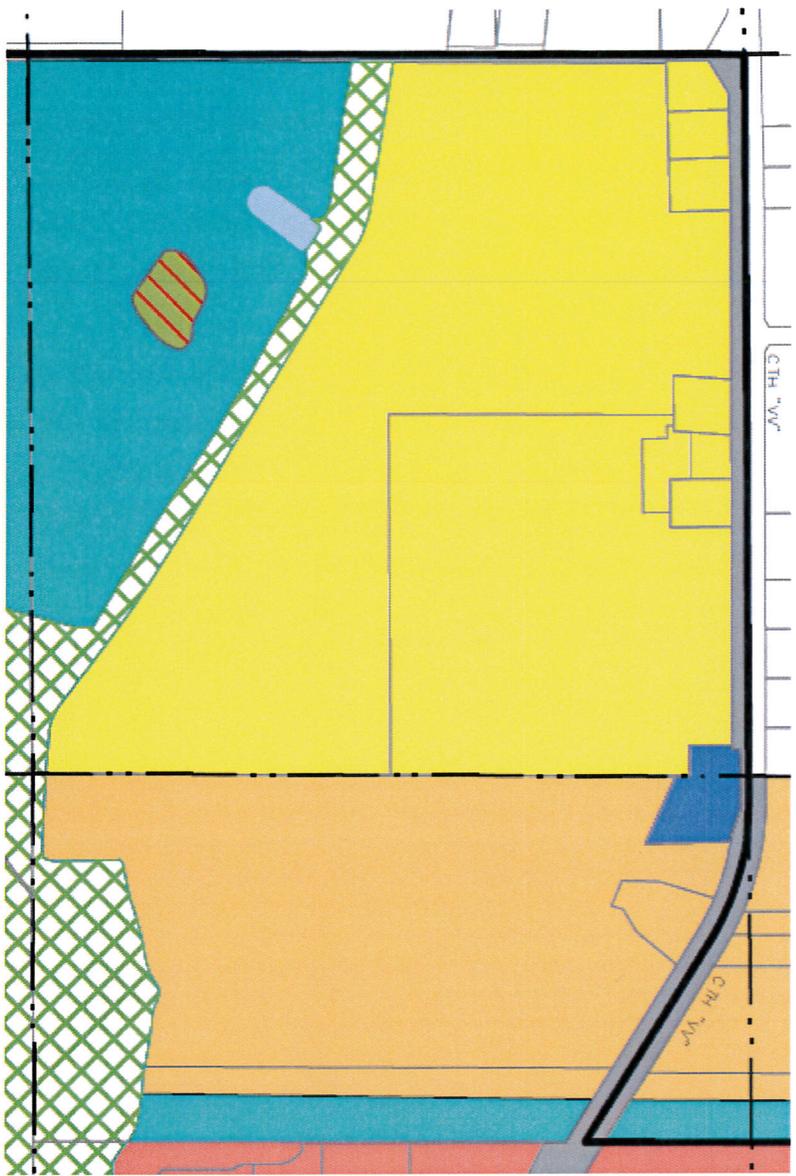
Publish dates: _____

Public Hearing date: _____

Village Board date: _____

CURRENT LAND USE MAP

VILLAGE OF SUSSEX



Amended by Village Board August 14, 2018

Legend

-  Single-Family Attached and Two-Family Residential
 -  Low Density Single-Family Residential
 -  Medium Density Single-Family Residential
 -  Multi-Family Residential
 -  Commercial
 -  Commerce Center
 -  Industrial
 -  Quarry
 -  Government and Institutional
 -  Recreational
 -  Publicly Owned Open Space
 -  Streets and Highways
 -  Railway, Communications and Utilities
 -  Surface Water
- Environmental Overlay**
-  Flood Storage Area
 -  Woodlands Outside of Environmental Corridor
 -  Wetlands Outside of Environmental Corridor
 -  Primary Environmental Corridor
 -  Secondary Environmental Corridor
 -  Isolated Natural Resource Area
 -  Civil Division



ORDINANCE NO. 864

AN ORDINANCE TO CONDITIONALLY REZONE
CERTAIN LANDS IN THE VILLAGE OF SUSSEX FROM
CR-1 AND RS-3 SINGLE FAMILY RESIDENTIAL DISTRICT
TO
RS-2 SINGLE FAMILY RESIDENTIAL DISTRICT,
SFRD-3 SINGLE FAMILY ATTACHED DISTRICT, PARK, WITH ENVIRONMENTAL
OVERLAYS AND AGRICULTURAL WITH A
PLANNED DEVELOPMENT OVERLAY DISTRICT

WHEREAS: A petition has been filed by Neumann Development Inc. on behalf of the property owners Hickory Hill Farms Inc. (“Petitioner”) of certain lands in the Village of Sussex to rezone said properties as described in Exhibit A attached hereto and incorporated herein (“Subject Properties”); and

WHEREAS: Said rezoning petition was submitted to rezone the subject properties to RS -2 Single Family Residential District, SFRD-3 Single Family Attached District, Park, with Environmental Overlays, and Agricultural with a Planned Development Overlay District described on Exhibit A-1; and

WHEREAS: The Petitioner has supplied all required data pursuant to the Village of Sussex Zoning Code; and

WHEREAS: Upon due notice as required by Section 17.1300 of the Village Code, the Village Board held a public hearing on ~~January 14~~March 24, 2020, as required by Section 17.0435(C)(4) of the Village Code; and

WHEREAS: The Plan Commission has reviewed the basis for approval described in Section 17.0435(D) of the Village Code and has made the following findings, subject to all terms and conditions of this zoning ordinance being satisfied:

1. That the petitioners for the proposed Planned Development Overlay District have indicated that they intend to begin the physical development of the PDO within nine (9) months following the approval of the petition and that the development will be carried out according to a reasonable construction schedule satisfactory to the Village.
2. That the proposed Planned Development Overlay District is consistent in all respects to the purpose of this Section and to the spirit and intent of this Ordinance; is in conformity with the adopted master plan or any adopted component thereof; and, that the development would not be contrary to the general welfare and economic prosperity of the community.
3. The proposed site shall be provided with adequate drainage facilities for surface and storm waters.

4. The proposed site shall be accessible from public roads that are adequate to carry the traffic that can be expected to be generated by the proposed development.
5. No undue constraint or burden will be imposed on public services and facilities, such as fire and police protection, street maintenance, and maintenance of public areas by the proposed development.
6. The streets and driveways on the site of the proposed development shall be adequate to serve the residents of the proposed development and shall meet the minimum standards of all applicable ordinances or administrative regulations of the Village.
7. Public water and sewer facilities shall be provided.
8. The entire tract or parcel of land to be included in a Planned Development Overlay District is held under single ownership.
9. Such development will create an attractive residential environment of sustained desirability and economic stability, including structures in relation to terrain, consideration of safe pedestrian flow, ready access to recreation space, and coordination with overall plans for the community.
10. The total net residential density within the Planned Development Overlay District will be compatible with the Village master plan or component thereof.
11. Provision has been made for the installation of adequate public facilities and the continuing maintenance and operation of such facilities.
12. Adequate, continuing fire and police protection is available.
13. The population composition of the development will not have an adverse effect upon the community's capacity to provide needed school or other municipal service facilities.
14. Adequate guarantee is provided for permanent preservation of open space areas as shown on the approved site plan either by private reservation and maintenance or by dedication to the public.

WHEREAS: The Village Plan Commission of the Village of Sussex has recommended to the Village Board of the Village of Sussex that said zoning change be made upon certain conditions; and

WHEREAS: The Village of Sussex has reviewed the basis for approval of the petition described in Section 17.0435(D) of the Village Code, and concurs with the Village Plan Commission, and makes the same findings, subject to all terms and conditions of this zoning ordinance being duly satisfied as required herein; and

WHEREAS: The Village Board of the Village of Sussex having carefully reviewed the recommendation of the Plan Commission of the Village of Sussex, having determined that all procedural requirements and notice requirements have been satisfied, having given the matter due consideration, and having based its determination on the effect of the granting of such rezoning on the health, safety and welfare of the community, immediate neighborhood in which said use will be located, and having given due consideration to the municipal problems involved as well as the impact on the surrounding properties as to noise, dust, smoke and odor, and others hereby determine that the rezoning will not violate the spirit or intent of the Zoning Code for the Village of Sussex, will not be contrary to the public health, safety or general welfare of the Village of Sussex, will not be hazardous, harmful, noxious, offensive and will not for any other reason cause a substantial adverse effect on the property values and general desirability of the neighborhood as long as the operation is conducted pursuant to the following conditions and in strict compliance with the same and is consistent with the recommendation found in the Village of Sussex master plan.

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

SECTION 1: The subject property as described on **Exhibit A** is hereby rezoned to Rs-2 Single Family Residential District (Approximately ~~6357~~ acres), SFRD-3 Single Family Attached District (Approximately ~~1824~~ acres), Agricultural/Open Space (Approximately 6.5 Acres) Park (Approximately 62 Acres), with Approximately .54 acres of Isolated Natural Resources Overlay and 16.5 acres of Secondary Environmental Overlay and within a Planned Development Overlay District, and the Zoning Map of the Village of Sussex is hereby amended, subject to the terms and conditions described herein.

SECTION 2: The above rezoning and zoning map amendment is conditioned upon the following conditions, which must be complied with or this ordinance is null and void:

1. Presentation Compliance. The subject property must be developed in substantial conformity with the plans presented to the Plan Commission on June 18, 2019 and November 19, 2019 and ~~February 18, 2020~~ in substantial conformity with the presentation at the public hearing at the Village Board on ~~January 14~~ March 24, 2020 as presented shall be attached hereto and incorporated herein as **Exhibit B**.
2. Preliminary and Final Plat Conditions. The Petitioner shall submit and receive all necessary approvals for a preliminary plat and a final plat, and shall satisfy all conditions of the same.

3. Lot Sizes and Setbacks.

A. There will be 3 single family detached style areas within the PDO RS-2 zoning:

1. Estate Lots (38 lots), lot sizes will not be less than 15,000 square feet with a minimum lot width not less than 90 feet. The setbacks for this lot style shall be 25 feet front yard, 12.5 feet side yard and 25 feet rear yard.
2. Residential Lots (~~70~~2 lots), lot sizes will not be less than 12,000 square feet with a minimum lot width not less than 75 feet. The setbacks for this lot style shall be 25 feet front yard, 10 feet side yard and 25 feet rear yard.
3. Villa Lots (~~66-98~~ lots), lot sizes will not be less than 910,000 square feet with a minimum lot width not less than 65 feet. The setbacks for this lot style shall be 20 feet front yard, 7.5 feet side yard and 20 feet rear yard.

The location of these lot styles shall remain consistent with the plans presented, but the number of the exact lots in each type may be adjusted with permission of the Village Administrator (which may or may not be granted) by not more than 3 lots of any one type (Estate, Residential, or Villa).

B. There will be ~~3~~2 single family attached style areas within the PDO SFRD-3 zoning:

1. Two- Family Condominium (~~58~~6 condo units and a condo clubhouse) with shared common areas where the lots are greater than an acre and the building setbacks are 20 feet front yard, 20 feet building to building and 25 feet rear yard.
- ~~2. Single Family Attached Homes (24 homes in 12 buildings) with each home having its own yard on a lot of 7,200 square feet and a minimum width of 50 feet, a setback of 20 feet front yard, 20 feet building to building and 25 feet rear yard.~~
- ~~3-2.~~ Townhomes (~~52-30~~ home units in ~~8-3~~ buildings of 4 townhome units each and ~~4-9~~ buildings of ~~5-2~~ townhome units each) with shared common area, and setbacks of 20 feet front yard, 20 feet building to building and 25 feet rear yard.

C. All of these home/unit locations and layouts as presented shall be attached hereto and incorporated herein as **Exhibit B**.

4.3. Phasing Plan. For purposes of the Village's Phasing Ordinance under 18.0902 Outlots ~~1 and Outlot 245, 56, and 78~~ shall be considered one development, Outlots ~~10, 9, 10, and 11~~ 11, 12, ~~13, 14, and 15; and 16~~ shall be considered one development, ~~Outlot 6 shall be considered a development~~, and the remaining single family detached lots shall be considered a development such that each may develop in conjunction with each other without limiting each other groups development capabilities.

5.4. Road Width and Length. The Public Road widths shall be 33' measured back of curb to back of curb. The Plan Commission and Village Board find that this width is appropriate to provide safe and convenient access in accordance with this neighborhood plan, 18.0701 18.0703 of the Village Code.

6.5. Special Assessment. The payment of outstanding special assessments owed on this property must be paid in full prior to starting any site work.

7.6. Construction Sequencing Plan. Subject to the Developer submitting to and receiving approval from the Village Engineer a construction sequencing plan to ensure safe and adequate construction development of the site for public safety access, utility development, and customer access at all times. Because of the size of this development and the requirement to preserve public safety while this development is phased in there shall be established in the first phase of development a roadway pattern that has two access points to the existing public roadway system.

8.7. Housing Monotony Clause. As required in the Village Design Standards and Chapter 17 Section 17.1002 (B)(2), no single family detached building shall be permitted that design or exterior appearance of which is so identical to a building on lots within 500 feet of each other that it creates monotony or drabness.

9.8. Required Plans and Engineer Satisfaction. Subject to the Petitioner submitting to and receiving written approval from the Village Plan Commission of all of the following plans for the entire subject property, prior to the rezoning ordinance taking effect. Said plans shall satisfy all comments, conditions, and concerns of the Village Engineer.

- A. Utility Plans for the entire site including any necessary utility extensions or oversizing necessary to properly connect the development site's utilities with the Village system. Including, but not limited to:
1. Sewer System Plans
 2. Water System Plans including the water loop along Main Street looping into Big Sky Drive.
 3. Storm water Management Plans with the appropriate maintenance requirements and outlots. The outlots for the stormwater ponds shall be owned by the Village.

B. Master Street Lighting Plan for the entire site.

C. Sidewalk and Path Plan for the entire site shown on the plat including location, width, and materials of the sidewalks. Sidewalk shall be established along the entirety of Silver Spring/CTH VV/Main Street and along Maryhill Road to the UnNamed Creek Crossing to the point where it connects with the path along said Creek. Developer shall establish a path along the length of Outlots ~~17 and 18~~ 16+2. Sidewalks shall be on one side of all non cul-de sac roads internal to the subdivision.

D. Street Tree Plan for the entire site, which shall be planted by the Developer per each phase no later than 12 months from the date of approval of that corresponding Final Plat/Condo Plat within the optimal spring or fall planting season.

E. Landscape plan for common areas including necessary easements for ongoing maintenance by homeowners association as may be appropriate. In particular a specific plan for buffering the homes/units along Main Street.

F. Tree Mitigation and Preservation Plan and payment of any fees associated with said plan, and the proper deed restriction in a form approved by the Village Attorney being placed against said lots where the trees and soil are to be left preserved according to said plan.

G. Street plans including Highway VV Plans and any necessary approvals from Waukesha County for the access points and improvements necessary to gain access for the same.

10. Developer's Agreement. Prior to development of the Subject Property or any portion thereof, the Developer of the Subject Lands or portion thereof is required to enter into a Developer's Agreement as approved by the Village prior to the approval of permits for grading and start of construction.
11. Professional Fees. Petitioner shall, on demand, reimburse the Village for all costs and expenses of any type that the Village incurs in connection with this rezoning petition, including the cost of professional services incurred by the Village (including engineering, legal, planning and other consulting fees) for the review and preparation of required documents or attendance at meetings or other related professional services for this application, as well as to enforce the conditions in this conditional rezoning ordinance due to a violation of these conditions.
12. Payment of Charges. Any unpaid bills owed to the Village by the owner of subject lands or his or her tenants, operators or occupants, for reimbursement of professional fees (as

described above); or for personal property taxes; or for real property taxes; or for licenses, permit fees or any other fees owed to the Village: shall be placed upon the tax roll for the subject property if not paid within thirty (30) days of billing by the Village, pursuant to Section 66.0627. Wisconsin Statutes. Such unpaid bills also constitute a breach of the requirements of this conditional rezoning ordinance that is subject to all remedies available to the Village, including possible cause for termination of the conditional rezoning ordinance.

- 13. Acceptance. Subject to the petitioner approving in writing the issuance of the conditional rezoning ordinance, and that the petitioner understands and accepts the same, and that upon failure to satisfy these conditions, this conditional rezoning ordinance is void, and the same is deemed not to have been approved, and the Petitioner will therefore need to re-commence the application process for rezoning of the property.

- 14. One Year to Satisfy Conditions. Subject to the petitioner satisfying all of the aforementioned conditions within one year of the Village Board adopting this conditional rezoning ordinance. The Village Board may grant additional time solely at the discretion of the Village Board upon request for an extension by the Developer.

SECTION 3: The Village Engineer is hereby authorized and directed to note this rezoning on the Official Zoning Map of the Village of Sussex upon successful development of the property and satisfaction of all conditions in Section 2 of this Ordinance.

SECTION 4. 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 of the ordinance which shall remain in full force and effect. Any other ordinances are hereby repealed as to those terms that conflict.

SECTION 5. EFFECTIVE DATE. This ordinance shall take effect immediately upon passage and posting or publication as provided by law.

| Dated this _____ day of _____, 202019.

VILLAGE OF SUSSEX

Gregory L. Goetz
Village President

ATTEST: _____
Sam Liebert

Village Clerk-Treasurer

| Published and/or posted this _____ day of _____, 20~~20~~¹⁹.

ORDINANCE NO. _864_____

AN ORDINANCE TO CONDITIONALLY REZONE
CERTAIN LANDS IN THE VILLAGE OF SUSSEX FROM
CR-1 AND RS-3 SINGLE FAMILY RESIDENTIAL DISTRICT
TO
RS-2 SINGLE FAMILY RESIDENTIAL DISTRICT,
SFRD-3 SINGLE FAMILY ATTACHED DISTRICT, PARK, WITH ENVIRONMENTAL
OVERLAYS AND AGRICULTURAL WITH A
PLANNED DEVELOPMENT OVERLAY DISTRICT

WHEREAS: A petition has been filed by Neumann Development Inc. on behalf of the property owners Hickory Hill Farms Inc. (“Petitioner”) of certain lands in the Village of Sussex to rezone said properties as described in Exhibit A attached hereto and incorporated herein (“Subject Properties”); and

WHEREAS: Said rezoning petition was submitted to rezone the subject properties to RS -2 Single Family Residential District, SFRD-3 Single Family Attached District, Park, with Environmental Overlays, and Agricultural with a Planned Development Overlay District described on Exhibit A-1; and

WHEREAS: The Petitioner has supplied all required data pursuant to the Village of Sussex Zoning Code; and

WHEREAS: Upon due notice as required by Section 17.1300 of the Village Code, the Village Board held a public hearing on March 24, 2020, as required by Section 17.0435(C)(4) of the Village Code; and

WHEREAS: The Plan Commission has reviewed the basis for approval described in Section 17.0435(D) of the Village Code and has made the following findings, subject to all terms and conditions of this zoning ordinance being satisfied:

1. That the petitioners for the proposed Planned Development Overlay District have indicated that they intend to begin the physical development of the PDO within nine (9) months following the approval of the petition and that the development will be carried out according to a reasonable construction schedule satisfactory to the Village.
2. That the proposed Planned Development Overlay District is consistent in all respects to the purpose of this Section and to the spirit and intent of this Ordinance; is in conformity with the adopted master plan or any adopted component thereof; and, that the development would not be contrary to the general welfare and economic prosperity of the community.
3. The proposed site shall be provided with adequate drainage facilities for surface and storm waters.

4. The proposed site shall be accessible from public roads that are adequate to carry the traffic that can be expected to be generated by the proposed development.
5. No undue constraint or burden will be imposed on public services and facilities, such as fire and police protection, street maintenance, and maintenance of public areas by the proposed development.
6. The streets and driveways on the site of the proposed development shall be adequate to serve the residents of the proposed development and shall meet the minimum standards of all applicable ordinances or administrative regulations of the Village.
7. Public water and sewer facilities shall be provided.
8. The entire tract or parcel of land to be included in a Planned Development Overlay District is held under single ownership.
9. Such development will create an attractive residential environment of sustained desirability and economic stability, including structures in relation to terrain, consideration of safe pedestrian flow, ready access to recreation space, and coordination with overall plans for the community.
10. The total net residential density within the Planned Development Overlay District will be compatible with the Village master plan or component thereof.
11. Provision has been made for the installation of adequate public facilities and the continuing maintenance and operation of such facilities.
12. Adequate, continuing fire and police protection is available.
13. The population composition of the development will not have an adverse effect upon the community's capacity to provide needed school or other municipal service facilities.
14. Adequate guarantee is provided for permanent preservation of open space areas as shown on the approved site plan either by private reservation and maintenance or by dedication to the public.

WHEREAS: The Village Plan Commission of the Village of Sussex has recommended to the Village Board of the Village of Sussex that said zoning change be made upon certain conditions; and

WHEREAS: The Village of Sussex has reviewed the basis for approval of the petition described in Section 17.0435(D) of the Village Code, and concurs with the Village Plan Commission, and makes the same findings, subject to all terms and conditions of this zoning ordinance being duly satisfied as required herein; and

WHEREAS: The Village Board of the Village of Sussex having carefully reviewed the recommendation of the Plan Commission of the Village of Sussex, having determined that all procedural requirements and notice requirements have been satisfied, having given the matter due consideration, and having based its determination on the effect of the granting of such rezoning on the health, safety and welfare of the community, immediate neighborhood in which said use will be located, and having given due consideration to the municipal problems involved as well as the impact on the surrounding properties as to noise, dust, smoke and odor, and others hereby determine that the rezoning will not violate the spirit or intent of the Zoning Code for the Village of Sussex, will not be contrary to the public health, safety or general welfare of the Village of Sussex, will not be hazardous, harmful, noxious, offensive and will not for any other reason cause a substantial adverse effect on the property values and general desirability of the neighborhood as long as the operation is conducted pursuant to the following conditions and in strict compliance with the same and is consistent with the recommendation found in the Village of Sussex master plan.

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

SECTION 1: The subject property as described on **Exhibit A** is hereby rezoned to Rs-2 Single Family Residential District (Approximately 63 acres), SFRD-3 Single Family Attached District (Approximately 18 acres), Agricultural/Open Space (Approximately 6.5 Acres) Park (Approximately 62 Acres), with Approximately .54 acres of Isolated Natural Resources Overlay and 16.5 acres of Secondary Environmental Overlay and within a Planned Development Overlay District, and the Zoning Map of the Village of Sussex is hereby amended, subject to the terms and conditions described herein.

SECTION 2: The above rezoning and zoning map amendment is conditioned upon the following conditions, which must be complied with or this ordinance is null and void:

1. Presentation Compliance. The subject property must be developed in substantial conformity with the plans presented to the Plan Commission on June 18, 2019 and November 19, 2019 and February 18, 2020 in substantial conformity with the presentation at the public hearing at the Village Board on March 24, 2020 as presented shall be attached hereto and incorporated herein as **Exhibit B**.
2. Preliminary and Final Plat Conditions. The Petitioner shall submit and receive all necessary approvals for a preliminary plat and a final plat, and shall satisfy all conditions of the same.

3. Lot Sizes and Setbacks.

A. There will be 3 single family detached style areas within the PDO RS-2 zoning:

1. Estate Lots (38 lots), lot sizes will not be less than 15,000 square feet with a minimum lot width not less than 90 feet. The setbacks for this lot style shall be 25 feet front yard, 12.5 feet side yard and 25 feet rear yard.
2. Residential Lots (70 lots), lot sizes will not be less than 12,000 square feet with a minimum lot width not less than 75 feet. The setbacks for this lot style shall be 25 feet front yard, 10 feet side yard and 25 feet rear yard.
3. Villa Lots (98 lots), lot sizes will not be less than 10,000 square feet with a minimum lot width not less than 65 feet. The setbacks for this lot style shall be 20 feet front yard, 7.5 feet side yard and 20 feet rear yard.

The location of these lot styles shall remain consistent with the plans presented, but the number of the exact lots in each type may be adjusted with permission of the Village Administrator (which may or may not be granted) by not more than 3 lots of any one type (Estate, Residential, or Villa).

B. There will be 2 single family attached style areas within the PDO SFRD-3 zoning:

1. Two- Family Condominium (58 condo units and a condo clubhouse) with shared common areas where the lots are greater than an acre and the building setbacks are 20 feet front yard, 20 feet building to building and 25 feet rear yard.
2. Townhomes (30 home units in 3 buildings of 4 townhome units each and 9 buildings of 2 townhome units each) with shared common area, and setbacks of 20 feet front yard, 20 feet building to building and 25 feet rear yard.

C. All of these home/unit locations and layouts as presented shall be attached hereto and incorporated herein as **Exhibit B**.

3. Phasing Plan. For purposes of the Village's Phasing Ordinance under 18.0902 Outlots 4, 5, and 7 shall be considered one development, Outlots 10, 11, 12, 14, and 15 shall be considered one development, and the remaining single family detached lots shall be considered a development such that each may develop in conjunction with each other without limiting each other groups development capabilities.

4. Road Width and Length. The Public Road widths shall be 33' measured back of curb to back of curb. The Plan Commission and Village Board find that this width is appropriate to provide safe and convenient access in accordance with this neighborhood plan, 18.0701 18.0703 of the Village Code.
5. Special Assessment. The payment of outstanding special assessments owed on this property must be paid in full prior to starting any site work.
6. Construction Sequencing Plan. Subject to the Developer submitting to and receiving approval from the Village Engineer a construction sequencing plan to ensure safe and adequate construction development of the site for public safety access, utility development, and customer access at all times. Because of the size of this development and the requirement to preserve public safety while this development is phased in there shall be established in the first phase of development a roadway pattern that has two access points to the existing public roadway system.
7. Housing Monotony Clause. As required in the Village Design Standards and Chapter 17 Section 17.1002 (B)(2), no single family detached building shall be permitted that design or exterior appearance of which is so identical to a building on lots within 500 feet of each other that it creates monotony or drabness.
8. Required Plans and Engineer Satisfaction. Subject to the Petitioner submitting to and receiving written approval from the Village Plan Commission of all of the following plans for the entire subject property, prior to the rezoning ordinance taking effect. Said plans shall satisfy all comments, conditions, and concerns of the Village Engineer.
 - A. Utility Plans for the entire site including any necessary utility extensions or oversizing necessary to properly connect the development site's utilities with the Village system. Including, but not limited to:
 1. Sewer System Plans
 2. Water System Plans including the water loop along Main Street looping into Big Sky Drive.
 3. Storm water Management Plans with the appropriate maintenance requirements and outlots. The outlots for the stormwater ponds shall be owned by the Village.
 - B. Master Street Lighting Plan for the entire site.
 - C. Sidewalk and Path Plan for the entire site shown on the plat including location, width, and materials of the sidewalks. Sidewalk shall be established along the entirety of Silver Spring/CTH VV/Main Street and along Maryhill Road to the UnNamed Creek Crossing to the point where it connects with the path along said Creek. Developer shall establish a path along the length of Outlot 16. Sidewalks shall be on one side of all non cul-de sac roads internal to the subdivision.

D. Street Tree Plan for the entire site, which shall be planted by the Developer per each phase no later than 12 months from the date of approval of that corresponding Final Plat/Condo Plat within the optimal spring or fall planting season.

E. Landscape plan for common areas including necessary easements for ongoing maintenance by homeowners association as may be appropriate. In particular a specific plan for buffering the homes/units along Main Street.

F. Tree Mitigation and Preservation Plan and payment of any fees associated with said plan, and the proper deed restriction in a form approved by the Village Attorney being placed against said lots where the trees and soil are to be left preserved according to said plan.

G. Street plans including Highway VV Plans and any necessary approvals from Waukesha County for the access points and improvements necessary to gain access for the same.

10. Developer's Agreement. Prior to development of the Subject Property or any portion thereof, the Developer of the Subject Lands or portion thereof is required to enter into a Developer's Agreement as approved by the Village prior to the approval of permits for grading and start of construction.
11. Professional Fees. Petitioner shall, on demand, reimburse the Village for all costs and expenses of any type that the Village incurs in connection with this rezoning petition, including the cost of professional services incurred by the Village (including engineering, legal, planning and other consulting fees) for the review and preparation of required documents or attendance at meetings or other related professional services for this application, as well as to enforce the conditions in this conditional rezoning ordinance due to a violation of these conditions.
12. Payment of Charges. Any unpaid bills owed to the Village by the owner of subject lands or his or her tenants, operators or occupants, for reimbursement of professional fees (as described above); or for personal property taxes; or for real property taxes; or for licenses, permit fees or any other fees owed to the Village: shall be placed upon the tax roll for the subject property if not paid within thirty (30) days of billing by the Village, pursuant to Section 66.0627. Wisconsin Statutes. Such unpaid bills also constitute a breach of the requirements of this conditional rezoning ordinance that is subject to all remedies available to the Village, including possible cause for termination of the conditional rezoning ordinance.
13. Acceptance. Subject to the petitioner approving in writing the issuance of the conditional rezoning ordinance, and that the petitioner understands and accepts the same, and that upon failure to satisfy these conditions, this conditional rezoning ordinance is void,

and the same is deemed not to have been approved, and the Petitioner will therefore need to re-commence the application process for rezoning of the property.

- 14. One Year to Satisfy Conditions. Subject to the petitioner satisfying all of the aforementioned conditions within one year of the Village Board adopting this conditional rezoning ordinance. The Village Board may grant additional time solely at the discretion of the Village Board upon request for an extension by the Developer.

SECTION 3: The Village Engineer is hereby authorized and directed to note this rezoning on the Official Zoning Map of the Village of Sussex upon successful development of the property and satisfaction of all conditions in Section 2 of this Ordinance.

SECTION 4. 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 5. EFFECTIVE DATE. This ordinance shall take effect immediately upon passage and posting or publication as provided by law.

Dated this _____ day of _____, 2020.

VILLAGE OF SUSSEX

Gregory L. Goetz
Village President

ATTEST: _____
Sam Liebert
Village Clerk-Treasurer

Published and/or posted this _____ day of _____, 2020.

August 2, 2019

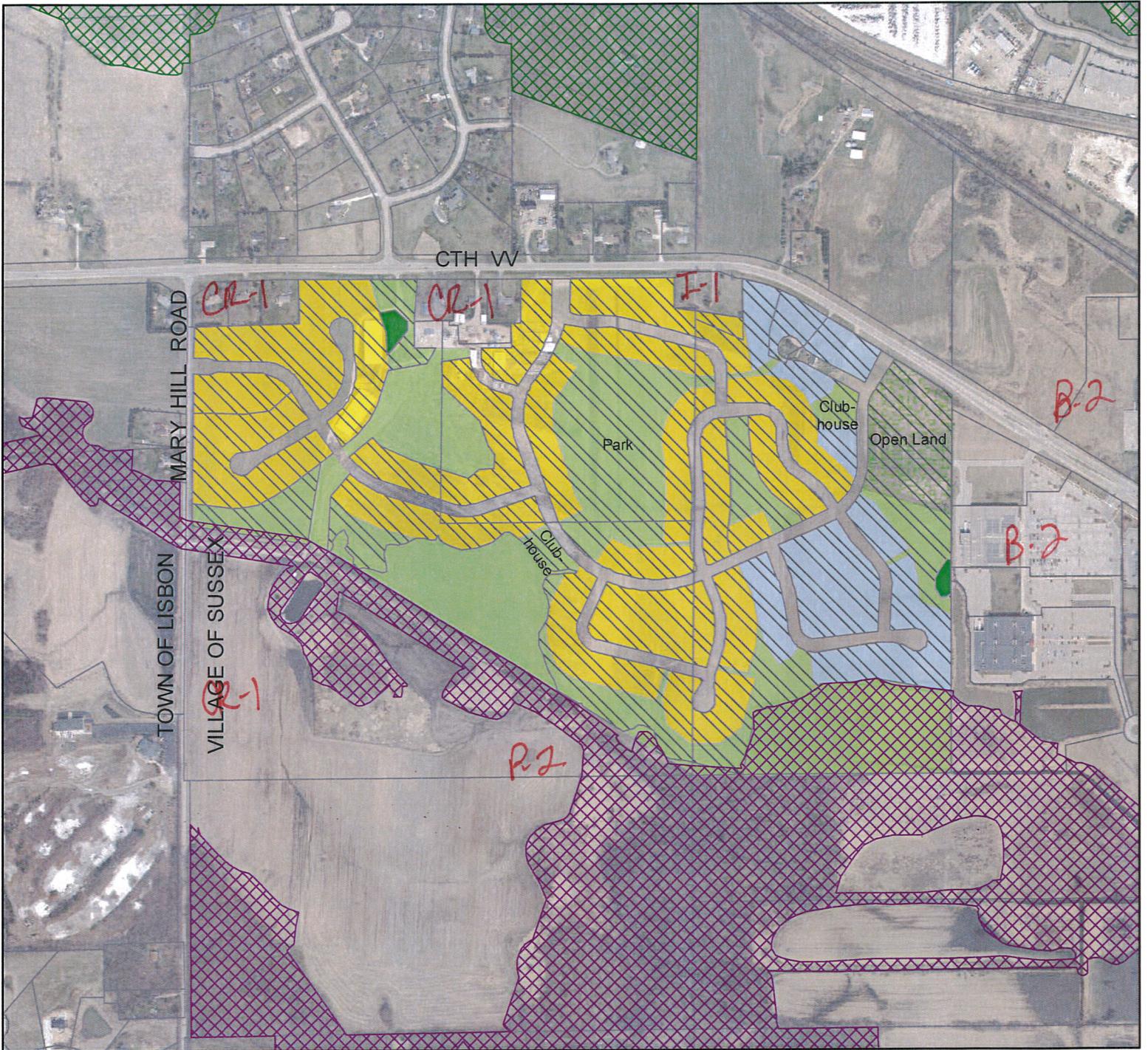
Project No. NEUMA-149103

Proposed Legal Description

Being a part of the Northeast 1/4, Southeast 1/4, Southwest 1/4 and Northwest 1/4 of the Southwest 1/4 and the Southwest 1/4, and Northwest 1/4 of the Southeast 1/4 of Section 21, and the Northeast 1/4 of the Northwest 1/4 of Section 28, Township 8 North, Range 19 East, Village of Sussex, Waukesha County, Wisconsin more fully described as follows:

Beginning at the North 1/4 corner of said Section 28; thence South 00°31'46" East along the East line of the Northwest 1/4 of said Section 28, a distance of 185.69 feet to the centerline of an unnamed creek; thence the following eight courses along the centerline of the unnamed creek, North 68°52'57" West, 32.73 feet; thence North 47°32'38" West, 70.10 feet; thence North 52°27'32" West, 756.12 feet; thence North 58°21'34" West, 1116.35 feet; thence North 59°05'54" West, 430.52 feet; thence North 71°52'37" West, 21.78 feet; thence North 80°27'05" West, 536.46 feet; thence North 89°46'14" West, 83.14 feet to the West line of the Southwest 1/4 of Section 28; thence North 00°24'29" East along said West line 1088.38 feet; thence North 88°25'29" East, 578.46 feet to the East line of Lot 1 of Certified Survey Map No. 5531; thence North 01°34'31" West along said East line 225.70 feet to the Southerly right-of-way of C.T.H. "VV", being 65.05 feet South of the Wisconsin Department of Transportation Reference Line; thence North 89°49'15" East along said Southerly right-of-way line 620.36 feet; thence South 04°56'41" West, 210.80 feet; thence South 00°09'31" East, 143.43 feet; thence North 89°50'29" East, 501.35 feet; thence North 00°09'31" West, 125.00 feet; thence North 89°50'29" East, 54.17 feet; thence North 00°09'31" West, 228.59 feet to the southerly right-of-way of C.T.H. "VV", being 65.05 feet South of the Wisconsin Department of Transportation Reference Line; thence North 89°49'15" East along said Southerly right-of-way line 797.02 feet; thence South 00°22'15" West, 158.20 feet; thence North 89°38'41" East, 115.50 feet; thence South 00°22'15" West, 52.42 feet; thence South 65°27'29" East, 270.22 feet; thence North 00°50'35" West, 315.47 feet to the Southerly right-of-way line of CTH VV; thence Southeasterly 350.81 feet along said right-of-way line and the arc of a curve to the right, with a radius of 894.93 feet whose chord bears South 69°14'33" East, 348.57 feet; thence South 58°00'45" East continuing along said Southerly right-of-way line 907.81 feet to a point on the East line of the West 1/2 of the Southeast 1/4 of said Section 21; thence South 00°10'25" West along said East line 1,956.02 feet to the South line of said Southeast 1/4; thence South 89°45'15" West along said South line 1,346.49 feet to the point of beginning.

Said lands contain 7,775,690 square feet (178.50 acres).



Vista Run Proposed Zoning

Date: 2-12-20

Legend

-  Agriculture
-  Single-Family Residential (RS-2)
-  Single-Family Attached (SFRD-3)
-  Park (P-1, P-2)
-  Planned Development Overlay (PDO)
-  Isolated Natural Area (INRA)
-  Primary Environmental Corridor
-  Secondary Environmental Corridor



0 300 600 1,200



Feet



REZONING PETITION

TO: The Honorable President and Members of the Village Board for the Village of Sussex

I (we), the undersigned, being the owner(s) of all the area herein described, hereby petitions the Village Board of the Village of Sussex, Wisconsin, to rezone the following described property:

Address: N67W25727 Silver Spring Dr (Approximately 176 Acres)
(Please attach a legal description)

Current zoning: Conservancy Residential (CR-1) & Single-Family Residential (Rs-3)
Requested zoning: Rs-2 and SFRD-3 w/PDO Overlay

Purpose of rezoning:

To facilitate the concept plan and preliminary plat approval of the development.

Please provide the following:

Site Plan/Survey/Plot Plan, drawn to scale of one inch equals one hundred (100) feet, showing the area to be rezoned, its location, its dimensions, the location and classification of adjacent zoning districts and the location and existing use of all properties within two hundred (200) feet of the area proposed to be rezoned.

Needed at time of submittal:

Rezoning application fee of \$500.00

Owner, Agent or Attorney
N27W24025 Paul Ct, Suite 100,
Pewaukee, WI 53072

Address, City, St & Zip

Owner, Agent or Attorney

Address, City, St & Zip

Contact Name : Neumann Developments Inc. – Bryan Lindgren
Address: Same as above Phone #: 262-542-9200
E-mail: blindgren@neumanncompanies.com

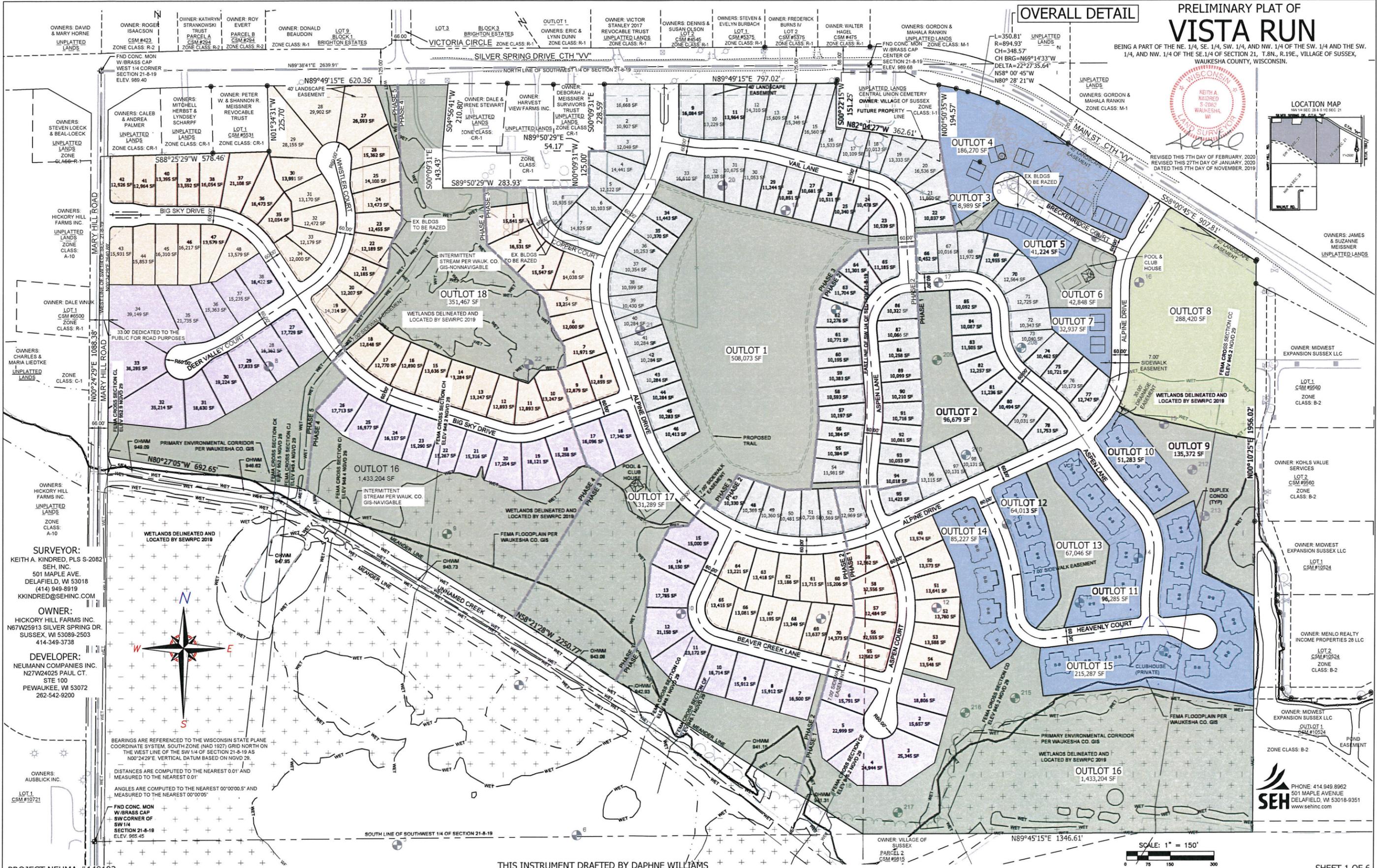
For office use only

Payment received: _____ Plan Commission recommendation: _____
Date filed with Village Clerk: _____ Publish dates: _____
Public Hearing date: _____ Village Board date: _____

OVERALL DETAIL

PRELIMINARY PLAT OF VISTA RUN

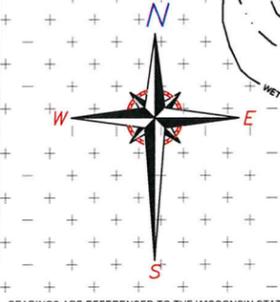
BEING A PART OF THE NE. 1/4, SE. 1/4, SW. 1/4, AND NW. 1/4 OF THE SW. 1/4 AND THE SW. 1/4, AND NW. 1/4 OF THE SE. 1/4 OF SECTION 21, T.8N., R.19E., VILLAGE OF SUSSEX, WAUKESHA COUNTY, WISCONSIN.



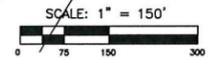
SURVEYOR: KEITH A. KINDRED, PLS S-2082 SEH, INC. 501 MAPLE AVE. DELAFIELD, WI 53018 (414) 949-8919 KKINDRED@SEHINC.COM

OWNER: HICKORY HILL FARMS INC. N67W25913 SILVER SPRING DR. SUSSEX, WI 53089-2503 414-349-3738

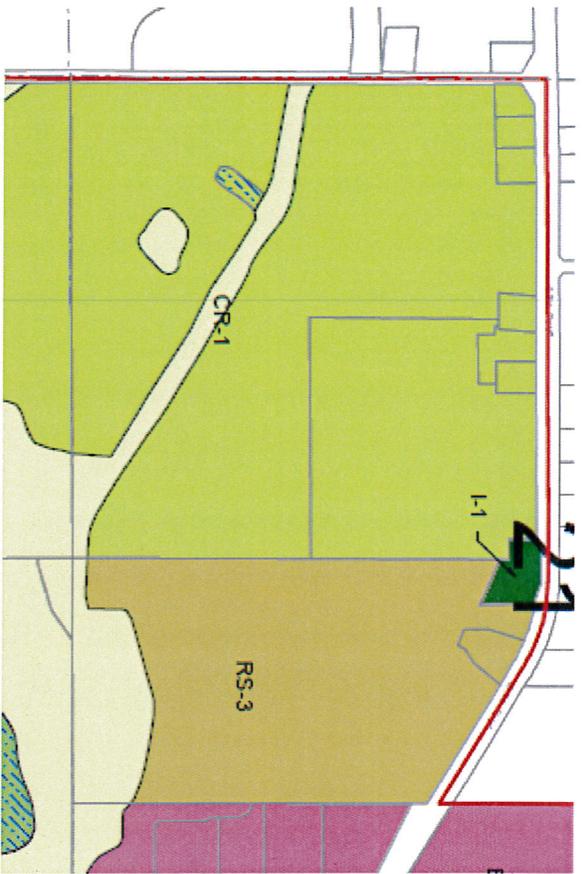
DEVELOPER: NEUMANN COMPANIES INC. N27W24025 PAUL CT. STE 100 PEWAUKEE, WI 53072 262-542-9200



BEARINGS ARE REFERENCED TO THE WISCONSIN STATE PLANE COORDINATE SYSTEM, SOUTH ZONE (NAD 1927) GRID NORTH ON THE WEST LINE OF THE SW 1/4 OF SECTION 21-8-19 AS N00°24'23"E. VERTICAL DATUM BASED ON NGVD 29. DISTANCES ARE COMPUTED TO THE NEAREST 0.01' AND MEASURED TO THE NEAREST 0.01'. ANGLES ARE COMPUTED TO THE NEAREST 00°00'00.5" AND MEASURED TO THE NEAREST 00°00'00.5"



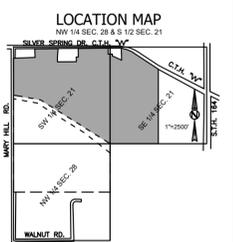
CURRENT ZONING MAP



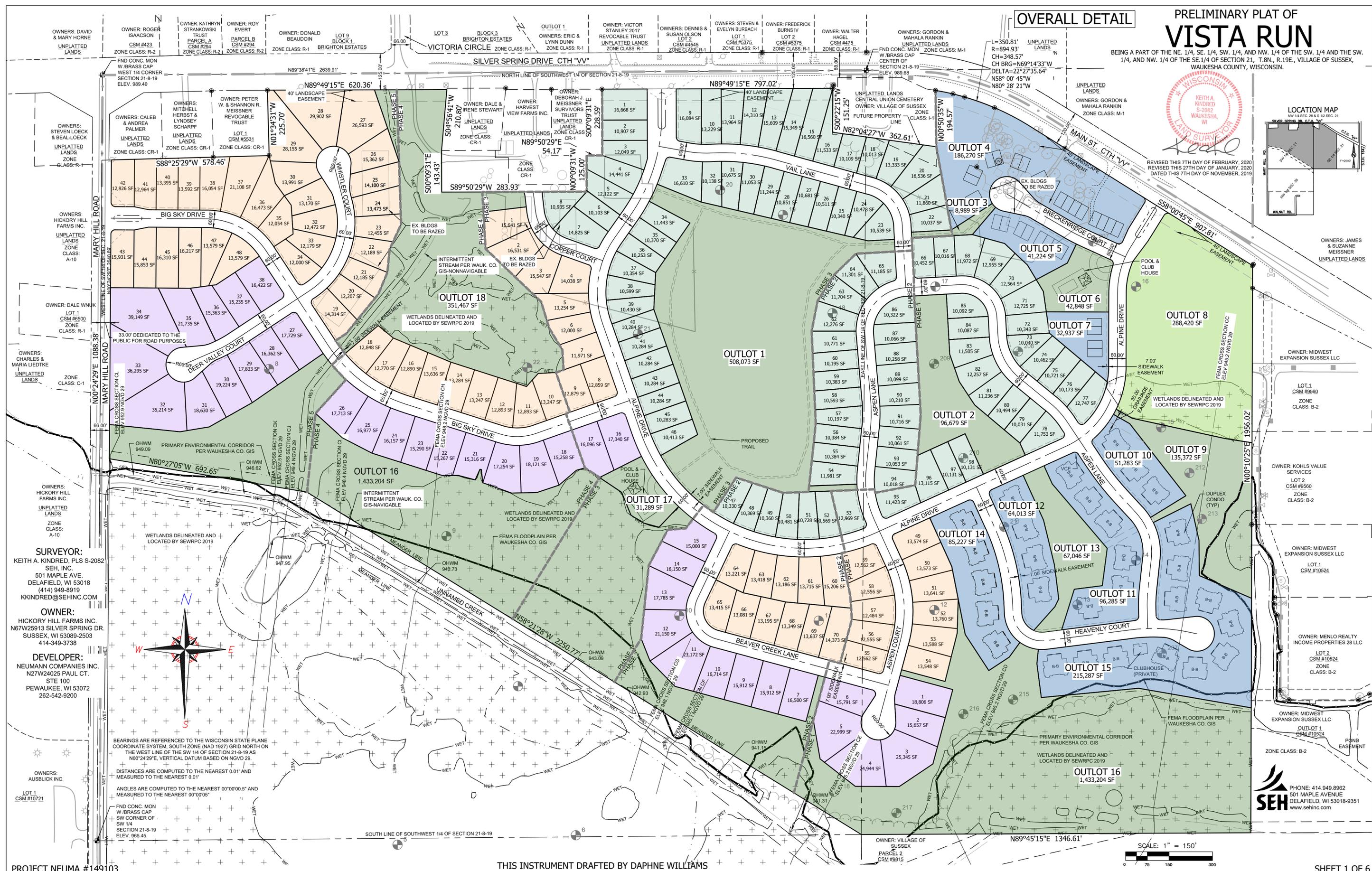
Legend	
	FLOODWAY (F-1)
	FLOODPLAIN CONSERVANCY (F-2)
	FLOODPLAIN FRINGE OVERLAY (FFO)
	LOWLAND CONSERVANCY OVERLAY (LCO)
	UPLAND CONSERVANCY OVERLAY (UCO)
	PLANNED DEVELOPMENT OVERLAY (PDO)
	SECONDARY ENVIRONMENTAL CORRIDOR (SEC)
	ISOLATED NATURAL RESOURCE AREA (INRA)
	CONSERVANCY RESIDENTIAL (CR-1)
	TRADITIONAL SUBURBAN SINGLE-FAMILY RESIDENTIAL DISTRICT (TS-1)
	SINGLE-FAMILY RESIDENTIAL (R-1)
	SINGLE-FAMILY RESIDENTIAL (R-2)
	SINGLE-FAMILY RESIDENTIAL (R-3)
	SINGLE-FAMILY RESIDENTIAL (R-4)
	SINGLE-FAMILY ATTACHED
	RESIDENTIAL DISTRICT (SFRD-3)
	TWO-FAMILY RESIDENTIAL (RD-1)
	TWO-FAMILY RESIDENTIAL (RD-2)
	MULTI-FAMILY RESIDENTIAL (RM-1)
	NEIGHBORHOOD BUSINESS (B-1)
	REGIONAL BUSINESS (B-2)
	HIGHWAY BUSINESS (B-3)
	CENTRAL MIXED USE BUSINESS (B-4)
	BUSINESS PARK DISTRICT (BP-1)
	OFFICE PARK DISTRICT (OP-1)
	INDUSTRIAL (M-1)
	QUARRY (Q-1)
	INSTITUTIONAL (I-1)
	PARK (P-1, P-2)

PRELIMINARY PLAT OF VISTA RUN

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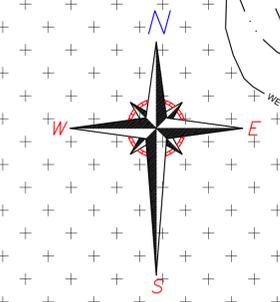
OVERALL DETAIL



SURVEYOR:
KEITH A. KINDRED, PLS S-2082
SEH, INC.
501 MAPLE AVE.
DELAFIELD, WI 53018
(414) 949-8919
KKINDRED@SEHINC.COM

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SUSSEX, WI 53089-2503
414-349-3738

DEVELOPER:
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N27W24025 PAUL CT.
STE 100
PEWAUKEE, WI 53072
262-542-9200



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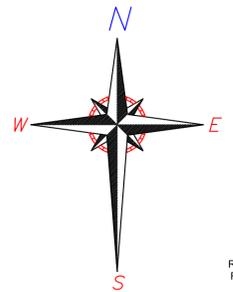
ANGLES ARE COMPUTED TO THE NEAREST 00'00"05" AND MEASURED TO THE NEAREST 00'00"05"



**PRELIMINARY PLAT OF
VISTA RUN**

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LOT DETAIL



REVISED THIS 7TH DAY OF FEBRUARY, 2020
REVISED THIS 27TH DAY OF JANUARY, 2020
DATED THIS 7TH DAY OF NOVEMBER, 2019

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- LEGEND**
- 2.375" O.D. IRON PIPE SET, 18" LONG, WT. = 3.65 LBS./LIN. FT., 1 1/16" REBAR SET AT ALL OTHER LOT & OUTLOT CORNERS, WT. = 1.13 LBS./LIN. FT.
 - CONCRETE MONUMENT W/ BRASS CAP FOUND
 - 1" IRON PIPE FOUND (UNLESS OTHERWISE STATED)
 - 900--- DENOTES MAJOR CONTOUR
 - 902--- DENOTES MINOR CONTOUR
 - P-OH DENOTES OVERHEAD ELECTRIC, POLE AND DOWN GUY ANCHOR
 - ⊕ DENOTES EXISTING SPOT ELEV.
 - T-BUR DENOTES BURIED PHONE CABLE AND PEDestal
 - XC DENOTES FENCE LINE
 - G G DENOTES GAS METER, VALVE
 - XXXXXXXXXXXX DENOTES NO ACCESS
 - DENOTES PHASE LINE

SCALE: 1" = 100'

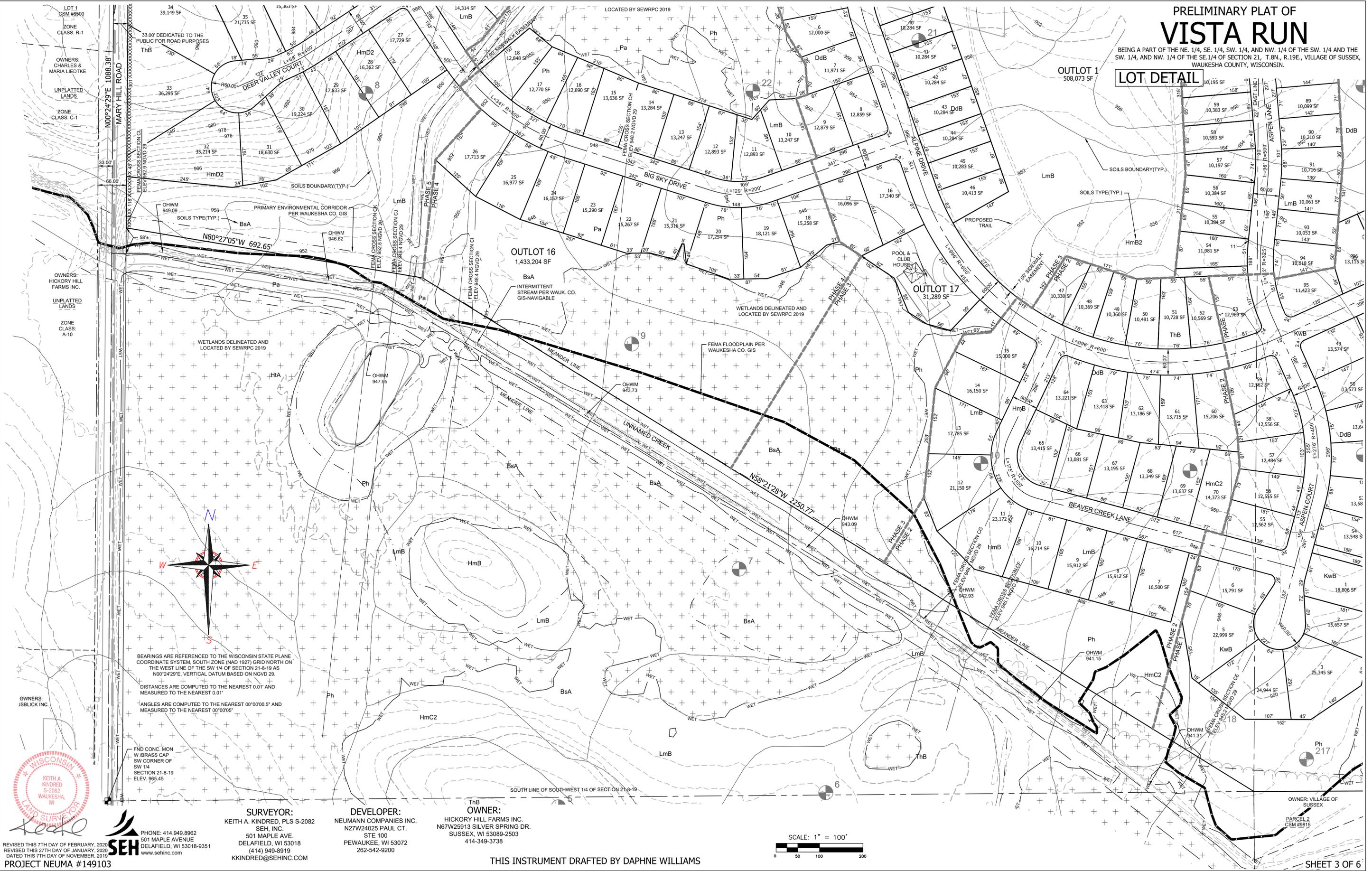
PHONE: 414.949.8962
501 MAPLE AVENUE
DELAFIELD, WI 53018-9351
www.shinc.com

SEH

PRELIMINARY PLAT OF VISTA RUN

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FND CONC. MON
W BRASS CAP
SW CORNER OF
SW 1/4
SECTION 21-8-19
ELEV. 965.45



SEH
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OWNER:
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414-349-3738

REVISED THIS 7TH DAY OF FEBRUARY, 2020
REVISED THIS 27TH DAY OF JANUARY, 2020
DATED THIS 7TH DAY OF NOVEMBER, 2019
PROJECT NEUMA #149103

THIS INSTRUMENT DRAFTED BY DAPHNE WILLIAMS



PRELIMINARY PLAT OF VISTA RUN

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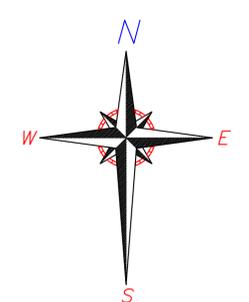
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 - + DENOTES EXISTING SPOT ELEV.
 - - - - -T-BUR - - - - - DENOTES BURIED PHONE CABLE AND PEDESTAL
 - - - - -XC - - - - - DENOTES FENCE LINE
 - G C DENOTES GAS METER, VALVE
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 - - - - - DENOTES PHASE LINE

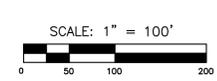


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REVISED THIS 7TH DAY OF FEBRUARY, 2020
REVISED THIS 27TH DAY OF JANUARY, 2020
DATED THIS 7TH DAY OF NOVEMBER, 2019



PRELIMINARY PLAT OF VISTA RUN

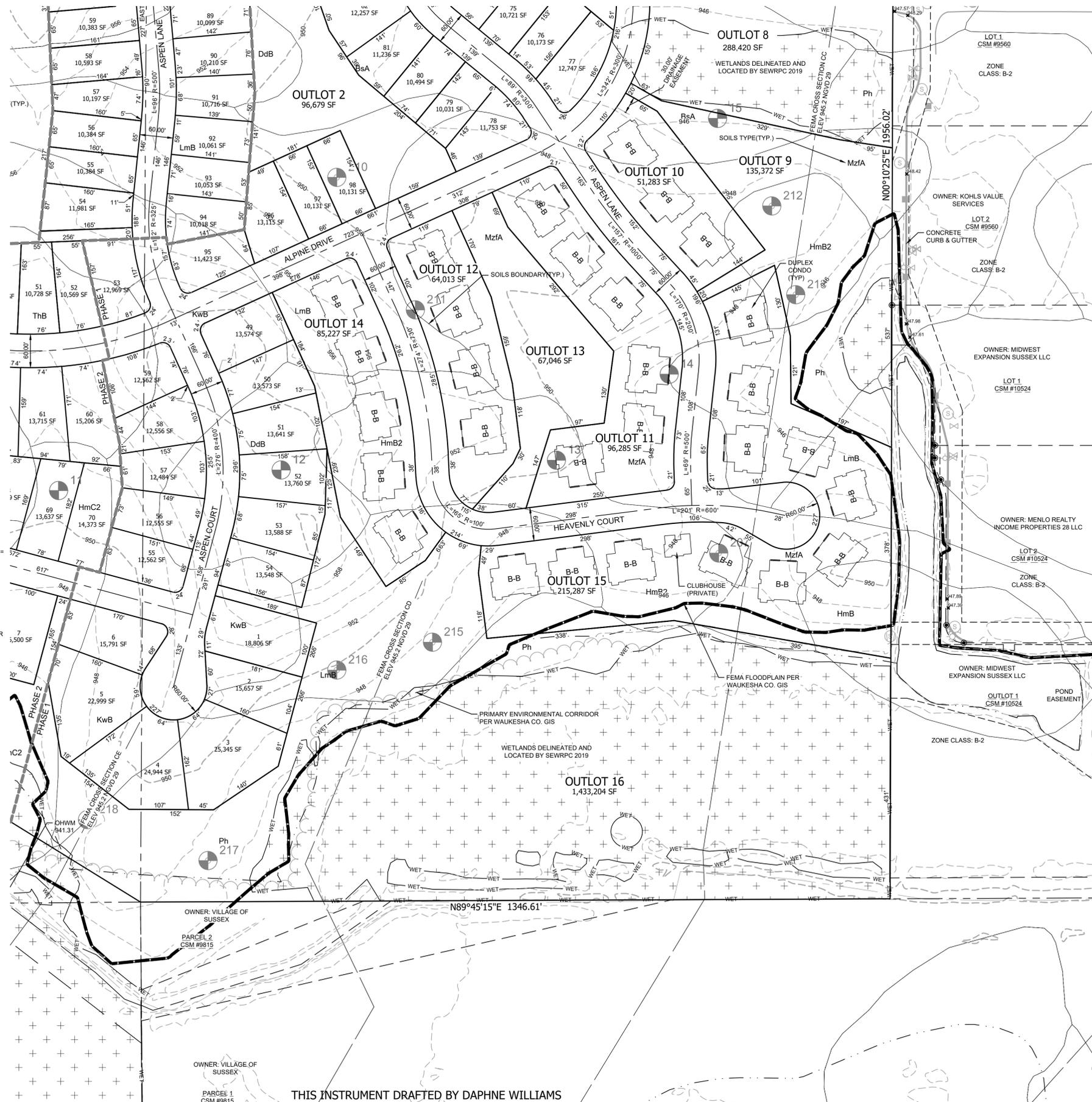
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LOT DETAIL

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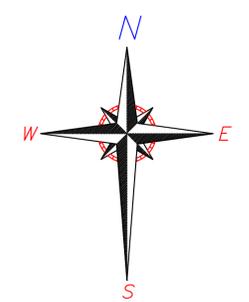
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LEGEND

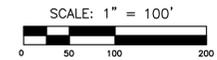
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501 MAPLE AVENUE
DELAFIELD, WI 53018-9351
www.sehinc.com

PRELIMINARY PLAT OF VISTA RUN

BEING A PART OF THE NE. 1/4, SE. 1/4, SW. 1/4, AND NW. 1/4 OF THE SW. 1/4 AND THE SW. 1/4, AND NW. 1/4 OF THE SE. 1/4 OF SECTION 21, T.8N., R.19E., VILLAGE OF SUSSEX, WAUKESHA COUNTY, WISCONSIN.

SURVEYOR:

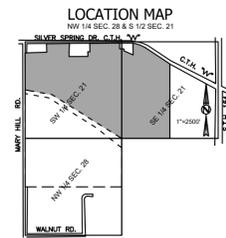
KEITH A. KINDRED, PLS S-2082
SEH, INC.
501 MAPLE AVE.
DELAFIELD, WI 53018
(414) 949-8919
KKINDRED@SEHINC.COM

DEVELOPER:

NEUMANN COMPANIES INC.
N27W24025 PAUL CT.
STE 100
PEWAUKEE, WI 53072
262-542-9200

OWNER:

HICKORY HILL FARMS INC.
N67W25913 SILVER SPRING DR.
SUSSEX, WI 53089-2503
414-349-3738



GENERAL NOTES:

- EACH INDIVIDUAL LOT OWNER SHALL HAVE AN UNDIVIDED FRACTIONAL OWNERSHIP IN OUTLOTS 2, 3, 6, 9, 13, 16, 17 AND 18. WAUKESHA COUNTY SHALL NOT BE LIABLE FOR ANY FEES OR SPECIAL ASSESSMENTS IN THE EVENT THEY BECOME THE OWNER OF ANY LOT IN THE SUBDIVISION BY REASON OF TAX DELINQUENCY. THE INDIVIDUAL HOME OWNERS ARE RESPONSIBLE FOR MAINTENANCE OF SAID OUTLOTS.
- OUTLOTS 9, 13 AND 16 TO BE ENCOMPASSED BY A DRAINAGE EASEMENT GRANTED TO VILLAGE OF SUSSEX AND MAINTAINED BY THE LOT OWNERS. SEE STORMWATER MANAGEMENT PRACTICES NOTES.
- ALL EASEMENTS ARE GRANTED TO THE VILLAGE OF SUSSEX UNLESS OTHERWISE STATED.
- NO POLES, PADS BOXES OR BURIED CABLES ARE TO BE PLACED SUCH THAT THE INSTALLATION WOULD DISTURB ANY SURVEY STAKE. THE DISTURBANCE OF A SURVEY STAKE BY ANYONE IS A VIOLATION OF SECTION 236.32 OF WISCONSIN STATUTES.
- AREA SHOWN IS ZONE X, AREA OF MINIMAL FLOODING AND ZONE AE 0.2% ANNUAL CHANCE FLOOD HAZARD PER FLOOD INSURANCE RATE MAP, COMMUNITY PANEL NUMBER 551330069G, EFFECTIVE DATE NOVEMBER 5, 2014. CROSS SECTION DATUM OF NAVD 88 ADJUSTED TO NGVD 29.
- THE OVERALL AREA OF THIS PRELIMINARY PLAT IS 7,749,791± S.F., 177.91± AC. (TO THE CENTERLINE OF THE CREEK)
- ALL ROADS WITHIN THE SUBDIVISION ARE DEDICATED TO THE PUBLIC.
- ALL VISIBLE BUILDINGS, WELLS, SEPTIC ACCESS LIDS AND VENTS (IF ANY) WITHIN 50' OF THE PROPERTY BOUNDARY ARE DEPICTED.
- PRECISE UTILITY EASEMENT LOCATIONS SHALL BE DETERMINED BY THE UTILITY COMPANIES AND INCLUDED IN THE FINAL PLAT.
- ANY LAND BELOW THE ORDINARY HIGH WATER MARK OF A LAKE OR A NAVIGABLE STREAM IS SUBJECT TO THE PUBLIC TRUST IN NAVIGABLE WATERS THAT IS ESTABLISHED UNDER ARTICLE IX, SECTION 1 OF THE STATE CONSTITUTION.
- OUTLOT 8 RESERVED FOR FUTURE DEVELOPMENT.
- OUTLOTS 4, 5, 7, 10, 11, 12, 14 AND 15 TO BE MULTIFAMILY DEVELOPMENT, SFRD-3 PUD, TO BE RETAINED BY THE DEVELOPER.
- OUTLOT 1 TO BE OWNED BY THE VILLAGE OF SUSSEX FOR PARK PURPOSES.

WETLAND RESTRICTIONS

THOSE AREAS IDENTIFIED ON THIS SUBDIVISION PLAT AS WETLANDS, SHALL BE SUBJECT TO THE FOLLOWING RESTRICTIONS:

- GRADING, FILLING AND REMOVAL OF TOPSOIL OR OTHER EARTHEN MATERIALS ARE PROHIBITED, UNLESS SPECIFICALLY AUTHORIZED BY THE MUNICIPALITY IN WHICH THIS LAND IS LOCATED AND, IF APPLICABLE, THE WAUKESHA COUNTY DEPARTMENT OF PARKS AND LAND USE, THE WISCONSIN DEPARTMENT OF NATURAL RESOURCES AND THE ARMY CORPS OF ENGINEERS.
- THE REMOVAL OR DESTRUCTION OF ANY VEGETATIVE COVER, I.E., TREES, SHRUBS, GRASSES, ETC., IS PROHIBITED, WITH THE EXCEPTION THAT INVASIVE, DEAD, DISEASED, OR DYING VEGETATION MAY BE REMOVED, AT THE DISCRETION OF THE LANDOWNER AND WITH THE APPROVAL FROM THE WAUKESHA COUNTY DEPARTMENT OF PARKS AND LAND USE - PLANNING AND ZONING DIVISION. SILVICULTURAL THINNING, UPON THE RECOMMENDATION OF A FORESTER OR NATURALIST AND WITH APPROVAL FROM THE WAUKESHA COUNTY DEPARTMENT OF PARKS AND LAND USE-PLANNING AND ZONING DIVISION, SHALL ALSO BE PERMITTED.
- GRAZING BY DOMESTICATED ANIMALS, I.E., HORSES, COWS, ETC., IS PROHIBITED.
- THE INTRODUCTION OF PLANT MATERIAL NOT INDIGENOUS TO THE EXISTING ENVIRONMENT IS PROHIBITED.
- PONDS ARE PROHIBITED UNLESS DESIGNED TO ENHANCE THE NATURAL ENVIRONMENT. PONDS THAT MAY BE PERMITTED ARE SUBJECT TO THE APPROVAL OF THE MUNICIPALITY IN WHICH THEY ARE LOCATED, AND IF APPLICABLE, THE WAUKESHA COUNTY DEPARTMENT OF PARKS AND LAND USE, THE WISCONSIN DEPARTMENT OF NATURAL RESOURCES AND THE ARMY CORPS OF ENGINEERS.
- THE CONSTRUCTION OF BUILDINGS IS PROHIBITED.
- THE RESOURCE BOUNDARIES AND RESTRICTIONS CONTAINED HEREIN MAY ONLY BE MODIFIED IN COMPLIANCE WITH THE TOWN OF LISBON ZONING ORDINANCE.

STORM WATER MANAGEMENT PRACTICE MAINTENANCE

THE TITLEHOLDERS AND UNIT OWNERS OF THE VISTA RUN SUBDIVISION SHALL EACH HOLD AN UNDIVIDED AND NONTRANSFERABLE INTEREST IN OUTLOT 9, OUTLOT 13 AND OUTLOT 16 WHERE THE STORM WATER MANAGEMENT PRACTICES ARE LOCATED.

THERE ARE ONE OR MORE SEPARATE DOCUMENTS RECORDED ON THE PROPERTY TITLE THROUGH THE WAUKESHA COUNTY REGISTER OF DEEDS ENTITLED "STORM WATER MANAGEMENT PRACTICE MAINTENANCE AGREEMENT" ("MAINTENANCE AGREEMENT") THAT APPLY TO OUTLOT 9, OUTLOT 13 AND OUTLOT 16. THE MAINTENANCE AGREEMENT SUBJECTS THIS SUBDIVISION PLAT, AND ALL LOT OWNERS THEREIN, TO COVENANTS, CONDITIONS AND RESTRICTIONS NECESSARY TO ENSURE THE LONG-TERM MAINTENANCE OF THE STORM WATER MANAGEMENT PRACTICE. THE AGREEMENT ALSO OUTLINES A PROCESS BY WHICH THE VILLAGE OF SUSSEX MAY LEVY AND COLLECT SPECIAL ASSESSMENTS OR CHARGES FOR ANY SERVICES THE COMMUNITY MIGHT PROVIDE RELATING TO ENFORCEMENT OF THE MAINTENANCE AGREEMENT.

IN ACCORDANCE WITH CHAPTER 14 - ARTICLE VIII OF THE WAUKESHA COUNTY CODE OF ORDINANCES ("STORM WATER ORDINANCE"), THE STORM WATER PERMIT HOLDER IS RESPONSIBLE FOR CONSTRUCTING THE STORM WATER MANAGEMENT PRACTICES FOLLOWING PLANS APPROVED BY WAUKESHA COUNTY AND IS RESPONSIBLE FOR MAINTAINING THE STORM WATER PRACTICES UNTIL PERMIT TERMINATION BY WAUKESHA COUNTY. UPON TERMINATION OF THE STORM WATER PERMIT, THE OWNERS OF VILLA LOTS 1-98, ESTATE LOTS 1-38 AND RESIDENTIAL LOTS 1-70 SHALL BE RESPONSIBLE FOR MAINTENANCE OF THE STORM WATER MANAGEMENT PRACTICES IN ACCORDANCE WITH THE MAINTENANCE AGREEMENT.

ALL SIDE AND REAR LOT LINES NOT REGULATED BY WAUKESHA COUNTY OR THE VILLAGE OF SUSSEX SHALL BE GRADED AND MAINTAINED IN COOPERATION WITH ABUTTING PROPERTY OWNERS SO AS TO NEITHER IMPEDE THE FLOW OF STORMWATER, NOR NEGATIVELY IMPACT ANY ABUTTING PROPERTY, WHILE ALSO ADHERING TO THE ESTABLISHED, APPROVED, AND ACCEPTED STORMWATER MANAGEMENT PLAN.

EASEMENTS
ALL LANDS WITHIN AREAS LABELED "DRAINAGE EASEMENT" ARE RESERVED FOR STORM WATER COLLECTION, CONVEYANCE, TREATMENT OR INFILTRATION. NO BUILDINGS OR OTHER STRUCTURES ARE ALLOWED IN THESE AREAS. NO GRADING OR FILLING IS ALLOWED IN THESE AREAS THAT MAY INTERRUPT STORM WATER FLOWS IN ANY WAY. THE MAINTENANCE AGREEMENT MAY CONTAIN SPECIFIC MAINTENANCE REQUIREMENTS FOR THESE AREAS. THE VILLAGE OF SUSSEX, WAUKESHA COUNTY OR THEIR DESIGNEE ARE AUTHORIZED ACCESS IN THESE AREAS FOR PURPOSES OF INSPECTING THE STORM WATER MANAGEMENT PRACTICES OR ENFORCING THE TERMS OF MAINTENANCE AGREEMENT.

I KEITH A. KINDRED, REGISTERED LAND SURVEYOR, DO HEREBY CERTIFY THAT IN MY PROFESSIONAL OPINION PRELIMINARY PLAT IS A CORRECT REPRESENTATION OF ALL EXISTING LAND DIVISION FEATURES, AND THAT I HAVE COMPLIED WITH ALL APPLICABLE ORDINANCES IN PREPARING THE SAME.



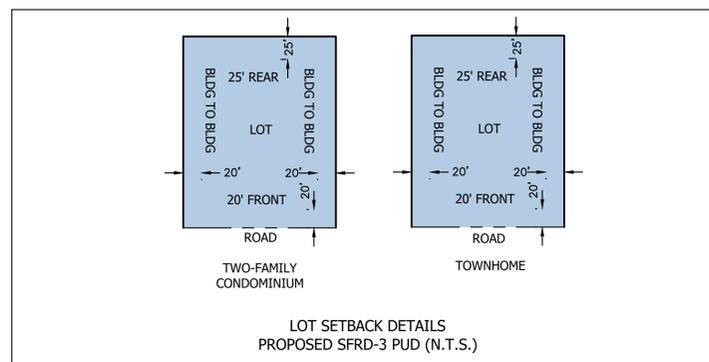
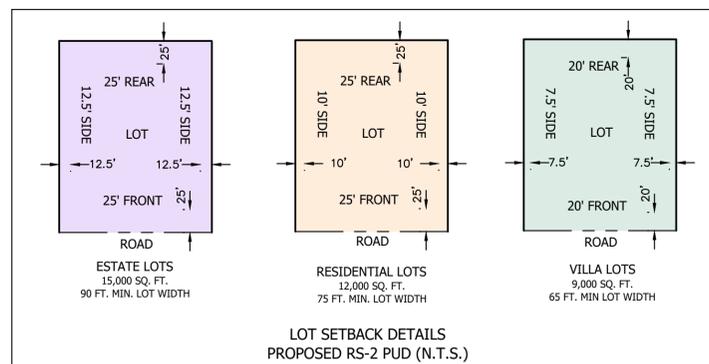
REVISED THIS 7TH DAY OF FEBRUARY, 2020
REVISED THIS 27TH DAY OF JANUARY, 2020
DATED THIS 7TH DAY OF NOVEMBER, 2019

LEGEND

- 2.375" O.D. IRON PIPE SET, 18" LONG, WT. = 3.65 LBS./LIN. FT.
- ⊕ 1 1/16" REBAR SET AT ALL OTHER LOT & OUTLOT CORNERS, WT. = 1.13 LBS./LIN. FT.
- ⊕ CONCRETE MONUMENT W/ BRASS CAP FOUND
- ⊕ 1" IRON PIPE FOUND (UNLESS OTHERWISE STATED)
- 900--- DENOTES MAJOR CONTOUR
- 902--- DENOTES MINOR CONTOUR
- P-OH DENOTES OVERHEAD ELECTRIC, POLE AND DOWN GUY ANCHOR
- ⊕ DENOTES EXISTING SPOT ELEV.
- T-BUR DENOTES BURIED PHONE CABLE AND PEDESTAL
- XC DENOTES FENCE LINE
- G G DENOTES GAS METER, VALVE
- XXXXXXXXXXXXX DENOTES NO ACCESS
- DENOTES PHASE LINE

PHONE: 414.949.8962
501 MAPLE AVENUE
DELAFIELD, WI 53018-9351
www.sehinc.com

SHEET 6 OF 6



DEVELOPER'S AGREEMENT FOR

Vista Run
A Single Family Attached and Detached Mixed Residential Subdivision

VILLAGE OF SUSSEX, WAUKESHA COUNTY, WISCONSIN

THIS AGREEMENT made this _____ day of _____, 2020, between Vista Run, LLC, with offices at N27W24025 Paul Ct. Suite 100 Pewaukee, WI 53072, hereinafter called "DEVELOPER", and the VILLAGE of Sussex in the County of Waukesha and the State of Wisconsin, hereinafter called the "VILLAGE".

WITNESSETH:

WHEREAS, the DEVELOPER is the owner of land in the VILLAGE, said land being described on **EXHIBIT A** attached hereto and incorporated herein, hereinafter called "SUBJECT LANDS"; and

WHEREAS, the DEVELOPER desires to divide and develop the SUBJECT LANDS for residential purposes by use of the standard regulations as set forth in Chapter 236 of the Wisconsin Statutes and the municipal ordinance regulating land division and development; and

WHEREAS, Section 236.13 of the Wisconsin Statutes provides that as a condition of approval, the governing body of a municipality within which the SUBJECT LANDS lie may require that the DEVELOPER make and install any public improvements reasonably necessary and/or that the DEVELOPER provide financial security to ensure that the DEVELOPER will make these improvements within a reasonable time; and

WHEREAS, said SUBJECT LANDS are presently zoned RS-2 Single Family, SFRD-3 Single Family Attached, Park, and Agriculture with environmental overlays with a Planned Development Overlay District, under rezoning ordinance **No. 864** shown as **EXHIBIT B** which allows the above-described development; and

WHEREAS, the DEVELOPER may be required to grant additional easements over a part of the SUBJECT LANDS for sanitary sewer, storm sewer, water, and sidewalks; and

WHEREAS, the DEVELOPER and VILLAGE desire to enter into this agreement in order to ensure that the DEVELOPER will make and install all public improvements which are reasonably necessary and further that the DEVELOPER shall dedicate the public improvements to the VILLAGE, provided that said public improvements are constructed to municipal specifications, all applicable government regulations, this agreement and as required by the VILLAGE Engineer, without cost to the VILLAGE; and

WHEREAS, this agreement is necessary to implement the VILLAGE zoning and land division ordinances; and

WHEREAS, the DEVELOPER agrees to develop SUBJECT LANDS as herein described in accordance with this agreement, conditions approved by the VILLAGE Plan Commission and VILLAGE Board, conditions of certain agencies and individuals in the County, all VILLAGE ordinances and all laws and regulations governing said development; and

WHEREAS, the Plan Commission of the VILLAGE of Sussex has given conditional Preliminary Plat approval to the development, as shown on the document marked "Preliminary Plat" as **EXHIBIT C** and on file in the VILLAGE Clerk's office, conditioned in part upon the DEVELOPER and the VILLAGE entering into a DEVELOPER's Agreement, as well as other conditions as approved by the VILLAGE Board; and

WHEREAS, the DEVELOPER will soon be seeking from the Plan Commission and VILLAGE Board of the VILLAGE Final Plat approval and Acceptance, upon completion of the required improvements for the development, as shown in **EXHIBIT D**, which shall be attached as approved, if it is; and

WHEREAS, the DEVELOPER will also soon be seeking from the Plan Commission and Village Board of the VILLAGE Condominium Plat(s) approval and Acceptance, upon completion of the required improvements for the development, as shown in **Exhibit D-Condo Plat 1, Exhibit D- Condo Plat 2**, and

continued so forth until the number as necessary to accomplish the development as outlined in the preliminary plat, which shall be attached as approved, if it is; and

NOW, THEREFORE, in consideration of the mutual promises and covenants contained herein, the DEVELOPER does hereby agree to develop SUBJECT LANDS as follows and as otherwise regulated by VILLAGE ordinances and all laws and regulations governing said development, the parties hereto agree as follows:

DEVELOPER'S COVENANTS

SECTION I. IMPROVEMENTS

A. **PUBLIC STREETS AND SIDEWALKS**: The DEVELOPER hereby agrees that:

1. Prior to the start of construction of improvements, the DEVELOPER shall provide to the VILLAGE written certification from the DEVELOPER'S Engineer or Surveyor that all public street and sidewalk plans are in conformance with all federal, state, county and VILLAGE specifications, regulations and ordinances, and written proof from the VILLAGE Engineer evidencing review and approval of said plans.
2. The DEVELOPER shall grade and install all planned public streets and sidewalks in accordance with the Preliminary Plat, approved development plan of said subdivision, or Final Plat as the case may be and the plans and specifications on file in the VILLAGE Clerk's office.
3. Construction of the public streets and sidewalks providing access to and fronting a specific Lot will be completed, presented and accepted by the VILLAGE Board through the first lift of asphalt before any building permits are issued for said Lot.
4. The first lift of asphalt on the public streets and the sidewalk of the Development shall follow the phasing plan, attached as **Exhibit J** and be completed and presented to the VILLAGE Board no later than as follows below in this section, or as extended by the VILLAGE Board.

A. Phase 1 November 1, 2020

B. Phase 2 November 1, 2021

- C. Phase 3 November 1, 2023
- D. Phase 4 November 1, 2024
- E. Phase 5 November 1, 2025

5. The final lift of asphalt shall be placed on all public streets after at least one winter season, but in no event later than two (2) winter seasons. Notwithstanding the foregoing, the VILLAGE Board may require placement of the final lift at an earlier date if it determines in its discretion that it is necessary or appropriate to do so.

6. The DEVELOPER shall maintain public streets, sidewalks, and paths, including snowplowing, unless otherwise approved by the VILLAGE Administrator, until accepted by resolution by the VILLAGE Board. Once the first lift of asphalt is established VILLAGE shall provide snowplowing service for the public roadways and DEVELOPER shall pay VILLAGE at a rate of \$262 per hour for said plowing service to ensure the roadway is open and safe for public and emergency access until the roadway is accepted by resolution by the VILLAGE Board. The VILLAGE shall provide snow plowing service in a manner consistent with that of the rest of the Village and shall in no way be responsible to DEVELOPER for any damage caused to infrastructure by snow plow operations. The DEVELOPER shall properly ramp any manholes prior to November 1 of each year to ensure safe snow plow operations. The rate per hour for snow plowing shall remain the same through January 1, 2021 and shall increase 3% annually each year thereafter. During construction sidewalks/paths shall be blocked and labeled with signage saying "closed during construction." Sidewalks/paths shall be maintained by the DEVELOPER once the first home/building occupancy is granted within a phase.

7. The DEVELOPER shall furnish "as-built" plans showing changes from the construction plans, pursuant to specifications approved by the VILLAGE Engineer. Said "as-builts" shall be on reproducible Mylar and digital file, and shall include data as set forth in the VILLAGE Development Requirements.

8. Contractors working on the development or on individual buildings are required to clean up all mud, dirt, stone or debris on the streets, sidewalks, and paths no later than the end of each working day. In addition, the DEVELOPER shall have ultimate responsibility for cleaning up any and all mud, dirt, stone or debris on the streets until such time as the final lift of asphalt has been installed by

the DEVELOPER and accepted by the VILLAGE Board. The VILLAGE shall make a reasonable effort to require the contractor, who is responsible for placing the mud, dirt, stone or debris on the street, sidewalk, and path, to clean up the same or to hold the subject property owner who hired the contractor responsible. The DEVELOPER and/or subject property owner shall clean up the streets, sidewalk, and path within twenty-four (24) hours after receiving a notice from the VILLAGE. If said mud, dirt, stone or debris is not cleaned up after notification, the VILLAGE will do so at the DEVELOPER's and/or subject property owner's expense, at the option of the VILLAGE.

9. An Easement, attached as **Exhibit E**, hereinafter known as the “Sidewalk/Path Easement” shall be established over the public sidewalks/paths to the maximum extent of 10 feet off of the edge of the sidewalk towards the Lot if and where said area falls outside of the proposed right-of-way area to ensure the public may use the sidewalk/path and the VILLAGE is able to repair and maintain the sidewalk.

10. DEVELOPER is permitted to have a roadway width of 33’ back of curb to back of curb for the DEVELOPMENT. DEVELOPER shall provide the normal 60’ right of way for all proposed local roadways. Said narrowed roadway enhances the DEVELOPMENT, providing for more greenspace for the subject lands and creates a better atmosphere for the development along with providing cost reductions, which benefit the DEVELOPER.

11. DEVELOPER shall due to the size of the development with the second phase complete a loop roadway to ensure two connections to Highway VV to the site regardless of the phasing in order to maintain public safety.

12. DEVELOPER shall install sidewalk 6 feet wide along County Highway VV and Maryhill Roadway as required by Village Ordinance. The sidewalk on Maryhill shall only be required to extend to the point where the path along the creek connects to it as further development to the south is unlikely due to land conditions.

13. DEVELOPER shall install a path system at least 8 feet wide along the creek from Maryhill to Big Sky Drive, and then again from the Alpine Drive frontage of outlot 16 located just east of the Central Clubhouse and Pool at Alpine Drive to the property line of outlot 1 of CSM 10524 near the south east corner of outlot 15.

They shall also establish the path from Breckenridge Court to Vail Lane and from Heavenly Ct. to the trail in outlot 16.. The DEVELOPER is not responsible for the path system in the Village Neighborhood Park (Outlot 1). The trails shall be established prior to the final plat/condo plat for any lot that is adjacent to the trail section.

B. SANITARY SEWER: The DEVELOPER hereby agrees:

1. Prior to the start of construction of improvements, DEVELOPER shall provide to the VILLAGE written certification from the DEVELOPER's Engineer that the sanitary sewer plans are in conformance with all Federal, State and VILLAGE of Sussex specifications, regulations, ordinances and guidelines and written proof that the VILLAGE Engineer has approved said plans.
2. To construct, furnish, install and provide a complete sewerage system for the SUBJECT LANDS, all in accordance with the plans, specifications and drawings on file in the VILLAGE Clerk's office and all applicable Federal, State and VILLAGE of Sussex ordinances, specifications, regulations and guidelines for the construction of sewerage systems in the VILLAGE of Sussex and as approved by the VILLAGE Engineer. The entire sewerage system may be built in sections from east to west with each DEVELOPMENT Phase from the Phasing Plan.
3. To clean all sanitary sewers in the SUBJECT LANDS prior to acceptance of the improvements and issuance of building permits by the VILLAGE of Sussex.
4. To furnish "as-built" plans of the sanitary sewage system for the SUBJECT LANDS, including locations of laterals to lot lines, pursuant to specifications approved by the VILLAGE Engineer prior to the issuance of building permits.
5. To televise the sanitary sewer system for the SUBJECT LANDS, repair any defects as determined by the VILLAGE Engineer, supply the video tape to the VILLAGE of Sussex, and clean all sewer lines prior to the issuance of building permits and acceptance of the improvements by the VILLAGE.
6. That no building permits shall be issued until the sanitary sewer system for of the SUBJECT LANDS has been dedicated to and accepted by the VILLAGE.

7. DEVELOPER shall install the sewer system for the SUBJECT LANDS such that a main interceptor line shall run from the existing interceptor line in the southeast corner of the SUBJECT LANDS to where Big Sky Drive will connect with Maryhill Road per the regional interceptor sewer plan for this area.

C. WATER: The DEVELOPER hereby agrees:

1. Prior to the start of construction of improvements, DEVELOPER shall provide to the VILLAGE written certification from the DEVELOPER's Engineer that the water system plans are in conformance with all Federal, State and VILLAGE of Sussex specifications, regulations, ordinances and guidelines and written proof that the VILLAGE Engineer has approved said plans.

2. To construct, furnish, install and provide a complete water system for the SUBJECT LANDS, all in accordance with the plans, specifications and drawings on file in the VILLAGE Clerk's office and all applicable Federal, State and VILLAGE of Sussex ordinances, specifications, regulations and guidelines for the construction of water systems in the VILLAGE of Sussex and as approved by the VILLAGE Engineer.

3. The DEVELOPER shall furnish "as-built" plans showing changes from the construction plans, pursuant to specifications approved by the VILLAGE Engineer. Subject to intellectual property rights, said "as built" plans shall be on reproducible Mylar and digital file, and shall include field locations of hydrant valves and curb stops, if any.

4. That no building permits shall be issued until the water system for the SUBJECT LANDS has been dedicated to and accepted by the VILLAGE. The VILLAGE may require that parts or all of the water system for the SUBJECT LANDS be installed, dedicated, and approved prior to the issuance of any building permits for any phase to ensure that the system will function properly.

5. In conjunction with the final lift of asphalt in each phase the Hydrants shall be sandblasted and repainted at DEVELOPER's cost to address damage done to the paint of the Hydrant by DEVELOPMENT and Home construction.

6. DEVELOPER shall complete the water main loop for the SUBJECT LANDS along CTH VV and from the southeastern property corner such that the entire

development is served from two sources of water in case of a water main break or water shut-off situation. The complete loop is not required to be installed until November 1, 2022 or in conjunction with Phase 2, whichever occurs first.

D. SURFACE AND STORM WATER DRAINAGE: The DEVELOPER hereby agrees that:

1. Prior to the start of construction of improvements, the DEVELOPER shall provide to the VILLAGE written certification from the DEVELOPER'S Engineer or Surveyor that all surface and storm water drainage facilities and erosion control plans are in conformance with all federal, state, county and VILLAGE regulations, guidelines, specifications, laws and ordinances, and written proof that the VILLAGE Engineer, DNR, and the Waukesha County Department of Park and Land Use, Land Resources Division, if applicable, have reviewed and approved said plans.
2. The DEVELOPER shall construct, install, furnish and provide adequate facilities for surface and storm water drainage throughout the development with adequate capacity to transmit the anticipated flow from the development and where appropriate from adjacent property, in accordance with all plans and specifications on file in the VILLAGE Clerk's office, and all applicable federal, state, county and VILLAGE regulations, guidelines, specifications, laws and ordinances, and as reviewed and approved by the VILLAGE Engineer and the Waukesha County Department of Park and Land Use, Land Resources Division, if applicable, including where necessary as determined by the VILLAGE Engineer, curb, gutter, storm sewers, catch basins and infiltration/retention/ detention basins.
3. The DEVELOPER agrees that the site grading and construction of surface and storm water drainage facilities shall be completed and accepted by the VILLAGE before any building permits are issued.
4. To maintain roads free from mud and dirt from construction of the development.
5. The VILLAGE Board will not accept the surface and storm water drainage system until the entire system serving a given phase is installed and landscaped in accordance with plans and specifications to the satisfaction of the VILLAGE Engineer.

6. The DEVELOPER shall clean all storm sewers, if any, prior to issuance of building permits and acceptance of improvements by the VILLAGE Board.

7. The VILLAGE retains the right to require DEVELOPER to install additional surface and storm water drainage measures if it is determined by the VILLAGE Engineer that the original surface and storm water drainage plan as designed and/or constructed does not provide reasonable stormwater drainage within the development and the surrounding area.

8. The DEVELOPER shall establish the stormwater facilities within outlots that the Village shall maintain but only according to a Stormwater Facility Maintenance Agreement, attached herein as **EXHIBIT F** and hereinafter known as the "SFMA". The SFMA shall state that the VILLAGE shall agree to maintain the stormwater management facilities in the Development except for specific annual maintenance activities such as grass mowing, etc.; which shall be spelled out in the SFMA. DEVELOPER shall provide the necessary easement hereinafter known as the "Stormwater Easement" and attached herein as **EXHIBIT F-1** for any stormwater facilities that are located outside of the right-of-way or have the necessary maintenance zone outside of the right-of-way, which shall also be addressed in depictions and in language on the Plat.

9. To furnish "as built" plans of the entire drainage system, pursuant to specifications approved by the VILLAGE Engineer prior to the issuance of building permits.

E. GRADING, EROSION AND SILT CONTROL: The DEVELOPER hereby agrees that:

1. Prior to commencing site grading and excavation, the DEVELOPER shall provide to the VILLAGE written certification from the DEVELOPER'S Engineer or Surveyor that said plan, once implemented, shall meet all federal, state, county and local regulations, guidelines, specifications, laws and ordinances, including proof of notification of land disturbances to the State of Wisconsin Department of Natural Resources, if applicable, and written proof that the VILLAGE Engineer and the Waukesha County Department of Park and Land Use, Land Resources Division, and the Army Corps of Engineers, if applicable, have approved said plans.

2. The DEVELOPER shall cause all grading, excavation, open cuts, side slopes and other land surface disturbances to be so seeded and mulched, sodded or otherwise protected that erosion, siltation, sedimentation and washing are prevented in accordance with the plans and specifications reviewed and approved by the VILLAGE Engineer, the Waukesha County Department of Park and Land Use, Land Resources Division, and Army Corps of Engineers, if applicable.

3. All disturbed areas shall be restored to the satisfaction of the VILLAGE Engineer within seven (7) days of disturbance.

F. LANDSCAPING AND SITE WORK: The DEVELOPER hereby agrees that:

1. The DEVELOPER shall preserve to the maximum extent possible existing trees, shrubbery, vines, and grasses not actually lying on the public streets, drainage ways, building foundation sites, private driveways, paths and trails by use of sound conservation practices as specified in the Tree Mitigation Plan and Landscape Plan attached herein as **(EXHIBIT G and G-1)**. Said payment shall be made prior to grading permits being issued to start construction.

2. The DEVELOPER, as required by the VILLAGE, shall remove and lawfully dispose of buildings, destroyed trees, brush, tree trunks, shrubs and other natural growth and all rubbish.

3. Landscaping and removal of unwanted items, including buildings, will be completed and certified as complete by the VILLAGE Engineer prior to the issuance of any building permits.

4. The DEVELOPER shall delineate all wetlands on SUBJECT LANDS that either abut, are adjacent to or are contained on individual lots by means of cedar posts, or otherwise approved permanent delineation means as approved by the VILLAGE staff prior to the issuance of building permits.

5. The VILLAGE has the right to trim and remove any features which would interfere with safe operation and maintenance of the VILLAGE right-of-ways and drainage ways.

6. The DEVELOPER shall provide a 40' planting strip and install a planting plan (see Exhibit G-1) adjacent to Highway VV to minimize the impacts from and

screen from the highway. This strip shall be a part of the platted lots but shall have the following restriction or similar language as approved by the Village Engineer lettered on the face of the plat,” This strip reserved for the planting of trees and shrubs, the building of structures herein is prohibited.” This landscaping shall be completed by the developer no later than the Final Plat/Condo Plat for lots with this easement area .

7. The Association formed by DEVELOPER under the Deed Restriction shall ensure individual lot owners maintain the landscaping in the entryway landscape areas at the entrance to the subdivision including any subdivision monument signage for the Subdivision. Furthermore any landscape area within the right of ways or on private property shall be depicted with proper easement and maintenance requirements on the Plat so that the homeowners association has the obligation to maintain those areas in perpetuity, which said easement and maintenance agreement shall be attached as **Exhibit G-2**. The plans for these areas, if any, shall be shown on **Exhibit G-1**.

8. The DEVELOPER shall establish Street Trees per the Street Tree Plan attached as **Exhibit G-3**. The Street Trees shall be established only within the appropriate times per year as listed on the plan and the trees shall be installed by DEVELOPER within 1 year of the Final Plat/Condominium Plat for that Phase. Street Trees shall be maintained by the DEVELOPER until the warranty period ends for said Street Trees unless otherwise approved by the VILLAGE Board.

9. Within Outlots 2, 3, 9, 13, 16 and 18 a specific landscape plan shall be installed by the DEVELOPER to ensure minimal maintenance is required long term for these areas. The timing of installation of this landscape area shall be no later than the corresponding phased improvements and the final plat/condo plat for lots adjacent to these areas.

G. STREET SIGNS AND TRAFFIC CONTROL SIGNS: The DEVELOPER hereby agrees that:

1. Street signs, traffic control signs, culverts, posts and guard rails as required by the VILLAGE shall be obtained and placed by the VILLAGE, or by the DEVELOPER with approval of the VILLAGE, and the cost thereof shall be paid by the DEVELOPER.

2. All traffic control signs and street signs, as required by the VILLAGE will be installed by the VILLAGE at the cost of DEVELOPER within fifteen (15) working days of the placement of the first lift of asphalt.

SECTION II. STREET LIGHTS:

The DEVELOPER hereby agrees to install or cause WE Energies to install a street lighting system in the development according to a plan prepared by We Energies and on file with the VILLAGE Clerk and approved by the VILLAGE of Sussex prior to issuance of building permits unless waived by VILLAGE Staff. The Lighting Plan shall be **EXHIBIT H**, which shall be attached to this agreement prior to the approval of the Final Plat of Phase 1.

SECTION III. ADDITIONAL IMPROVEMENTS:

The DEVELOPER hereby agrees that if, at any time after plan approval and during construction, the VILLAGE Engineer determines that modifications to the plans including additional improvements such as additional drainage ways, erosion control measures, and surface and storm water management measures are necessary in the interest of public safety, are necessary in order to comply with current laws or are necessary for implementation of the original intent of the improvement plans, the VILLAGE is authorized to order DEVELOPER, at DEVELOPER'S expense, to implement the same. If DEVELOPER fails to construct the additional improvement within a reasonable time under the circumstances, the VILLAGE may cause such work to be carried out and shall charge against the financial guarantee held by the VILLAGE pursuant to this agreement.

SECTION IV. TIME OF COMPLETION OF IMPROVEMENTS:

The improvements set forth in Sections I above shall be completed by the DEVELOPER, in total within twelve (12) months of the date of this Agreement being signed except as otherwise provided for in this Agreement or extended by VILLAGE Board approval.

SECTION V. FINAL ACCEPTANCE.

Throughout this agreement, various stages of the development will require approval by the VILLAGE. "Final Acceptance" as used herein, however, shall be

the ultimate acceptance of all of the improvements in the completed development as a whole, and shall be granted specifically by separate resolution of the VILLAGE Board. The two-year guarantee period provided for in this agreement shall not commence to run until Final Acceptance. The issuance of building permits and approval of various items of development shall not commence the two-year guarantee period.

SECTION VI. DEDICATION OF IMPROVEMENTS:

Subject to all of the other provisions of this agreement, the DEVELOPER shall, without charge to the VILLAGE, upon completion of the above described improvements, unconditionally give, grant, convey and fully dedicate the public improvements to the VILLAGE, its successors and assigns, forever, free and clear of all encumbrances whatever, together with and including, without limitation because of enumeration, any and all land, buildings, structures, mains, conduits, pipes, lines, plant machinery, equipment, appurtenances and hereditaments which may in any way be a part of or pertain to such improvements and together with any and all necessary easements for access thereto. After such dedication, the VILLAGE shall have the right to connect or integrate other improvements as the VILLAGE decides, with no payment or award to, or consent required of, the DEVELOPER.

Dedication shall not constitute acceptance of any improvement by the VILLAGE Board. All improvements will be accepted by the VILLAGE Board by separate resolution at such time as such improvements are in acceptable form and according to the VILLAGE specifications. Said resolution shall be recorded, if needed, with the Waukesha County Register of Deeds. DEVELOPER will furnish proof to the VILLAGE, prior to the dedication required, that the public land and improvements proposed for dedication are free of all liens, claims and encumbrances, including mortgages.

SECTION VII. ACCEPTANCE OF WORK AND DEDICATION:

When the DEVELOPER shall have completed the improvements herein required and shall have dedicated the same to the VILLAGE as set forth herein, the same shall be accepted by the VILLAGE Board if said improvements have been completed as required by this agreement and as required by all federal, state,

county or VILLAGE guidelines, specifications, regulations, laws and ordinances and approved by the VILLAGE Engineer.

SECTION VIII. APPROVAL BY VILLAGE NOT TO BE DEEMED A WAIVER.

The ultimate responsibility for the proper design and installation of streets, water facilities, drainage facilities, ditches, landscaping and all other improvements are upon the DEVELOPER. The fact that the VILLAGE or its engineer, or its attorney, or its staff may approve a specific project shall not constitute a waiver, or relieve the DEVELOPER from the ultimate responsibility for the design, performance and function of the development and related infrastructure.

SECTION IX. GUARANTEES OF IMPROVEMENTS:

A. Guarantee. DEVELOPER shall guarantee after Final Acceptance, the public improvements and all other improvements described in Section I hereof, against defects due to faulty materials or workmanship, provided that such defects appear within a period of fourteen months from the date of Final Acceptance by providing the VILLAGE with cash or a letter of credit in a form acceptable to the VILLAGE Attorney in an aggregate amount of 10 percent of the total costs of the public improvements. The DEVELOPER shall pay for any damages to VILLAGE property and/or improvements resulting from such faulty materials or workmanship. This guarantee shall not be a bar to any action the VILLAGE might have for negligent workmanship or materials. Wisconsin law on negligence shall govern such situations. If the DEVELOPER fails to pay for any damages or defects to VILLAGE property and/or improvements that result from faulty materials or workmanship, and the VILLAGE is required to draw against the cash or letter of credit on file with the VILLAGE, the DEVELOPER is required to replenish said monies up to the aggregate amount of ten percent (10%) of the total cost of all improvements.

B. Obligation to Repair. The DEVELOPER shall make or cause to be made, at its own expense, any and all repairs which may become necessary under and by virtue of the DEVELOPER'S guarantee and shall leave the improvements in good and sound condition, satisfactory to the VILLAGE Board at the expiration of the guarantee period.

C. Notice of Repair. If during said guarantee period, the improvements shall, in the reasonable opinion of the VILLAGE Staff, require any repair or replacement which, in their judgment, is necessitated by reason of settlement of foundation,

structure of backfill, or other defective materials or workmanship, the DEVELOPER shall, upon notification by the VILLAGE of the necessity for such repair or replacement, make such repair or replacement, at its own cost and expense. Should the DEVELOPER fail to make such repair or replacement within the time specified by the VILLAGE in the aforementioned notification, after notice has been sent as provided herein, the VILLAGE Board may cause such work to be done, but has no obligation to do so, either by contract or otherwise, and the VILLAGE Board may draw upon such guarantee security to pay any costs or expenses incurred in connection with such repairs or replacements. Should the costs or expenses incurred by the VILLAGE Board in repairing or replacing any portion of the improvements covered by this guarantee exceed the amount of the guarantee security, then the DEVELOPER shall immediately pay any excess cost or expense incurred in the correction process.

D. Maintenance Prior to Acceptance.

1. Until final acceptance, all improvements shall be maintained by the DEVELOPER so they conform to the approved plans and specifications at the time of their Final Acceptance by the VILLAGE Board. This maintenance shall include routine maintenance, such as crack filling, roadway patching and the like. In cases where emergency maintenance is required, the VILLAGE Board retains the right to complete the required emergency maintenance in a timely fashion and bill the DEVELOPER for all such associated costs. Said bill shall be paid immediately by the DEVELOPER. The DEVELOPER'S obligation to maintain all improvements shall expire at the expiration of the guarantee period.

2. Street sweeping and dust suppression shall be done by the DEVELOPER upon a regular basis as needed to ensure a reasonably clean and safe roadway until Final Acceptance by the VILLAGE Board. Should the DEVELOPER fail to meet this requirement, the VILLAGE Board will cause the work to be done and will bill the DEVELOPER on a time and material basis. Said bill shall be paid immediately by the DEVELOPER.

3. In the event drainage problems arise within the SUBJECT LANDS or related activities on the SUBJECT LANDS, the DEVELOPER shall correct such problems to the satisfaction of the VILLAGE Staff. Such correction measures shall include, without limitation because of enumeration, cleaning of soil, loose aggregate and construction debris from culverts, drainage ditches, storm sewers, and streets; dredging and reshaping of siltation or retention ponds; replacing of

siltation fences; sodding and seeding; construction of diversion ditches, ponds and siltation traps; and restoration of all disturbed areas. This responsibility shall continue until such time as the roads, ditches, and other disturbed areas have become adequately vegetated and the VILLAGE Board is satisfied that the DEVELOPER has restored all areas which were disturbed because of this development.

SECTION X. VILLAGE RESPONSIBILITY FOR IMPROVEMENTS:

Except as otherwise provided herein, the VILLAGE shall not be responsible to perform repair, maintenance, or snow plowing, unless otherwise approved by the VILLAGE Administrator, on any improvements until accepted by the VILLAGE Board.

SECTION XI. RISK OF PROCEEDING WITH IMPROVEMENTS PRIOR TO APPROVALS OF FINAL PLAT:

If a DEVELOPER proceeds with the installation of public improvements or other work on the site prior to approval of the Final Plat, it proceeds at its own risk as to whether or not the Final Plat will receive all necessary approvals. The DEVELOPER, prior to commencement of the installation of public improvements or other work on site, shall notify the VILLAGE of the DEVELOPER'S intention to proceed with the installation of public improvements or other work on site, prior to approval of the Final Plat. Additionally, DEVELOPER shall make arrangements to have any public improvements and/or other work on site inspected by the VILLAGE Engineer.

SECTION XII. FINANCIAL GUARANTEE:

Prior to the execution of this agreement by the VILLAGE Board, the DEVELOPER shall file with the VILLAGE cash or a letter of credit (**EXHIBIT I**) setting forth terms and conditions in a form approved by the VILLAGE Attorney in the amount as approved by the VILLAGE Engineer as a guarantee that the DEVELOPER will perform all terms of this agreement no later than one year from the signing of this agreement except as otherwise set forth in this agreement. If at any time:

- A. The DEVELOPER is in default of any aspect of this agreement, or

- B. The DEVELOPER does not complete the installation of the improvements within one (1) year from the signing of this agreement unless otherwise extended by this agreement or by action of the VILLAGE Board, or
- C. The letter of credit on file with the VILLAGE is dated to expire sixty (60) days prior to the expiration of the same if the same has not been extended, renewed or replaced, or
- D. The DEVELOPER fails to maintain a cash deposit or letter of credit in an amount approved by VILLAGE Engineer, and in a form approved by the VILLAGE Attorney, to pay the costs of improvements in the development, the DEVELOPER shall be deemed in violation of this agreement and the VILLAGE Board shall have the authority to draw upon the letter of credit.

The amount of the letter of credit may be reduced from time to time as and to the extent that the portion of work required under this Agreement is completed and paid for, provided that the remaining letter of credit is sufficient to secure payment for any remaining improvements and also provided that no reduction shall occur until it is approved in writing by the VILLAGE Administrator.

The lending institution providing the irrevocable letter of credit shall pay to the VILLAGE Board all sums available for payment under the irrevocable letter of credit upon demand, subject to the terms and conditions of the irrevocable letter of credit, and upon its failure to do so, in whole or in part, the VILLAGE shall be empowered in addition to its other remedies, without notice or hearing, to impose a special charge for the amount of said completion costs, upon each and every lot in the development payable with the next succeeding tax roll.

Notwithstanding any other provision to the contrary, and subject to the right of the Village to make a draw thereon pursuant to paragraph, the Developer's obligation to maintain a letter of credit shall not extend beyond 14 months from the date of substantial completion of all Improvements as defined in §236.13(2)(a)2, Wis. Stats.

SECTION XIII. BUILDING AND OCCUPANCY PERMITS:

It is expressly understood and agreed that no building or occupancy permits shall be issued for any homes, including model homes, until the VILLAGE Engineer has determined that:

- A. The public improvements have been installed and accepted by the Village Board as set forth in this agreement and the final plat has been approved by the VILLAGE for said lot for which a building permit is requested.
- B. All private utilities have been installed in the SUBJECT LANDS, including street lighting fixtures (unless waived by the VILLAGE Administrator).
- C. The DEVELOPER is not in default of any aspect of this agreement.
- D. There is no default of any aspect of this agreement as determined by the VILLAGE Administrator.

SECTION XIV. VACANT LOT MAINTENANCE EASEMENT.

Developer shall grant a vacant lot maintenance easement to the VILLAGE, in a form that is subject to the approval of the VILLAGE Attorney, and which shall be recorded with the Waukesha County Register of Deeds. The easement shall grant the VILLAGE the right (but not the obligation) to enter upon any vacant lot in the SUBJECT LANDS in order to inspect, repair, or restore the property so that it is in compliance with all applicable provisions of the VILLAGE of Sussex Municipal Code, including but not limited Chapter 9, entitled "Public Nuisance", and Chapter 9, entitled "Health and Sanitation", including Section 9.07 entitled "Property Maintenance Code". A vacant lot shall include any Lot that does not have an occupied principal structure that is used for residential purposes at the time of inspection, repair or restoration. All costs incurred by the VILLAGE in exercising its right to inspect, repair or restore the Lot shall be borne by the owner of the Lot necessitating such inspection, repair or restoration and if not paid for by such Lot owner within forty-five (45) days of receipt of any invoice therefore, may be placed against the tax roll for the Lot and collected as a special charge by the VILLAGE.

SECTION XV. PROMOTION OF ARCHITECTURAL UNIQUENESS.

The parties intend that all homes in the Subject Land shall be owned, occupied and used for residential purposes and follow the design standards of the Village. The parties further intend that there shall be architectural uniqueness to the neighborhood between buildings. Therefore, no two identical buildings may be constructed directly adjacent to one another or directly across the street from one

another. No more than 7 homes per any phase of development shall be of the same design model as determined by the VILLAGE.

SECTION XVII. MISCELLANEOUS REQUIREMENTS

The DEVELOPER shall:

A. EASEMENTS:

Provide any easements including vision easements on SUBJECT LANDS deemed necessary by the VILLAGE Engineer before the Final Plat(s) are signed or on the Final Plat(s) and such easements shall be along lot lines if at all possible.

B. TREE PLANTING:

Tree planting shall follow the plan approved by the VILLAGE and attached hereto as **Exhibit G-1 through G-3.**

C. MANNER OF PERFORMANCE:

Cause all construction called for by this agreement to be carried out and performed in a good and workmanlike manner.

D. SURVEY MONUMENTS:

Properly place and install any Lot, block or other monuments required by State Statute, VILLAGE Ordinance or the VILLAGE Engineer.

E. HOME-OWNERS ASSOCIATION DECLARATION:

Execute and record a HOME-OWNERS ASSOCIATION Declaration, which may be embodied in the Deed Restriction, in a form that is subject to the approval of the VILLAGE Board and VILLAGE Attorney, and provide proof of recording prior to sale of Lots for the SUBJECT LANDS.

F. DEED RESTRICTIONS:

Execute and record deed restrictions in a form that is subject to the approval of the VILLAGE Board and VILLAGE Attorney, and provide proof of recording prior to sale of Lots for the SUBJECT LANDS. The Deed Restrictions shall contain language to require the lot owners and/or homeowner's association within the subdivision to maintain all stormwater management facilities in accordance with the "Owners Maintenance Requirements: Stormwater Management Systems

Detention/Retention Ponds and Grass Swales” specifications on file with the Village of Sussex, dated July, 2002, including such amendments as may be made thereto from time to time by the Village Engineer. The deed restrictions shall also contain the following language:

"Each lot owner must strictly adhere to and finish grade its lot in accordance with the Master Lot Grading Plan or any amendment thereto approved by the VILLAGE Engineer on file in the office of the VILLAGE Clerk. The DEVELOPER and/or the VILLAGE and/or their agents, employees or independent contractors shall have the right to enter upon any lot, at any time, for the purpose of inspection, maintenance, correction of any drainage condition, and the property owner is responsible for cost of the same."

The DEVELOPER shall also have language in the restriction that obligates the Association to maintain the landscaping islands being placed in the right of ways and any other landscaping features in or along the right of way. The VILLAGE shall have the right, but not the obligation, to maintain the landscaping and charge the Homeowner's Association if the Association fails in the Village's sole determination to adequately maintain the landscaping areas.

G. GRADES:

Prior to the issuance of a building permit for a specific Lot, the DEVELOPER or their agent shall furnish to the Building Inspector of the VILLAGE a copy of the stake out survey showing the street grade in front of the Lot, the finished yard grade, the grade of all four corners of the building, and the building corner grades of the adjacent buildings where applicable, as existing and as proposed.

H. RESERVE CAPACITY ASSESSMENTS - SANITARY SEWER:

As provided in the VILLAGE Land Division Ordinance, the DEVELOPER agrees to pay a reserve capacity assessment to be used for the costs of reserve capacity created by the VILLAGE in the VILLAGE's sanitary sewerage collection and treatment facilities for the benefit of the DEVELOPER. The municipality shall levy such assessments in conformity with this Agreement, pursuant to Chapter 66 Subchapter VII, Wisconsin Statutes. The reserve capacity assessments against the above-described property shall be in an amount established by the VILLAGE's Land Division Ordinance and including annual increases and due at the time of issuance of the BUILDING PERMIT.

The DEVELOPER hereby waives, pursuant to Section 66.0703(7) (b), Wisconsin Statutes, any and all requirements of the Wisconsin Statutes which must be met prior to the imposition of special assessments [including, but not limited to, the notice and hearing requirements of Chapter 66 Subchapter VII] and agrees that the municipality may proceed immediately to levy the special assessments as outlined herein.

The DEVELOPER further waives its right to appeal from the special assessments and stipulates that the amount of special assessment levied against its property has been determined on a reasonable basis and that the benefits to its property from the proposed improvements exceed the amount of the special assessment against such property. In addition, the DEVELOPER waives its right under Section 66.0627 and agrees to promptly pay any special charges which may be levied against its property. The municipality shall levy such assessments in conformity with this Agreement, pursuant to Chapter 66 Subchapter VII and Section 66.0627, Wisconsin Statutes.

I. RESERVE CAPACITY ASSESSMENTS - WATER:

The DEVELOPER agrees to pay a reserve capacity assessment as required in Section 22.23(2) (b) and other relevant sections of the VILLAGE Code, to be used for the costs of reserve capacity created by the VILLAGE in the VILLAGE's water system for the benefit of the DEVELOPER. The municipality shall levy such assessments in conformity with this Agreement, pursuant to Chapter 66 Subchapter VII, Wisconsin Statutes. The reserve capacity assessments against the above-described property shall be an amount established in the VILLAGE's Land Division Ordinance and is subject to annual increases and due at the time of issuance of the BUILDING PERMIT.

The DEVELOPER hereby waives, pursuant to Section 66.0703(7) (b), Wisconsin Statutes, any and all requirements of the Wisconsin Statutes which must be met prior to the imposition of special assessments [including, but not limited to, the notice and hearing requirements of Chapter 66 Subchapter VII] and agrees that the municipality may proceed immediately to levy the special assessments as outlined herein. The DEVELOPER further waives its right to appeal from the special assessments and stipulates that the amount of the special assessments levied against its property has been determined on a reasonable basis and that the benefits

to its property from the proposed improvements exceed the amount of the special assessment against such property.

In addition, the DEVELOPER waives its rights under Section 66.0627 and agrees to promptly pay any special charges which may be levied against its property. The municipality shall levy such assessments in conformity with this Agreement, pursuant to Chapter 66 Subchapter VII and Section 66.0627, Wisconsin Statutes.

J. UNDERGROUND UTILITIES:

Install all existing and proposed electrical, telephone, cable and gas utilities underground. Coordination of installation and burial and all costs shall be the responsibility of the DEVELOPER.

K. PERMITS:

Provide and submit to the VILLAGE requesting the same, valid copies of any and all governmental agency permits.

L. REMOVAL OF TOPSOIL:

The DEVELOPER agrees that no topsoil shall be removed from the SUBJECT LANDS without approval from the VILLAGE Engineer. Excess topsoil may be removed as DEVELOPER determines based upon the approved Grading Plan and VILLAGE Engineer consent.

M. DIGGERS HOTLINE.

Developer shall become a member of Diggers Hotline and provide evidence of such membership to the VILLAGE Clerk before commencement of any land disturbing activities on the Subject Lands. Developer shall maintain said membership until all subsurface Improvements required under Section I have received final acceptance from the VILLAGE as provided in Section III.

N. PREVAILING WAGE RATES AND HOURS OF LABOR:

If any aspect of the development involves a project of public works that is regulated by Wisconsin Statutes Section 66.0903 then: (1) The Developer shall pay wage rates not less than the prevailing hourly wage rate as described and regulated pursuant to such statutes and related laws; and (2) The Developer shall comply with the prevailing hours of labor as described and regulated pursuant to such

statutes and related laws; and (3) The Developer shall fully comply with the reporting obligations, and all other requirements of such laws; and (4) The Developer shall ensure that the Developer's subcontractors also fully comply with such laws. The Developer's General Indemnity obligation of this Agreement shall apply to any claim that alleges that work contemplated by this Agreement is being done, or has been done, in violation of prevailing wage rates, prevailing hours of labor, or Wisconsin Statutes Section 66.0903, for any work arising out of this agreement.

O. NOISE:

Make every effort to minimize noise, dust and similar disturbances, recognizing that the SUBJECT LANDS are located near existing residences. Construction of improvements shall not begin before 7:00 a.m. during weekdays and Saturdays, and 9:00 a.m. on Sundays. Construction of improvements shall not continue beyond 7:00 p.m. during weekdays and Saturdays, and 5:00 p.m. on Sundays.

P. DEBRIS:

Have ultimate responsibility for cleaning up debris that has blown from buildings under construction within the SUBJECT LANDS until such time as all improvements have been installed and accepted by the VILLAGE Board. The VILLAGE shall make a reasonable effort to require the contractor, who is responsible for the debris, to clean up the same or to hold the subject property owner who hired the contractor responsible. The DEVELOPER and/or subject property owner shall clean up the debris within forty-eight (48) hours after receiving a notice from the VILLAGE Engineer. If said debris is not cleaned up after notification, the VILLAGE will do so at the DEVELOPER'S and/or subject property owner's expense.

Q. DUTY TO CLEAN ROADWAYS:

The DEVELOPER shall be ultimately responsible for cleaning up the mud and dirt on the roadways until such time as the final lift of asphalt has been installed. The DEVELOPER shall clean the roadways within forty-eight (48) hours after receiving a notice from the VILLAGE Engineer. If said mud, dirt and stone is not cleaned up after notification, the VILLAGE will do so at the DEVELOPER's expense. The VILLAGE will do its best to enforce existing ordinances that require builders to clean up their mud from construction.

R. PUBLIC CONSTRUCTION PROJECTS:

If any aspect of the development involves a public construction project subject to the State law, all requirements of the State Public Construction Bidding Law must be satisfied, including but not limited to, providing a performance bond.

S. IMPACT FEES.

DEVELOPER and VILLAGE acknowledge that the VILLAGE has caused a needs assessment study to be performed pursuant to Wis. Stat. 66.55 and that the VILLAGE has enacted an ordinance (18.10065) that imposes impact fees pertaining to the VILLAGE's parks, playgrounds and land for athletic fields, and that imposes impact fees pertaining to the VILLAGE's Library. The DEVELOPER acknowledges and agrees that the ultimate occupants of the Lots on the SUBJECT LANDS will likely utilize the Village's parks, playgrounds, and athletic fields, and Library and that the impact fees imposed by VILLAGE Ordinances are necessary to pay for the capital costs of the facilities described in this section in order to accommodate land development. These Fee(s) shall be paid prior to the release of the BUILDING PERMIT.

T. ZONING CODE:

The DEVELOPER acknowledges that the lands to be developed are subject to the VILLAGE of Sussex Zoning Code.

U. NO AGRICULTURE USE.

The DEVELOPER shall not permit any open space or undeveloped lands within an area with a Final Plat to be used for any agricultural uses as defined in Tax 18 of the Wisconsin Administrative Code.

V. LAND PURCHASE.

The DEVELOPER in order to construct the Development will purchase .59 acres of land abutting the Lisbon Central Union Cemetery from the Village of Sussex for \$20,650.00. This transfer of ownership will be included in the Final Plat for Phase 2 as depicted and attached herein as **Exhibit F**.

W. Private Clubhouse/ Pools

The DEVELOPER intends to establish two neighborhood Clubhouse/ Pools on Outlots 6, and 17 and a condo clubhouse on Outlot 15. These buildings/lots shall be reviewed by the VILLAGE Architectural Review Board and meet the design standards of the Village. These lots shall be landscaped and maintained in perpetuity by the homeowner's association.

X. DEVELOPER is dedicating the lands in Outlot 1 to the VILLAGE, in order to meet the VILLAGE's Park and Open Space Plan. It is the intent of the VILLAGE to establish a neighborhood Park on Outlot 1.

SECTION XVIII. PAYMENT OF COSTS, INSPECTION & ADMINISTRATIVE FEES:

The DEVELOPER shall pay and reimburse the VILLAGE promptly upon billing for all fees, expenses, costs and disbursements which shall be incurred by the VILLAGE in connection with this development or relative to the construction, installation, dedication and acceptance of the development improvements covered by this agreement, including without limitation by reason of enumeration, design, engineering, review, supervision, inspection and legal, administrative and fiscal work. VILLAGE employee costs shall be based on regular VILLAGE pay rates (or Engineering and administrative overtime, if applicable) plus 60% on the hourly rate for overhead and fringe benefits for any time actually spent on the project. Any costs for outside consultants shall be charged at the rate the consultant charges the VILLAGE. Any such charge not paid by DEVELOPER within thirty (30) days of being invoiced may be charged against the financial guarantee held by the VILLAGE pursuant to this agreement, or assessed against the development land as a special charge pursuant to §66.0627, Wis. Stats.

SECTION XIX. METHOD OF IMPROVEMENT.

Developer hereby agrees to engage contractors for all work performed by the DEVELOPER under this agreement who are qualified to perform the work. Developer further agrees to use materials and make the various installations in accordance with the approved plans and specifications, which are made part of this agreement by reference and including those standard specifications as the Village Board or its Commissions may have adopted and published prior to this date.

SECTION XX. GENERAL INDEMNITY:

In addition to, and not to the exclusion or prejudice of, any provisions of this agreement or documents incorporated herein by reference, the DEVELOPER shall indemnify and save harmless and agrees to accept tender of defense and to defend and pay any and all legal, accounting, consulting, engineering and other expenses relating to the defense of any claim asserted or imposed upon the VILLAGE, its officers, agents, employees and independent contractors growing out of this agreement by any party or parties. The DEVELOPER shall also name as additional insured on its general liability insurance the VILLAGE, its officers, agents, employees and any independent contractors hired by the VILLAGE to perform services as to this development and give the VILLAGE evidence of the same upon request by the VILLAGE.

SECTION XXI. VILLAGE RESPONSIBILITY:

A. The VILLAGE agrees to pay for the following oversizing costs, if it is determined by the VILLAGE that the oversizing is necessary. The oversizing costs shall be calculated by viewing bids for similar improvements to determine the cost differences between the stated sizes. The VILLAGE reserves the right to determine the bid amounts to be used in this calculation.

1 Cost of increasing the size of the water main from eight inches to a larger size, including the cost of larger valves.

2 Cost of increasing the size of the sewer main from eight inches to a larger size.

3. The VILLAGE agrees to allow the DEVELOPER to connect to the VILLAGE of Sussex's municipal water system and sewerage system at such time as the water system and sanitary sewer system required herein has been dedicated to and accepted by the VILLAGE of Sussex and the appropriate approvals have been granted for such service from all Federal, State, SEWRPC, and local governments and agencies.

SECTION XXII. INSURANCE:

The DEVELOPER, its contractors, suppliers and any other individual working on the SUBJECT LANDS in the performance of this agreement shall maintain at all times until the expiration of the guarantee period, insurance coverage in the forms and in the amounts as required by the VILLAGE.

SECTION XXIII. EXCULPATION OF VILLAGE CORPORATE AUTHORITIES:

The parties mutually agree that the VILLAGE President of the VILLAGE Board, and/or the VILLAGE Clerk, entered into and are signatory to this agreement solely in their official capacity and not individually, and shall have no personal liability or responsibility hereunder; and personal liability as may otherwise exist, being expressly released and/or waived.

SECTION XXIV. GENERAL CONDITIONS AND REGULATIONS:

All provisions of the VILLAGE Ordinances are incorporated herein by reference, and all such provisions shall bind the parties hereto and be a part of this agreement as fully as if set forth at length herein. This agreement and all work and improvements required hereunder shall be performed and carried out in strict accordance with and subject to the provisions of said Ordinances.

SECTION XXV. ZONING:

The VILLAGE does not guarantee or warrant that the SUBJECT LANDS will not at some later date be rezoned, nor does the VILLAGE herewith agree to rezone the lands into a different zoning district. It is further understood that any rezoning that may take place shall not void this agreement.

SECTION XXVI. COMPLIANCE WITH CODES AND STATUTES:

The DEVELOPER shall comply with all current and future applicable codes of the VILLAGE, County, State and federal government and, further, DEVELOPER shall follow all current and future lawful orders of any and all duly authorized employees and/or representatives of the VILLAGE, County, State or federal government.

SECTION XXVII. PRELIMINARY PLAT, FINAL PLAT, AND REZONING CONDITIONS:

The DEVELOPER acknowledges that the SUBJECT LANDS are subject to a conditional Preliminary Plat approval and a conditional rezoning ordinance by the VILLAGE. The DEVELOPER also acknowledges that if the development is to proceed the SUBJECT LANDS will also be subject to a conditional Final

Plat/Condo Plat approval, if it is approved. The DEVELOPER further agrees that it is bound by these conditions. A copy of the conditional Preliminary Plat approval for the SUBJECT LANDS is attached hereto and incorporated herein as **EXHIBIT C**, and the conditional rezoning ordinance for the SUBJECT LANDS is attached hereto and incorporated herein as **EXHIBIT B**. At such time as the Final Plat is approved, if it is, the conditional Final Plat and Final Condo Plat approvals shall be attached hereto and incorporated herein as **EXHIBIT D and Exhibit D-Condo Plat, respectively**. If there is a conflict between the conditions as forth in said conditional approvals and the Developer's Agreement, the more restrictive shall apply.

SECTION XXVIII. PHASING OF DEVELOPMENT:

In that the DEVELOPER has voluntarily agreed to develop the subject land in multiple phases and has further agreed to submit along with the Final Plat of the first phase a phasing plan for the entire development, which shall be in substantial conformity with the phasing plan (**EXHIBIT J**) prepared and discussed by the Plan Commission for the VILLAGE of Sussex and shall be subject to review and must be specifically approved by the VILLAGE Board, Section 236.11(b), Wisconsin Statutes, which requires Final Plats to be filed within thirty-six (36) months of the date of approval of the Preliminary Plat is hereby waived by the VILLAGE provided the DEVELOPER complies with the approved phasing plan and further provided that the Final Plat of each phase complies substantially with the Preliminary Plat, as provided in Section 236.11(b), Wisconsin Statutes.

SECTION XXIX. AGREEMENT FOR BENEFIT OF PURCHASERS:

The DEVELOPER agrees that in addition to the VILLAGE'S rights herein, the provisions of this agreement shall be for the benefit of the purchaser of any Lot or any interest in any Lot or parcel of land in the SUBJECT LANDS.

SECTION XXX. ASSIGNMENT:

The DEVELOPER shall not assign this agreement without the written consent of the VILLAGE. If required by the VILLAGE, the assignee must agree to all terms and conditions of this document in writing.

SECTION XXXI. PARTIES BOUND:

The DEVELOPER or its assignees shall be bound by the terms of this agreement or any part herein as it applies to any phase of the development.

SECTION XXXII. HEIRS & ASSIGNS:

This agreement is binding upon the DEVELOPER, owners, their successors and assigns, and any and all future owners of the SUBJECT LANDS (the “Successors”) This section allows for VILLAGE enforcement of the terms and conditions of this Agreement against all such Successors. This section does not, however, grant rights to such Successors absent VILLAGE written consent, as described in Section XXIX.

SECTION XXXIII. SURVIVAL.

All agreements, representations, or warranties made herein shall survive the execution of this Agreement, performance of this Agreement, and the making of the grants hereunder. This Agreement shall be binding upon the Parties their respective heirs, personal representatives, executors, or successors and assigns.

SECTION XXXIV. OWNERSHIP OF SUBJECT LANDS.

DEVELOPER warrants and represents that, as of the date of this Agreement it has title to the Property.

SECTION XXXV. PARAGRAPH HEADINGS.

The paragraph headings in this Agreement are inserted for convenience only and are not intended to be part of, or to affect, the meaning or interpretation of this Agreement.

SECTION XXXVII. INCORPORATION OF RECITALS.

The recitals to this Agreement are hereby incorporated by reference and made a part of Agreement, and are intended to affect the meaning and/or interpretation of this Agreement.

SECTION XXXVII. COUNTERPARTS.

This Agreement may be executed in one or more counterparts, each of which shall be deemed an original but all of which together shall constitute one and the same instrument.

SECTION XXXVIII. ENTIRE AGREEMENT.

This Agreement constitutes the entire understanding and agreement between the parties. In the event of a conflict between this Agreement and the Village Code of Ordinances or any other enabling code, law or regulation in effect at the time of this Agreement or thereafter, the terms and conditions of the Village Code of Ordinances in effect at the time of the acceptance by DEVELOPER shall be controlling. If this Agreement is silent with respect to any specific issue, the Village Code of Ordinances and any applicable federal and state statutes shall govern.

SECTION XXXIX. RECORDING OF AGREEMENT.

This Agreement, or a Memorandum thereof, shall be recorded with the Register of Deeds for Waukesha County.

SECTION XXXX. AMENDMENTS:

The VILLAGE and the DEVELOPER, by mutual consent, may amend this Developer's Agreement at any meeting of the VILLAGE Board.

IN WITNESS WHEREOF, the DEVELOPER and the VILLAGE have caused this agreement to be signed by their appropriate officers and their corporate seals (if any) to be hereunto affixed in three original counterparts the day and year first above written.

Vista Run, LLC.

By: _____
Steve DeCleene, President, Neumann Developments, Inc., its sole member

STATE OF WISCONSIN
COUNTY OF WAUKESHA

Personally came before me this _____ day of _____, 2020,
the above named Steve DeCleene Authorized Signatory of Neumann
Developments, , Inc., the foregoing instrument and acknowledged the same.

NOTARY PUBLIC, STATE OF WI
My commission expires: _____

VILLAGE OF SUSSEX
WAUKESHA COUNTY, WISCONSIN

VILLAGE President

VILLAGE Clerk-Treasurer

STATE OF WISCONSIN
COUNTY OF WAUKESHA

Personally came before me this _____ day of _____, 2020,
the above-named Greg Goetz, VILLAGE President, and Samuel Liebert,
VILLAGE Clerk-Treasurer, of the above-named municipal corporation, to me
known to be the persons who executed the foregoing instrument and to me known
to be such VILLAGE President and VILLAGE Clerk-Treasurer of said municipal
corporation and acknowledged that they executed the foregoing instrument as such
officers as the deed of said municipal corporation by its authority and pursuant to
the authorization by the VILLAGE Board from their meeting on the _____ day of
_____, 2020.

NOTARY PUBLIC, STATE OF WI
My commission expires: _____