



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

AGENDA
VILLAGE OF SUSSEX
PLAN COMMISSION MEETING
6:30 PM TUESDAY, AUGUST 19, 2025
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 Sussex Plan Commission, at which a quorum of the Village Board may attend. If a Quorum is present the Chairperson shall state, "Please let the minutes reflect that a quorum of the Village Board is present and may be making comments during public comment or if the rules are suspended to allow so."

1. Roll call.
2. Consideration and possible action on the minutes of the Plan Commission meeting of July 15, 2025
3. Consideration and possible action on Permitted Uses and Plans.
4. Conditional Use Public Hearing(s) and consideration and possible action on Conditional Use Permits and Plans on the following items:
 - a. Public Hearing and discussion and possible action on a Conditional Use Permit for a Caretta Senior Housing facility located at N63W24103 Main Street on the parcels identified by Tax Key Numbers 249.992 and 249.991.001
 - b. Discussion and possible action on a Conditional Use Permit and corresponding CSM for a Caretta Senior Housing facility located at N63W24103 Main Street on the parcels identified by Tax Key Numbers 249.992 and 249.991.001
 - c. Public Hearing and discussion and possible action on a Conditional Use Permit for a Tommy's Car Wash located at W249N648 State Highway 164.
 - d. Discussion and possible action on a Conditional Use Permit and an exception from the Sussex Design Standards for a Tommy's Car Wash located at W249N6438 State Highway 164.
5. Consideration and possible action on CSM's, Plats, Zoning and Planning Items.
 - a. Discussion and possible action on a landscape plan for the property located on the southeast corner of County Highway VV and Alpine Dr and identified by Tax Key Number SUXV0227036 in the Vista Run Subdivision.
 - b. Update from Village on the Wildflower Subdivision development.
6. Other items for future discussion.

7. Adjournment.

Anthony LeDonne
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.

**VILLAGE OF SUSSEX
PLAN COMMISSION
6:30PM TUESDAY, JULY 15, 2025
SUSSEX CIVIC CENTER – BOARD ROOM 2ND FLOOR
N64W23760 MAIN STREET**

The meeting was called to order by President LeDonne at 6:30pm at the Sussex Civic Center – Board Room 2nd Floor N64W23760 Main Street, Sussex, WI.

Members present: Commissioners Jim Muckerheide, Mike Knapp, Roger Johnson, Trustee Greg Zoellick, and Village President Anthony LeDonne

Members absent: Commissioners Kasey Fluet and Mike Smith

Others present: Assistant Village Administrator Katherine Gehl, Community Development Director Gabe Gilbertson, Village Attorney John Macy, Village Engineer Judy Neu, Village Clerk Jennifer Boehm, applicants, and members of the public.

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

Consideration and possible action to approve the minutes for the Plan Commission meeting of June 17, 2025.

A motion by Johnson, seconded by Muckerheide to approve the minutes of the Plan Commission meeting of June 17, 2025.

Motion carried 5-0

Public Hearing and discussion and possible action on a Conditional Use Permit for a Caretta Senior Housing facility located at N63W24103 Main Street on the parcels identified by Tax Key Numbers 249.992 and 249.991.001

A motion by LeDonne, seconded by Muckerheide to open the Public Hearing.

Motion carried 5-0

Village Attorney Macy gave an explanation and direction to the Plan Commission about the Quasi-Judicial hearing. President LeDonne polled the Commission to acknowledge they unbiased and did not engage in ex parte communications.

All replied yes.

Mr. Macy reviewed the Conditional Use Permit Law for the Plan Commission and the Public.

Lukas Lawson, 1161 Wayzata Blvd E #175, was present and gave a presentation of the Plan of Operation for Caretta Senior Care. He addressed questions that were asked during the June 17 Plan Commission meeting and additional questions asked.

Fire Chief Kris Grod gave a report on EMS calls concerning nearby Caretta locations.

Village Engineer Judy Neu answered questions regarding traffic and water from the Plan Commission.

Kathy Klager, N62W24172 Sunset Dr., Sussex, made comments.
Devlynn Ihlenfeld, N63W24123 Main St., Sussex, had questions and comments.
Kimberly Rebarchik, N63W24063 Main St., Sussex, had questions and comments.
Gordon Caesar, W204N6758 Lannon Rd., Menomonee Falls, made comments.
Scott Kallio, N63W24169 Main St., Sussex, had questions and comments.
Teri Schlei, PO Box 184, Sussex, had questions and comments.
Joe Schonasky, N63W24141 Main St., Sussex, had questions and comments.
Joe Fuller, W233N6944 Salem Dr., Sussex, had questions and comments.

Lucas Lawson, Gabe Gilbertson, Chief Grod, and John Macy answered the Public's questions. Residents can call and make appointments to sit down with staff to review lighting, screens, landscape, etc. plans.

A motion by LeDonne, seconded by Muckerheide to adjourn the Public Hearing to the next Plan Commission meeting on August 19, 6:30PM.

Motion carried 5-0

The Plan Commission took a 5 minute break.

Public Hearing and discussion and possible action on a Conditional Use Permit for a Tommy's Car Wash located at W249N6438 State Highway 164.

A motion by LeDonne, seconded by Muckerheide to open the Public Hearing for Tommy's Carwash.

Motion carried 5-0

Chris McGuire, 1209 Joesph St., Dodgeville was present and gave an overview of the Plan of Operation and addressed questions from the previous Plan Commission meeting.

Elise and Jeff Liegel, 2651 Corkin Court, Portage were present and gave a brief overview of the Plan of Operation and answered questions from the Plan Commission.

A representative from Traffic Analysis & Design was present and gave a traffic report.

A motion by LeDonne, seconded by Muckerheide to adjourn the Public Hearing for Tommy's Carwash to the August 19, 6:30pm Plan Commission meeting.

Motion carried 5-0

Discussion and possible action on a recommendation to the Village Board to adopt an Ordinance to repeal and recreate Section 17.0506(A)(5)(b) regarding equipment rental uses as a Conditional Use in the BP-1 Business Park Zoning District.

Matt Moroney, 1200 N Mayfair Rd., Milwaukee from Wangard was present spoke briefly about the business they want to have in the building.

A motion by Zoellick, seconded by LeDonne to make the modification and set the matter for public hearing.

Motion carried 4-1

Consideration and possible action on a sign permit package for Scooters Coffee located at the southwest corner of Business Dr and State Highway 164 in the BP-1 Business Park District.

A motion by Muckerheide, seconded by Knapp to approve the sign package.

Motion carried 5-0

Consideration and possible action on a Resolution and recommendation to the Village Board to adopt an Ordinance to amend the Land Use component of the Comprehensive Plan for the property identified by Tax Key Number 227.036 from the Open Land Land Use Classification to the Single Family Attached and Two Family Residential, Recreational, and Secondary Environmental Corridor Land Use Classifications.

A motion by LeDonne, seconded by Zoelleck that the Plan Commission adopt a Resolution recommending the Village Board adopt an Ordinance to amend the Land Use component of the Comprehensive Plan for the property identified by Tax Key Number 227.036 from the Open Land Land Use Classification to the Single Family Attached and Two Family Residential, Recreational, and Secondary Environmental Corridor Land Use Classifications.

Motion carried 3-2

Consideration and possible action on a recommendation to the Village Board to adopt an Ordinance to Rezone the property identified by Tax Key Number 227.036 from the A-1 Agricultural Zoning District to the SFRD-3 Single Family Attached, P-1 Park, and P-2 Park with an Isolated Natural Resource Area Overlay and amend the PDO Planned Overlay.

A motion by LeDonne, seconded Muckerheide by to recommend to the Village Board to rezone the property identified by Tax Key Number 227.036 from the A-1 Agricultural Zoning District to the SFRD-3 Single Family Attached, P-1 Park, and P-2 Park with an Isolated Natural Resource Area Overlay and amend the PDO Planned Overlay and the condition that there is a landscape plan when the property is developed subject to approval of the Plan Commission.

Motion carried 5-0

Discussion and possible action on a waiver from Section 18.0811(C) regarding the burying of utilities associated with the development of the property located at Silver Spring Dr and Town Line Rd.

Jerad Protaskey, 20435 Hunters Ct, Brookfield, was present and spoke with the Plan Commission about obtaining a waiver.

A motion by LeDonne, seconded by Johnson to deny the request to waive the requirements of Section 18.0811(C) to install all new and existing utilities underground and grant a delay in the same fashion as Sharp Packaging, for the same reasons, and a deed restriction drafted by the petitioner subject to Village approval.

Motion carried 5-0

Update from Village on the Wildflower Subdivision development.

Village Engineer Judith Neu gave an update on the Wildflower Subdivision.

Other Items for Future Discussion

None

Adjournment

A motion by Zoellick, seconded by Muckerheide to adjourn the meeting at 9:55 pm.

Motion carried 5-0

Respectfully submitted,
Jennifer Boehm
Village Clerk



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MEMORANDUM

TO: Plan Commission
FROM: Gabe Gilbertson, Community Development Director
RE: Plan Commission meeting of August 19, 2025
DATE: August 8, 2025

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

02. **Minutes of the Plan Commission meeting of July 15, 2025.**
03. **Consideration and possible action on Permitted Uses and Site Plans.**
04. **Conditional Use Public Hearing(s) and consideration and possible action on Conditional Use Permits and Plans.**
 - A. **Reconvene the Public Hearing and discussion and possible action on a Conditional Use Permit for a Caretta Senior Housing facility located at N63W24103 Main Street on the parcels identified by Tax Key Numbers 249.992 and 249.991.001**

Caretta Senior Living is proposing a senior living facility on Main Street, west of Maple Avenue. The site is zoned B-4 Central Mixed Use and a senior living facility is a conditional use permit under Section 17.0506(B)(3) of the Municipal Code. The proposed facility would have 79 units and is under the density requirements allowed for the B-4 Central Mixed Use Zoning District.

The Code allows for a parking ratio of .5 parking stalls per unit for senior facilities in the B-4 Central Mixed Use Zoning District for a total of 38 parking stalls. The submitted plans are proposing a total of 48 parking stalls and would meet the minimum number of stalls required.

The Petitioner will need to prove the standards/conditions found in the Conditional Use section of the Zoning Code during the Public Hearing process. These standards/conditions are attached to this memo. This is the basis from which the Plan Commission must make their determination.

Policy Question:

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

2. Are there any concerns from the public hearing the Board wants added to the Conditional Use document?

Action Items:

1. Close the Public Hearing

Staff Recommendation: Staff recommends the Plan Commission close the public hearing.

B. Discussion and possible action on a Conditional Use Permit and corresponding CSM for a Caretta Senior Housing facility located at N63W24103 Main Street on the parcels identified by Tax Key Numbers 249.992 and 249.991.001

Staff has prepared a conditional use document for consideration at this meeting. The Plan Commission has heard testimony on the application for the Caretta senior housing facility. The applicant has also submitted a Certified Survey Map that combines the two subject parcels to accommodate the development.

Policy Questions:

Has the Petitioner provided substantial evidence proving they meet the standards/regulations of the Ordinance, the conditions and standards of the Conditional Use Permit, and the other conditions as set forth by the Plan Commission?

If No, the deficiency will need to be detailed.

Has the Petitioner provided substantial evidence with regards to the following Standards/Regulations?

The Application is complete and consistent with 17.0502: Yes or No

The use(s) and plans are compliant with 17.0503 (Review of CU's): Yes or No

The use(s) and plans are compliant with 17.0200 (General Conditions): Yes or No

The uses(s) and plans are compliant with 17.0419 B-4 Central Mixed Use District:
Yes or No

The uses(s) and plans are compliant with 17. 1000 (Site Plan Review): Yes or No

Has the Petitioner provided substantial evidence and adequately addressed the findings of the impact report per 17.0506.A. Yes or No

Has the Petitioner provided substantial evidence with regards to the Conditional Use Permit as follows:

A.3.A. Site Plan Standards compliance: Yes or No

A.3.B. Plan of Operation compliance: Yes or No

A.3.C-J. Various Plan(s) compliance: Yes or No

A.4.-16. CU condition compliance: Yes or No

B-L. Administrative CU Condition compliance: Yes or No

Action Items:

1. Act on the Conditional Use.

Staff Recommendation: Staff recommends the Plan Commission approve the Conditional Use Permit and corresponding CSM for a Caretta Senior Housing facility located at N63W24103 Main Street on the parcels identified by Tax Key Numbers 249.992 and 249.991.001 subject to the standard conditions of Exhibit A, and the following conditions:

1. Submitting a revised CSM complying with comments and conditions from the Engineering Department and Community Development Department.
2. Review and approval of the subject plans by the Architectural Review Board.

C. Reconvene the Public Hearing and discussion and possible action on a Conditional Use Permit for a Tommy's Car Wash located at W249N6438 State Highway 164.

The subject property is zoned B-2 Regional Business District and is located directly south of the Dunkin Donuts and Baskin Robin's on State Highway 164. The land is currently vacant and the applicant is proposing to construct a Tommy's Carwash. Section 17.0506(9)(A)(1) requires a Conditional Use Permit for vehicle washing in the B-2 Regional Business District.

The Code requires one stall per employee on the largest shift and according to the application, the largest shift would have 8 employees. The site plan is providing 10 parking stalls. The Code requires space for up to 4 vehicles in cue for the car wash and 2 vacuum stations. The submitted site plan exceeds the minimum number of cueing spaces and vacuum stations.

The Petitioner will need to prove the standards/conditions found in the Conditional Use section of the Zoning Code during the Public Hearing process. These standards/conditions are attached to this memo.

Policy Question:

1. Are there any concerns with the Conditional Use or Plan of Operation?
2. Are there any concerns from the public hearing the Board wants added to the Conditional Use document?

Action Items:

1. Close the Public Hearing

Staff Recommendation: Staff recommends the Plan Commission close the public hearing.

D. Discussion and possible action on a Conditional Use Permit and an exception from the Sussex Design Standards for a Tommy's Car Wash located at W249N6438 State Highway 164.

Staff has prepared a conditional use document for consideration at this meeting. The Plan Commission has heard testimony on the application for Tommy's Car Wash.

The applicant appeared before the Architectural Review Board on August 6, 2025. The ARB approved the submitted plans subject to the applicant receiving an exception from the Sussex Design Standards for a reduction in window and door openings on the west elevation facing State Highway 164.

Policy Questions:

Has the Petitioner provided substantial evidence proving they meet the standards/regulations of the Ordinance, the conditions and standards of the Conditional Use Permit, and the other conditions as set forth by the Plan Commission?

If No, the deficiency will need to be detailed.

Has the Petitioner provided substantial evidence with regards to the following Standards/Regulations?

The Application is complete and consistent with 17.0502: Yes or No

The use(s) and plans are compliant with 17.0503 (Review of CU's): Yes or No

The use(s) and plans are compliant with 17.0200 (General Conditions): Yes or No

The uses(s) and plans are compliant with 17.0417 B-2 Regional Business District: Yes or No

The uses(s) and plans are compliant with 17.1000 (Site Plan Review): Yes or No

Has the Petitioner provided substantial evidence and adequately addressed the findings of the impact report per 17.0506.A. Yes or No

Has the Petitioner provided substantial evidence with regards to the Conditional Use Permit as follows:

A.3.A. Site Plan Standards compliance: Yes or No

A.3.B. Plan of Operation compliance: Yes or No

A.3.C-J. Various Plan(s) compliance: Yes or No

A.4.-17. CU condition compliance: Yes or No

B-L. Administrative CU Condition compliance: Yes or No

Action Items:

1. Act on the Conditional Use and exception from the Sussex Design Standards.

Staff Recommendation: Staff recommends the Plan Commission approve the Conditional Use Permit and discuss the exception from the Sussex Design Standards for window and door openings on the west elevation for Tommy's Car Wash located at W249N6438 State Highway 164 subject to the standard conditions of Exhibit A, and the following conditions:

1. Complying with the conditions of approval from the Architectural Review Board meeting on August 6, 2025.
2. Submitting a recorded RCA Sewer Agreement to the Village prior to the issuance of any permits.

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

A. Discussion and possible action on a landscape plan for the property located on the southeast corner of County Highway VV and Alpine Dr and identified by Tax Key Number SUXV0227036 in the Vista Run Subdivision.

The Plan Commission reviewed a proposed Land Use Amendment and Rezoning for the subject property at their July 15, 2025 meeting. The Board recommended the Village Board approve the Rezoning subject to the applicant submitting a landscape plan for the Plan Commission to review.

Policy Question:

1. Are there any concerns with the submitted landscape plan?

Action Items:

1. Take action on the submitted landscape plan.

Staff Recommendation: Staff recommends the Plan Commission approve the submitted landscape plan for the property located at the southeast corner of County Highway VV and Alpine Dr and identified by Tax Key Number SUXV0227036 in the Vista Run Subdivision.

B. Update from Village on the Wildflower Subdivision development.

06. Other Items for future discussion.

07. Adjournment.



Project Name _____

Tax Key # _____

VILLAGE OF SUSSEX PLAN OF OPERATION PROCEDURE LIST

Pre-application conference must be arranged with Gabe Gilbertson, Community Development Director. Please contact us at 262-246-5215 prior to submitting your application.

Complete the following: Plan of Operation, Service Reimbursement Agreement, Emergency Contact and Wastewater Discharge Permit.

Submit the completed forms and the required fee by the last business day of the month for consideration for the next Plan Commission Agenda. Please note that submitting by the deadline does not guarantee placement on the Plan Commission Agenda. Completed forms can be emailed to ggilbertson@villagesussex.org.

The following fees are required at the time of submittal:

_____ Plan of Operation fee	\$175.00
_____ Conditional Use fee (if necessary)	\$210.00
_____ Pre Occupancy inspection fee	\$100.00

Please make check payable to: Village of Sussex (fees are non refundable)

Notes: _____

Additional fees are required for building permits, review fees, or other items depending upon the nature of your request.

Contact Name for meetings: Lucas Larson Phone # 612-590-0304

E-mail: Lucas@galahaddevelopment.com

For office use only:

Met with staff on: _____

Paid fees on: _____

To be on the Plan Commission Agenda for: _____

Original forms to the following:

Plan of Operation to Jeremy _____

Service reimbursement _____

Emergency Contact to Sheriff Dept _____

Wastewater Permit to WWTP _____

Any outstanding fees owed on the property? _____



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 # SUXV0249991001, SUXV0249991002, SUXV0249992

Zoning: Central Mixed Use Business B-4

Address of Tenant Space: _____

1. Name of Business:

Caretta Senior Living Sussex, LLC

Business

7803 Glenroy Road Suite 200 (Local Address TBD - See Tax Keys) Bloomington, MN, 55439

612-590-0304

Address

City, State, Zip

Phone #

lucas@galahaddevelopment.com

Fax #

Email address

2. Business owner contact information:

Contact

Use same info as above

Address

City, State, Zip

Phone #

Fax #

Email address

3. Building/Land owner contact information:

See attached owner contract information document

Contact

Address

City, State, Zip

Phone #

Fax #

Email address

4. Number of Employees/Shifts:

44

3 Daily, 18 employees peak shift (2nd)

Employees

Shifts

5. Days of Operation:

Put an X in box that applies:

Hours

Open for business

Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
X	X	X	X	X	X	X
8am-8pm	8am-8pm	8am-8pm	8am-8pm	8am-8pm	8am-8pm	8am-8pm

6. Is this an extension of an existing operation? No

7. On a separate sheet of paper explain your business use and/or the change to your business. Attach a list of all items to be sold, produced or stored on the premises.

8. Is a liquor license or any other special license to be obtained from the Village Board or State Licensing Agencies? Yes Do you need an Outdoor Establishment Permit? No

If yes, explain: We will need to obtain construction plan review and licensing approval from WI DHS and DSPS.

If yes, please obtain and complete permit application.

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

10. Do you feel there will be any problems such as odor, smoke or noise resulting from this operation? No If yes, explain: _____

11. Dimension of area to be occupied 67,000 Total square footage 67,000

If applicable list square footage according to 1st floor 35,000 2nd floor 16,000 (2nd) + 16,000 (3rd)

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

12. Parking:

Total Number of Parking Spaces 48 Number of spaces needed per code 40 (0.5

stalls/unit elderly housing)

Number of spaces allocated for employee parking 18

Dimensions of parking lot est. 22,000 SF Is parking lot paved? Yes

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

Monument signage and building signage.

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.

Lucas Larson

5/30/2025

Name

Date

Manager, Caretta Senior Living Sussex, LLC

Title or Position

I am aware and approve of the business to be operating in the building

owned by Caretta Senior Living Sussex, LLC.

DocuSigned by:

Lucas Larson

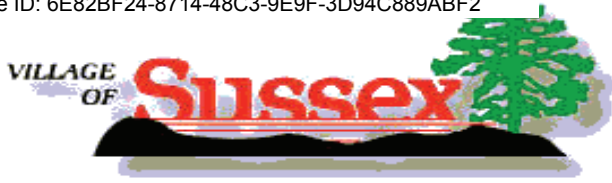
5/30/2025

Name

Date

Manager

Title or Position



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**VILLAGE OF SUSSEX
PROFESSIONAL SERVICES REIMBURSEMENT NOTICE**

Pursuant to the Village of Sussex Ordinance No. 3.11, the Village of Sussex Village Board has determined that whenever the services of the Village Attorney, Village Engineer, Village Planner, or any other of the Village's professional staff results in a charge to the Village for that professional's time and services and such service is not a service supplied to the Village as a whole, the Village Clerk shall charge that service for the fees incurred by the Village to the property owner incurring those fees even if the request is not approved. Also, be advised that pursuant to said Village of Sussex Ordinances, certain other fees, costs, and charges are the responsibility of the property owner even if the request is not approved. Imposition of any fees, costs or charges, however, is subjected to the property owner's appeal rights as described in said Village of Sussex Ordinances.

I, the undersigned, have been advised that, pursuant to said Village of Sussex Ordinances, if the Village Attorney, Village Engineer, Village Planner or any other Village professional provides services to the Village because of my activities, whether at my request or at the request of the Village, I shall be responsible for the fees incurred by the Village even if the request is not approved. In addition, I have been advised that pursuant to said Village of Sussex Ordinances, certain other fees, costs, and charges are my responsibility even if the request is not approved. By signing this document however, I am not waiving my appeal rights that are described in said Village of Sussex Ordinances.

PLEASE PRINT LEGIBLY

Name and Mailing Address of the Property Owner and /or Authorized Agent for Invoices:

7803 Glenroy Road Suite 200 Bloomington, MN 55439

Caretta Senior Living Sussex, LLC

Business Name: Caretta Senior Living Sussex

Name of Owner and Address of the Property involved in the Request (if different from above):

Gordon Caesar / Braden Properties, LLC (Daniel Braden)

Tax Key No. of the Property involved in the Request: SUXV 0249991001, 0249991002 / 0249992

Signed by:

Gordon Caesar

Signature of Property Owner and /or Authorized Agent

Gordon Caesar

5/30/2025

Date

Signature of Village Official Accepting Form

Date

A copy of this completed form shall be provided to the Village Clerk for billing purposes.



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PLEASE PRINT LEGIBLY

Name and Mailing Address of the Property Owner and /or Authorized Agent for Invoices:

7803 Glenroy Road Suite 200 Bloomington, MN 55439

Caretta Senior Living Sussex, LLC

Business Name: Caretta Senior Living Sussex

Name of Owner and Address of the Property involved in the Request (if different from above):

Gordon Cesar / Braden Properties, LLC (Daniel Braden)

Tax Key No. of the Property involved in the Request: SUXV 249991011, 49991002 / 0249992

DocuSigned by:

Daniel B. Braden

5/30/2025

Signature of Property Owner and /or Authorized Agent Daniel B. Braden

Date

Signature of Village Official Accepting Form

Date

A copy of this completed form shall be provided to the Village Clerk for billing purposes.



WASTEWATER DISCHARGE PERMIT APPLICATION

Business Name: Caretta Senior Living Sussex

Address: 7803 Glenroy Road Suite 200 (Local Address TBD - See Tax Keys)

Owner/Operator: Lucas Larson

Standard Industrial Classification #: NA

How many people do you employ? 44

What are your businesses hours of work? 8am-8pm

Who is responsible for water quality? (List job titles)
Facility Maintenance Manager

Time and Duration of Discharge: Throughout the day

Average and Peak Wastewater Flow Rates(Include any daily, monthly or seasonal variations):
79 units, 5 toilet flushes per day, 395 flushes at 1.2 gallons per flush = 474 gallons/day resident usage

Please describe the activities, facilities, and plant processes on the premises including all materials and types of materials which are or could be discharged:
Resident and public restrooms

Please list each product your business produces. (Include type, amount and rate of production):
NA

What are the constituents and characteristics of your wastewater?
Human waste

New construction: attach site plans, floor plans, mechanical and plumbing plans and details to show all sewers and appurtenances by size, location and elevation.

Print Form

Clear Form



Village of Sussex Fire Department
N63 W24335 Main Street
Sussex, Wisconsin 53089

Fire Station - *PHONE*
262-246-5197
Fire Station - *FAX*
262-246-5196

Waukesha County Sheriff – Sussex Office

Emergency Contact Form to be completed with Plan of Operation form.

Business Name: Caretta Senior Living Sussex
Business Address: TBD - See Tax Keys
Business Phone #: 763-377-1800
Business Email: sussex@caretta-seniorliving.com

Business Emergency Contacts

Name and Phone #: Donna Flaata 763-234-3109
Name and Phone #: Lorien Mueller 612-845-1775
Name and Phone #: Community staff when project is complete
Building Owner Name: Caretta Senior Living Sussex, LLC
Building Owner Email: dflaata@greatlakesmc.com

Building Owner Emergency Contacts

Name and Phone #: Currently the same as above until building opens
Name and Phone #: _____

Knox Box (if applies) Have locks been changed and new key provided to Fire Department? Yes No

Owner Contact Information

Tax Key #: SUXV0249991001, SUXV0249991002

Gordon Caesar

W204N6758 Lannon Road

Menomonee Falls, WI 53051

Tax Key #: SUXV0249992

Branden Properties, LLC

Daniel Braden

3345 Wilshire Road

Brookfield, WI 53045

DBraden@firstweber.com



Caretta Senior Living Sussex Impact Statement – Village of Sussex, WI

The following provides information regarding the impact of Caretta Senior Living Sussex on the immediate neighbors and Village of Sussex at large. This information is based on five other communities operated by Great Lakes Management in Wisconsin.

Caretta Senior Living Sussex would offer studio, one bedroom, and two bedroom apartments, 79 total units, and provide assisted living and memory care services to its residents. The community will hold both an RCAC license and CBRF license with the Wisconsin Department of Health. The facility is staffed 24/7. The facility will feature various amenity spaces including: multiple dining rooms; activity spaces for arts, crafts, baking and fitness; a salon; spa; library; and more. All residents will have access to three high quality scratch-cooked meals per day plus snacks, weekly laundry and housekeeping, programmed activities, utilities, and transportation.

Regarding land use, our proposal lies within the B-4 Central Mixed Use zoning district and Downtown Development Plan area. It would require a conditional use permit due to its housing component. However, since we will be providing senior care, our proposal closely dovetails with several of the currently permitted uses for senior and social services. Two similar buildings already operate on the adjacent lots to the east under the same zoning designation. Moreover, the proposal would feature lower traffic than several of the permitted business and commercial uses.

With respect to density, B-4 zoning allows up to 40 units per acre for elderly housing. Given the total site area of approximately 2.8269 acres, the properties would allow for up to 113 units. At 79 units, the site would be underutilized with respect to density.

Regarding site plan and architecture, the team studied the neighboring homes, village design requirements, and village code to ensure the building fits aesthetically and in terms of height, scale, and massing while taking into consideration the challenging topography of the site. We positioned the three-story assisted living wing of the building on the SE corner of the site to mirror the three-story building next door, and our one-story memory care wing on the west side. The building complies with the 45' height restriction and creates a natural step down in massing toward the single family homes to the west minimizing the perception of scale. We are planning 48 parking stalls, which is as many as we could fit on the site considering the site shape, topography, stormwater, and landscaping constraints. Based on data from our existing communities, up to 28% of RCAC residents will bring cars. The rest of the residents do not have cars. This equates to a need for 13 resident parking stalls. It is estimated that those residents will drive their car 1 to 2 times per



week. Our existing communities have 35 to 53 parking stalls, all of which we deem adequate for our operation.

Vehicular traffic, parking lighting, deliveries, garbage pickup, and emergency usage are contained within the courtyard of the building to mitigate impact on neighbors. Most traffic to the building will come from staff, visitors, and vendors. The building operates in three shifts: 6am-2pm; 2pm-10pm; and 10pm-6am. During peak shift, there will be approximately 18 staff in the building. Guest traffic averages 10 to 12 visitors per day between 8am and 8pm. Trash pickup will average two to three times per week. Food service delivers twice weekly. Business deliveries such as UPS or Amazon will average three times per week. Finally, summer landscaping will occur once per week with snow removal as needed. We also intend to retain as many of the existing trees as possible and add buffer landscaping along the property boundary.

Finally, with respect to EMS other similarly sized Caretta facilities make one or less calls per month. EMS is only called for medical conditions that require emergency room or hospital treatment. We attribute the low usage of EMS to the following:

1. We staff at least one full-time registered nurse (RN) for facility oversight
2. We have an RN Triage Team available to review medical situations after hours. In the event of an emergency, care givers will first contact the Triage Team to determine treatment or medical needs. The Triage Team will review reported incidents and give direction on treatment and next steps.
3. All care givers are trained and certified with DHS WI to provide CBRF-level care in the event of falls. The facility also owns and operates its own lifts and we obtain an insurance policy that includes transfers and lifts by staff. EMS will not be called for basic lifts.
4. If a resident requires a medical evaluation following a non-emergency incident, the family is first called to transport. Secondly, we use non-emergency medical transport companies.
5. Our staffing is determined by individual evaluations of the needs of each resident. This ensures that we have an adequate number of staff to provide care.



Caretta

SENIOR LIVING

ASSISTED LIVING AND MEMORY CARE

Overall, we have done our best to ensure our proposal minimizes the impact on village resources and neighbors while providing a much-needed asset to serve the aging population. We look forward to the opportunity to serve.

Lucas Larson

Manager

Caretta Senior Living Sussex, LLC



7/11/2025

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Caretta Senior Living
Village of Sussex, WI

RENDERINGS



Aerial view looking southwest

5/30/2025

esc

Caretta Senior Living
Village of Sussex, WI

RENDERINGS



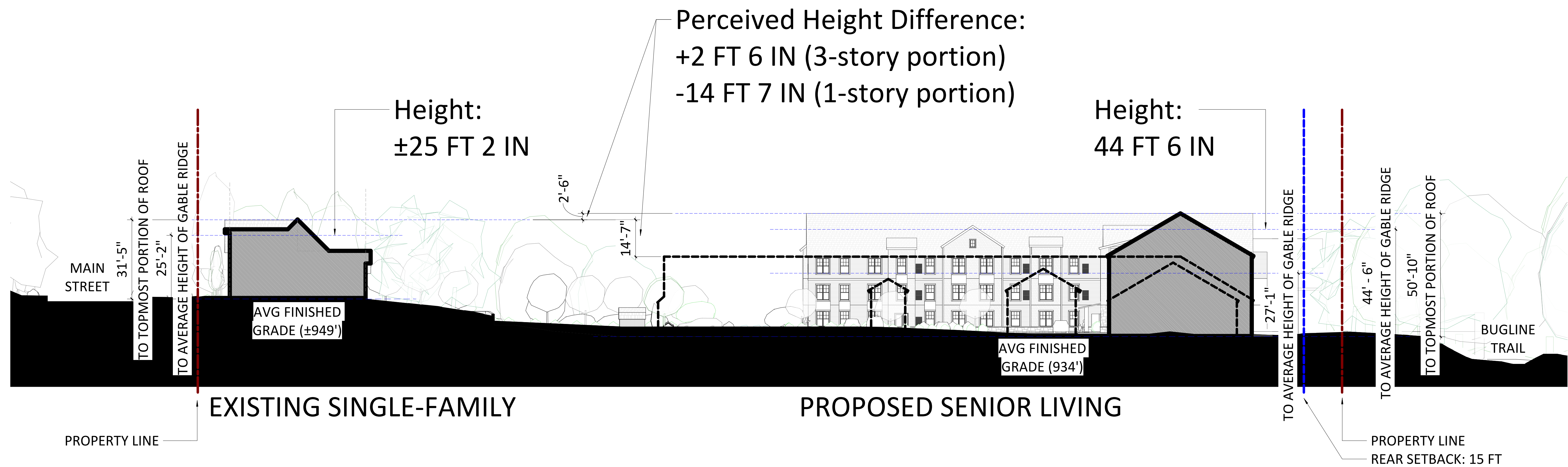
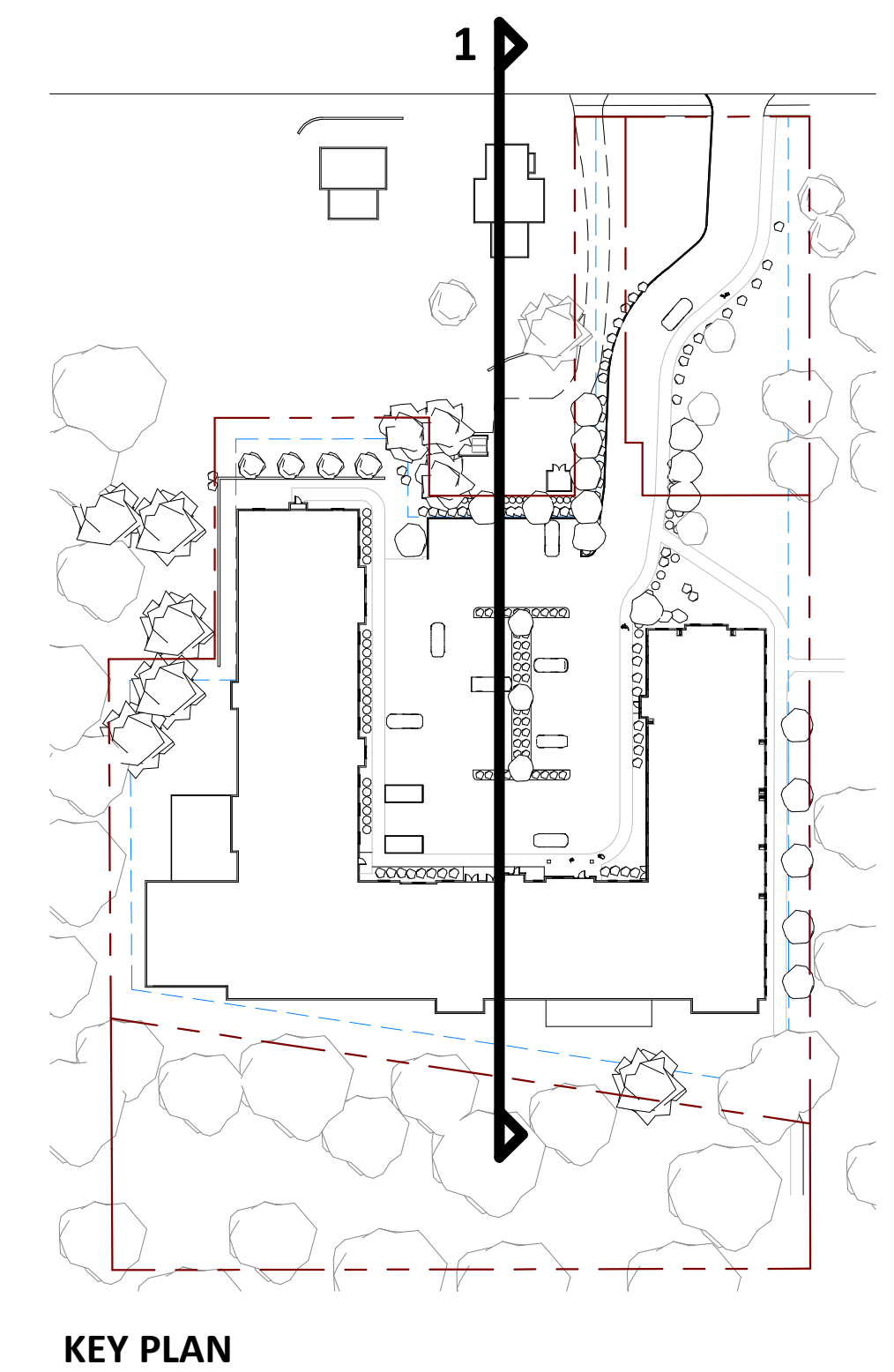
View looking south-southwest

5/30/2025

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Caretta Senior Living
Village of Sussex, WI

RENDERINGS



1 SECTION: NORTH-SOUTH
A3-4 1" = 20'-0" 1 / A1-0

7/11/2025

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Caretta Senior Living
Village of Sussex, WI

SITE SECTION



Aerial view looking southwest

5/30/2025

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Caretta Senior Living
Village of Sussex, WI

RENDERINGS



View looking south-southwest

5/30/2025

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Caretta Senior Living
Village of Sussex, WI

RENDERINGS

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 B-4 Mixed Use District

17.0419**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, for a drive-through the Plan Commission must find that the vehicle stacking and noise from its operation will not impact surrounding properties.
 - (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.”

CONDITIONAL USES

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 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.

2025
VILLAGE OF SUSSEX ORDER GRANTING A
CONDITIONAL USE AND PRESCRIBING CONDITIONS
FOR A SENIOR RESIDENTIAL FACILITY
IN THE B-4 CENTRAL MIXED USE ZONING DISTRICT
IN THE VILLAGE OF SUSSEX

WHEREAS, an application has been filed by Galahad Development, on the subject property (hereinafter collectively “Petitioners”); and

WHEREAS, the Petitioner is requesting a conditional use permit be granted pursuant to the Zoning Ordinance for the Village of Sussex for the properties identified by Tax Key Numbers SUXV0249991001 and SUXV0249992, in the Village of Sussex, Wisconsin, all as described on **Exhibit A** attached hereto and incorporated herein (hereinafter “Subject Property”); and

WHEREAS, upon referral of the application by the Village Clerk, the Plan Commission for the Village of Sussex determined that the application met all requirements as set forth in Section 17.0502 and scheduled a public hearing thereon as soon as practical; and

WHEREAS, upon publication of the required “Notice of Public Hearing” and mailing of said “Notice of Public Hearing” to all parties-in-interest as required by Section 17.1401 of the Zoning Ordinance, the Plan Commission held a public hearing on July 15, 2025 and August 19, 2025 as required by Section 17.0505 of the Zoning Ordinance for the Village of Sussex; and

WHEREAS, the Plan Commission has followed the review procedures of Section 17.0503 by reviewing 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; and

WHEREAS, the Subject Property is zoned B-4 Central Mixed Use District; and

WHEREAS, a senior residential living facility at the subject property requires a conditional use permit under Section 17.0506(B)(3); and

WHEREAS, the Plan Commission for the Village of Sussex finds that the petitioner’s proposed conditional use, if said use is carried out in strict compliance with the conditions described herein, is not adverse to the public health, safety, or welfare; it is not in conflict with the spirit or intent of the Village of Sussex Zoning Ordinance; and it is not otherwise detrimental to the community and particularly the surrounding neighborhood; and

WHEREAS, the Plan Commission for the Village of Sussex, following the public hearing and necessary study and investigation, having given the matter due consideration, and having based its determination on the effect of granting such conditional use permit on the health, general welfare, safety, and economic prosperity of the Village and specifically of the immediate neighborhood in which said use will be located, and having given due consideration to the municipal problems involved, as well as impact on the surrounding properties as to noise, dust, smoke, odor, or other similar factors, hereby determines that the use will not violate the spirit or intent of the Zoning Ordinance 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 a hazardous, harmful, noxious, offensive, or nuisance by reason of smoke, dust, odor, or other similar factors 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 conditional use is operated pursuant to the following conditions and in strict compliance with the same.

THEREFORE, IT IS ORDERED AS FOLLOWS:

Commencing upon the date hereof, a conditional use permit for the Subject Property is hereby granted. The conditional use permit granted herein shall apply only to the specific use of the Subject Property by the Petitioners for a senior residential living facility as set forth in Section 17.0506 Conditional Uses if approved as part of a Plan of Operation and site plan; and the conditional use permit shall continue in existence only so long as the conditional use is operated in compliance with this permit. This conditional use permit is subject to initial and continued compliance with each and every one of the following conditions, restrictions, and limitations.

A. This conditional use is granted for the Petitioner for the above enumerated uses, incorporating the findings as set forth above and subject to the following conditions:

1. Presentation Compliance. The senior residential facility is approved herein on the Subject Property, and the use thereof, shall be used in substantial conformity with the presentation at the Public Hearings before the Plan Commission held on July 15, 2025 and August 19, 2025.
2. Subject Property. This conditional use permit issued to the Petitioners, shall be limited to the property described in **Exhibit A** attached hereto and incorporated herein and to the site plan presented at public hearing.
3. Plans. The Petitioners are required and must have all plans current, approved by the Plan Commission for the Village of Sussex, and on file with the Village Clerk for the Village of Sussex in order for this Conditional Use to be in effect. The Petitioner shall be entitled to amend or change any plan contemplated herein subject to the specific language of the Conditional use and subject to the Plan Commission for the Village of Sussex approval and without a public hearing, if such amendments and/or change is not a substantial amendment or change in any plan contemplated herein as solely determined by the Plan Commission. If the Plan Commission for the Village of Sussex feels, in its sole discretion, that the amendment or change to any plan contemplated herein is substantial, the amendment or change will require a new permit and all Village procedures in place at the time must be followed.
 - A. Site Plan. The Petitioners shall comply with the site plan, which shall be attached hereto and incorporated herein as **Exhibit B**.
 - B. Plan of Operation. The Petitioners shall submit to and receive approval from the Village Plan Commission a specific plan of operation for the Subject Property, the same to be in substantial conformance with the preliminary plans on file and with the presentations at the Meetings. Once approved the plan of operation shall be attached hereto and incorporated herein as **Exhibit C**.
 - C. Traffic, Access, Loading, and Parking Plans. The Petitioner shall comply with the existing traffic parking, loading, and egress plan for the subject property on file with the Village Clerk.
 - D. Lighting Plan. The Petitioner shall maintain the proposed lighting plan for the Subject Property on file with the Village Clerk
 - E. Signage Plan. The Petitioner must submit a signage plan for the subject property on file with the Village Clerk.

- F. Public Improvements. All public improvements shall be permitted through the Village of Sussex.
 - G. Sewer, Water, Stormwater and Erosion Control Plans. The Petitioner shall comply with the specific sewer, water, stormwater, and erosion control plans on file with the Village Clerk.
 - H. Fence, Landscaping, Berm, and Open Space Utilization Plan. The Petitioner shall comply with the specific Fence, Landscaping, Berm, and Open Space Utilization Plan for the Subject Property.
 - I. Architectural and Building Plan. The Petitioner shall comply with the specific Architectural and Building Plan for the Subject Property.
 - J. Outdoor Storage and Uses Plan. Outdoor storage shall not be permitted without approval of a Conditional Use Permit for outdoor storage.
- 4. Adult-Oriented Materials. No adult-oriented materials or pornographic videotapes, magazines, or gift items will be sold or rented from the subject facility.
 - 5. Licenses. The Petitioner shall be required to obtain any and all required licenses and permits from the Village, County, State, and Federal Government. If any license or permit is issued, any and all conditions of the same are incorporated herein and made a part of this conditional use permit.
 - 6. Laws. The Petitioner shall comply with all Federal, State, County, and local rules, codes, ordinances, and regulations in the construction, operation, and maintenance of the Subject Property.
 - 7. Building and Fire Inspection. The Petitioner is required to keep the Subject Property in compliance with all federal, State, and local laws, statutes, codes, ordinances, policies, and guidelines as determined by the Building and Fire Inspectors of the Village of Sussex.
 - 8. Aesthetics. The Petitioner is required to properly maintain the Subject Property at all times and in full compliance with the Village Property Maintenance Code, Section 9.07 of the Village of Sussex Code all to the satisfaction of the Plan Commission for the Village of Sussex.
 - 9. Junk. No junk shall be accumulated or stored on the Subject Property. No burying or burning of junk is permitted on the Subject Property. No junk vehicles, trailers, or other pieces of equipment that are inoperable shall be stored on the Subject Property.
 - 10. Temporary Use or Activity. No temporary use or special activity or event shall be permitted without prior approval of the Plan Commission of the Village of Sussex and the same must be in compliance with all ordinance, rules, and regulations of the Village of Sussex and all necessary permits must be obtained except for as allowed by Outdoor Establishment Permit under Chapter 4 or Auxiliary Use under Section 17.0710.
 - 11. Fees and Expenses. The Petitioner, upon issuance of this conditional use permit, shall reimburse the Village of Sussex for all expenses incurred by the Village, including, but not limited to, expenses for the Village Administrator, Village Engineer, Village

Attorney, and all other professionals and technical assistance realized by the Village in approving and granting this conditional use permit. The Village Clerk shall provide the Petitioner with copies of all itemized invoices.

12. Enforcement. Any attorney fees incurred by the Village of Sussex to enforce any of the conditions or requirements of this conditional use permit must be paid by the Petitioner.
 13. Complaints. In the event the Petitioner receives any complaints with regard to the operation authorized by this conditional use, the Petitioner shall respond to such complaints in writing within a reasonable time not to exceed two weeks from the date of the complaint and shall provide a copy of the written response to the Sussex Village Administrator within the same period of time. If the complaint was made in writing, the copy provided to the Village Administrator shall include a copy of the complaint.
 14. No Nuisance. The Village reserves the right to rescind its approval of this conditional use permit based upon the finding that the use is incompatible and a nuisance to surrounding uses, that the use is not in the public interest, or that the use adversely affects the use of adjacent lands, provided the Petitioner is given an opportunity to be heard on the matter and, if so rescinded the Petitioner and Subject Property shall thereupon be immediately subject to the Village of Sussex Zoning Ordinances , as applicable, regarding the use of the Subject Property as though no conditional use permit was granted.
 15. Subject to Acceptance. Subject to the Owner approving in writing the issuance of the same and Petitioner acknowledging in writing 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.
 16. Review. The Plan Commission for the Village of Sussex reserves its right to review the operation and amend the conditional use permit as the Plan Commission for the Village of Sussex deems appropriate.
- B. Any use not specifically listed as permitted shall be considered to be prohibited except as may be otherwise specifically provided herein. In case of a question as to the classification of use, the question shall be submitted to the Plan Commission for the Village of Sussex for determination.
- C. No use is hereby authorized unless the use is conducted in a lawful, orderly and peaceful manner. Nothing in this order shall be deemed to authorize any public or private nuisance or to constitute a waiver, exemption or exception to any law, ordinance, order or rule of either the Village of Sussex, the County of Waukesha, the State of Wisconsin, the United States of America or other duly constituted authority, except only to the extent that it authorizes the use of the Subject Property above described in any specific respects described herein. This order shall not be deemed to constitute a building permit, nor shall this order constitute any other license or permit required by Village ordinance or other law.
- D. This conditional use hereby authorized shall be confined to the Subject Property described, without extension or expansion other than as noted herein, and shall not vary from the purposes herein mentioned unless expressly authorized in writing by the Plan Commission for the Village of Sussex as being in compliance with all pertinent ordinances.

- E. Should the permitted conditional use be abandoned in any manner, or discontinued in use for twelve (12) months, or continued other than in strict conformity with the conditions of the original approval, or should the Petitioner be delinquent in payment of any monies due and owing to the municipality, or should a change in the character of the surrounding area or the use itself cause it to be no longer compatible with the surrounding area or for similar cause based upon consideration of public health, safety or welfare, the conditional use may be terminated by action of the Plan Commission for the Village of Sussex.
- F. Any change, addition, modification, alteration and/or amendment of any aspect of this conditional use, including but not limited to a change in the use, premises, lands or owners, other than as specifically authorized herein, shall require a new permit and all Village procedures in place at the time must be followed.
- G. Unless this conditional use permit expressly states otherwise, plans that are specifically required by this conditional use order may be amended upon the prior approval of the Plan Commission if the Plan Commission finds the plan amendment to be minor and consistent with the conditional use permit. Any change in any plan that the Plan Commission, in its sole discretion, finds to be substantial shall require a new permit, and all procedures in place at the time must be followed.
- H. Should any paragraph or phrase of this conditional use permit be determined by a Court to be unlawful, illegal, or unconstitutional, said determination as to the particular phrase or paragraph shall not void the rest of the conditional use and the remainder shall continue in full force and effect.
- I. This conditional use permit shall be effective subject to the following:
 - 1. Where this permitted conditional use does not continue in conformity with the conditions of the original approval or subsequent approved amendments or changes, the conditional use grant and any subsequent approved amendments thereto may be amended or terminated by action of the Plan Commission for the Village of Sussex. The Plan Commission for the Village of Sussex may require complete termination of such use.
 - 2. This conditional use may be reviewed annually. Additionally, this conditional use may be reviewed by the Plan Commission for the Village of Sussex at any time upon complaint or upon Plan Commission initiative.
- J. Upon acceptance by Petitioner of this conditional use permit, all prior conditional use permits granted to the Subject Property are hereby revoked and terminated.
- K. If any aspect of this conditional use permit or any aspect of any plan contemplated and approved under this conditional use is in conflict with any other aspect of the conditional use or any aspect of any plan of the conditional use, the more restrictive provision shall be controlling as determined by the Plan Commission for the Village of Sussex.
- L. If any paragraph or phrase of this conditional use order is declared by a Court of competent jurisdiction to be invalid, unlawful, or unenforceable, such decision shall apply only to the specific paragraph or phrase thereof directly specified in the decision and shall not affect the validity of any other provisions, sections, or portions thereof of this order. The remainder of the order shall remain in full force and effect.

Let copies of this order be filed in the permanent records of the Plan Commission for the Village of Sussex, and let copies be sent to the proper Village authorities and the Petitioner.

Approved this _____ day of _____, 2025 BY THE PLAN COMMISSION FOR THE VILLAGE OF SUSSEX

Anthony LeDonne
Village President

Jennifer Boehm
Village Clerk

PETITIONER ACCEPTANCE

I hereby accept the terms of this Conditional Use in its entirety.

Dated this _____ day of _____, 2025

Agent

This conditional use was drafted by Jeremy Smith, Village Administrator off of a model by Attorney John P. Macy ARENZ, MOLTER, MACY & RIFFLE, S.C., Village Attorneys for the Village of Sussex.

EXHIBIT A

THENCE S00°08'00"E., 33.00 FEET TO THE SOUTH RIGHT-OF-WAY OF MAIN STREET AND 1" IRON PIPE FOUND; THENCE S00°08'00"E., 179.00 FEET, TO A 1" IRON PIPE FOUND AND THE EAST LINE OF CSM 6849; THENCE CONTINUING S00°08'00"E, ALONG THE EAST LINE OF CSM 6849, A DISTANCE OF 125.65 FEET; THENCE S00°14'44"E., ALONG THE EAST LINE OF CSM 6849, A DISTANCE OF 171.65 FEET, TO THE NORTH LINE OF BUGLINE RECREATIONAL TRAIL AND A 1" IRON PIPE FOUND; THENCE ALONG THE NORTH LINE OF BUGLINE RECREATIONAL TRAIL AND THE ARC OF A CURVE TO THE RIGHT WITH A RADIUS OF 1880.08 FEET, WHOSE CHORD BEARS N81°31'56"W., 334.38 FEET, TO A 1" PIPE FOUND; THENCE N00°29'38"W., ALONG THE WEST LINE OF CSM 6849, A DISTANCE 169.96 FEET, TO A 1" IRON PIPE FOUND; THENCE N89°54'35"E., 50.12 FEET, TO A 1" IRON PIPE FOUND; THENCE N00°08'00"W., ALONG THE CSM 6849, A DISTANCE OF 113.90 FEET; THENCE N89°46'09"E., 101.32 FEET; THENCE S00°08'00"E., 37.00 FEET; THENCE N89°46'09"E., 68.84 FEET; THENCE N00°08'00"W., 179.00 FEET, TO A 1" IRON PIPE FOUND; THENCE N89°46'09"E., ALONG THE SOUTH RIGHT-OF-WAY OF MAIN STREET, 24.00 FEET; THENCE N00°08'00"W., 33.00 FEET, TO THE CENTER LINE OF MAIN STREET AND A POINT ON THE NORTH LINE OF THE NE 1/4 OF SECTION 27; THENCE N89°46'09"E., 87.06 FEET TO THE POINT OF BEGINNING. SAID LANDS CONTAIN 111,474 SQUARE FEET OR 2.56ACRES.

EXHIBIT B

EXHIBIT C

Plan of Operation



PAID

216864064

216864063

PLAN OF OPERATION – NEW CONSTRUCTION
PROCEDURE LIST

Project Name _____

Tax Key # _____

Pre-application conference must be arranged with staff. Please contact us at 262-246-5215 prior to submitting application materials.

Submittal checklist:

- _____ Original completed Plan of Operation (Page 1-3)
- _____ Original completed Professional Services Reimbursement, Emergency Contact, Wastewater Discharge Permit and Flood Plain Occupancy
- _____ 3 original size and 3 reduced (11 x 17) copies of Site Plan
- _____ 3 original size and 3 reduced (11 x 17) copies of Architectural plans
- _____ 3 original size and 3 reduced (11 x 17) copies of Sign Plan
- _____ 3 original size and 3 reduced (11 x 17) copies of Landscape Plan
- _____ 3 original size and 3 reduced (11 x 17) copies of Lighting Plan
- _____ Submit plans in PDF format on a disc

The following fees are required at the time of submittal:

- _____ Plan of Operation fee \$175.00
- _____ Conditional Use fee \$210.00
- _____ Plan Review fee \$250.00

Additional fees are required for building permits, review fees, or other items depending upon the nature of your request.

Please make check payable to: Village of Sussex (fees are non refundable)

Deadline for submittals is the last business day of the month for consideration for the next Plan Commission Agenda. (Please note that submitting by the deadline does not guarantee placement on the Plan Commission Agenda.). Application can be submitted via email to ggilbertson@villagesussex.org.

Contact Name for meetings: Joseph Mayer Phone # Joseph Mayer
E-mail: Joe.Mayer@kimley-horn.com

For office use only:

Met with staff on: _____
Received documents on: _____
Fees received and paid on: _____
To be on the Plan Commission Agenda for: _____
Original forms to the following:
Service reimbursement _____
Emergency Contact to Sheriff Dept _____
Wastewater Permit to WWTP _____
Any outstanding fees owed on PROPERTY _____

SITE PLAN REVIEW CHECKLIST

This checklist is a guide for developers to have a project reviewed by the Village of Sussex Plan Commission. Before a project can be reviewed by the Plan Commission, initial consultation should be made with staff.

GENERAL INFORMATION

Names and addresses of owner/developer/
designer/engineer
Graphic scale, north arrow
Location sketch
Size of site (gross and net acreage)
Existing zoning, adjacent zoning
Summary of proposed development

EXISTING SITE INFORMATION

Dimensions of site and lot lines
Existing grades
Adjacent property grades and structures
Drainage systems and structures
Natural features
Wetland boundaries
Floodplain elevation and boundaries
Environmental concerns
Roads, curbs, parking lots, pavement areas
Structures (location, size)
Rights-of-way (existing/proposed)
Easements (drainage, utility)
Existing utilities
Benchmark locations and elevations
Location of fences, wells, borings, etc.

ARCHITECTURAL PLANS

Existing building location
Existing building elevations/materials
Proposed use
Proposed floor plans
Square footage
Proposed elevations, building height
Proposed materials and colors (material sample
board
required for new construction)
Details of any special features

PROPOSED SITE PLAN

Grading and spot elevations
Erosion control measures
Stormwater management
Stormwater management design report
General drainage pattern
Swales w/ arrows for direction of flow
Pond design with outfalls
Culverts location/size
Utilities
Sanitary
Water
Stormsewer
Electrical or power generators
Building location (dimension)
Building elevation (finished grade)
Location of proposed signage
Dumpster enclosure details
Setbacks (clearly marked and dimensioned)
Vehicular entrances (dimension to centerline of
nearest intersection)
Streets (dimension and direction for one-ways)
Curve radii
Sidewalks
Parking areas (show striping/spot elevations)
Parking setback from property line
Lot coverage
Square footage total
Impervious surface total %
Green space total %
Percent permitted %
Municipal utility connections
Sanitary sewer (pipe size/elevations)
Water (size, valve location, elevations)
Location of hydrants
Easement for public water mains

LIGHTING PLAN

Major improvements for context
Location/nature of existing fixtures
Location of proposed fixtures
Photometric report (to scale on plan)
Manufactures cut-sheets of all fixtures
Lighting schedule
Key to plan
Number/type of fixtures
Output (wattage)
Installation details as appropriate

The following materials can be reviewed on our website www.villagesussex.org

Design Standards
Chapter 17 & 18
Development Requirements
Downtown Plan
2040 Comprehensive Plan
2040 Land Use Plan

LANDSCAPING PLAN

Landscape plan to be same scale as site plan
Location of driveways, walk ways and sidewalks
Proposed outdoor amenities (benches, decks, gazebos)
Existing vegetation plan
Saved
Destroying
Proposed landscape features (berms, fountains)
Plant list broken down in the following categories
Deciduous trees, names and numbers
Evergreens, names and numbers
Shrubs/flowers, names and numbers
Indicate sizes of plantings

Fire Department Chapter 5

ITEMS SUBMITTED FOR PLAN COMMISSION

Completed Plan of Operation
Required # of copies to be received by established deadline date
Building material sample board
All required fees paid

In addition to the items on this list, Village Staff and/or the Plan Commission may require additional drawings and data to be submitted for approval.



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? _____

OR an amendment to an existing CU? _____

(Conditional Use Permits require a Public Hearing)

Address location of new construction W249N6438 Highway 164, Sussex, WI 53089

Tax Key # SUXV0231989008

Zoning: B-2 Regional Business District

1. Name of Business:

Business _____

Address _____ City, State, Zip _____ Phone # _____

Fax # _____ Email address _____

2. Business owner contact information:

Contact _____

Address _____ City, State, Zip _____ Phone # _____

Fax # _____ Email address _____

3. Building/Land owner contact information:

Contact _____

Address _____ City, State, Zip _____ Phone # _____

Fax # _____ Email address _____

4. Number of Employees/Shifts: _____

Employees

Shifts

5. Days of Operation:

Put an X in box that applies:

Hours

Open for business

Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday

6. Is this an extension of an existing operation? No
7. On a separate sheet of paper explain your business use and/or the change to your business. Attach a list of all items to be sold, produced or stored on the premises.
8. Is a liquor license or any other special license to be obtained from the Village Board or State Licensing Agencies? No Do you need an Outdoor Establishment Permit? _____
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? _____
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>40' x 130'</u>	<u>1</u>	<u>5,484sf GROSS</u>
Building 2	_____	_____	_____
Building 3	_____	_____	_____

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

12.	Lot size	Depth	Width	Area
	<u>1.64 AC</u>	<u>242'</u>	<u>470'</u>	<u>1.64 AC</u>

Above to be included on survey

- 13 Parking: Dimensions of parking lot 60' x 260'
Parking lot construction Asphalt & Concrete
Type of screening: Fence _____ or Plantings X (see landscape plan)
Number of spaces needed per code 0 # of spaces for employees _____
Above to be included on site plan

Please provide the following information:

Total square footage of building, new and existing 5,484 s.f.

Total square footage of parking lot, new and existing 15,600 s.f.

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

Size _____ Location _____
Above to be included on sign plan

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

See Photometric Plan

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? FIRE SPRINKLER AND FIRE ALARM SYSTEMS, DESIGN BY OTHERS. FDC TO BE PROVIDED.

What provisions are your making for a sprinkler system? 6" WATER CONNECTION WILL BE PROVIDED, SPRINKLER DESIGN BY OTHERS

Storage system? NOT INCLUDED, SPRINKLER SYSTEM WILL BE FED BY MUNICIPAL WATER SUPPLY

Hydrant stand pipes? N/A

Is there a fire lane shown on your site plan? No

Explain:

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:

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

Building construction

Paving

Landscaping

Occupancy

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

Date

Title or Position



Information on Flood Plain Occupancy:

Site is located in Zone X per FEMA Floodplain Map
55133C0088H. Based on this map our flood elevation is
near 942.4'.

1. What is the flood plain elevation at the site? near 942.4'
2. Is the flood plain construction elevated or flood proofed? Elevated N/A Flood proofed
3. What is the elevation of the lowest floor of the structure? FFE = 947.50'
4. What is the elevation of the land fill surrounding the structure? N/A
5. Does the fill extend beyond the structure? N/A
How far beyond the structure? N/A feet
6. Is dry land access provided? N/A
7. If the structure is flood proofed, what flood proofing measures are used?
N/A
8. Certification of elevation or flood proofing must be provided by a licensed surveyor or registered Engineer.



WASTEWATER DISCHARGE PERMIT APPLICATION

Business Name: _____

Address: _____

Owner/Operator: _____

Standard Industrial Classification #: _____

How many people do you employ? _____

What are your businesses hours of work? _____

Who is responsible for water quality? (List job titles)

Time and Duration of Discharge: _____

Average and Peak Wastewater Flow Rates(Include any daily, monthly or seasonal variations):

Please describe the activities, facilities, and plant processes on the premises including all materials and types of materials which are or could be discharged:

Please list each product your business produces. (Include type, amount and rate of production):

What are the constituents and characteristics of your wastewater?

New construction: attach site plans, floor plans, mechanical and plumbing plans and details to show all sewers and appurtenances by size, location and elevation.



Village of Sussex Fire Department
N63 W24335 Main Street
Sussex, Wisconsin 53089

Fire Station - *PHONE*
262-246-5197
Fire Station - *FAX*
262-246-5196

Waukesha County Sheriff – Sussex Office

Emergency Contact Form to be completed with Plan of Operation form.

Business Name: _____

Business Address: _____

Business Phone #: _____

Business
Email: _____

Business Emergency Contacts

Name and Phone #: _____

Name and Phone #: _____

Name and Phone #: _____

Building Owner Name: _____

Building Owner Email: _____

Building Owner Emergency Contacts

Name and Phone #: _____

Name and Phone #: _____

Knox Box (if applies) Have locks been changed and new key provided to Fire Department? Yes No

06/10/2025

Mr. Gabe Gilbertson
Community Development Director
N64W23760 Main Street
Sussex, WI 53089

**RE: Tommy's of Sussex – Impact Statement
W249 N6438 Hwy 164
Sussex, WI**

Dear Mr. Gilbertson,

Kimley-Horn understands that the proposed Tommy's Carwash development at W249 N6438 Hwy 164 in Sussex, WI will require a conditional use permit. In association with the submittal documents provided to the Village, the applicant offers the following impact statement for Village consideration:

Impact Statement

- **Traffic** – A Traffic Study was prepared by TADI and submitted to the Village as part of the application. The traffic study analyzed how trips generated by this development, as well as the Culver's development adjacent to the project, would impact the surrounding roadway network. Improvements are recommended to limit the Hwy 164/Prospect intersection to ¾ access (no lefts out). Please see the Traffic Study for additional information on traffic mitigation.
- **Parking & Overflow parking** – Sufficient parking for the land use has been provided based on local zoning code as well as tenant demands. The application does not expect overflow parking will be warranted given the surplus provided on site. Please see the site plan provided as part of the Engineering Documents by Kimley-Horn.
- **Noise & Odor**– The project will follow local noise & odor ordinances to mitigate substantial impacts to neighboring properties, which are commercial in nature.
- **Safety & Crime** – Lighting will be provided in accordance with local ordinances to provide a safe environment. The building will be staffed during operating hours for the safety and convenience of its customers.
- **Hours of operation** – The proposed hours of operations are 6am-10pm, 7 days a week. The applicant understands that is consistent with the commercial land use and applicable ordinances.
- **Health and Sanitation** – The proposed development will include municipal water and sanitary services for the building. A utility plan has been provided as part of the Engineering Plans prepared by Kimley-Horn. Public Health and building codes will be implemented as required in both design and operations.

- **Property maintenance** – *The building will be staffed with multiple employees that will monitor the operation and property for maintenance concerns. A trash enclosure has been proposed at the northeast corner of the property for refuse. Please see the site plan as part of the Engineering Plans prepared by Kimley-Horn. An operation and maintenance plan will be implemented for all stormwater management infrastructure on site.*

If you have any questions or require any additional information, please contact me at (630) 487-5563.

Sincerely,

A handwritten signature in black ink that reads "Joe Mayer". The signature is fluid and cursive, with the first name "Joe" and last name "Mayer" clearly distinguishable.

Joe Mayer, P.E.
Kimley-Horn and Associates, Inc.
Phone: (630) 487-5563
Email: joe.mayer@kimley-horn.com

Drawing name: K:\CHI-LDEV\168974030_Culver's_Sussex_WI\2 Design\CAO\PlanSheets\Tommy's_Carwash.dwg CO-0 Jun 04, 2025 11:53am by: AnthonyGraziano
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PRELIMINARY ENGINEERING PLANS

TOMMY'S CARWASH

W249N6438 HIGHWAY 164

SUSSEX, WI 53089



UTILITY AND GOVERNING AGENCY CONTACTS

PLANNING & DEVELOPMENT DEPARTMENT
SUSSEX CIVIC CENTER
N64W23760 MAIN ST
SUSSEX, WI 53089
TEL: (262) 246-5215
CONTACT: GABE GILBERTSON
EMAIL: GGILBERTSON@SUSSEXWI.GOV

ENGINEERING DEPARTMENT
SUSSEX CIVIC CENTER
N64W23760 MAIN ST
SUSSEX, WI 53089
TEL: (262) 246-5200
CONTACT: JUDITH A. VEU

SANITARY SEWER SERVICE
SUSSEX WASTEWATER TREATMENT
N59 W 23551 CLOVER DR
SUSSEX, WI 53089
TEL: (262) 246-5200
CONTACT: DUSTIN BECKMAN

STORM SEWER SERVICE
SUSSEX PUBLIC WORKS
N59 W 23525 CLOVER DR
SUSSEX, WI 53089
TEL: (262) 820-3130
CONTACT: SCOTT ASCHER

WATER SERVICE
SUSSEX PUBLIC WORKS
N59 W 23525 CLOVER DR
SUSSEX, WI 53089
TEL: (262) 820-3130
CONTACT: SCOTT ASCHER

ROADWAY AUTHORITY
WISCONSIN DEPARTMENT OF TRANSPORTATION
2019 GOLF RD
PEWAUKEE, WI 53072
TEL: (414) 266-1000

WAUKESHA COUNTY HIGHWAY DEPARTMENT
515 W MORELAND BLVD
WAUKESHA, WI 53188
TEL: (262) 548-7740

POWER COMPANY
WE ENERGIES
PO BOX 2046
MILWAUKEE, WI 53201
TEL: (800) 662-4797

NATURAL GAS COMPANY
WE ENERGIES
PO BOX 2046
MILWAUKEE, WI 53201
TEL: (800) 261-5325

PROJECT TEAM

DEVELOPER
S & L COMPANIES
2651 KIRKING CT
PORTAGE, WI 53901
TEL: (608) 742-2893
CONTACT: JEFF LIEGEL

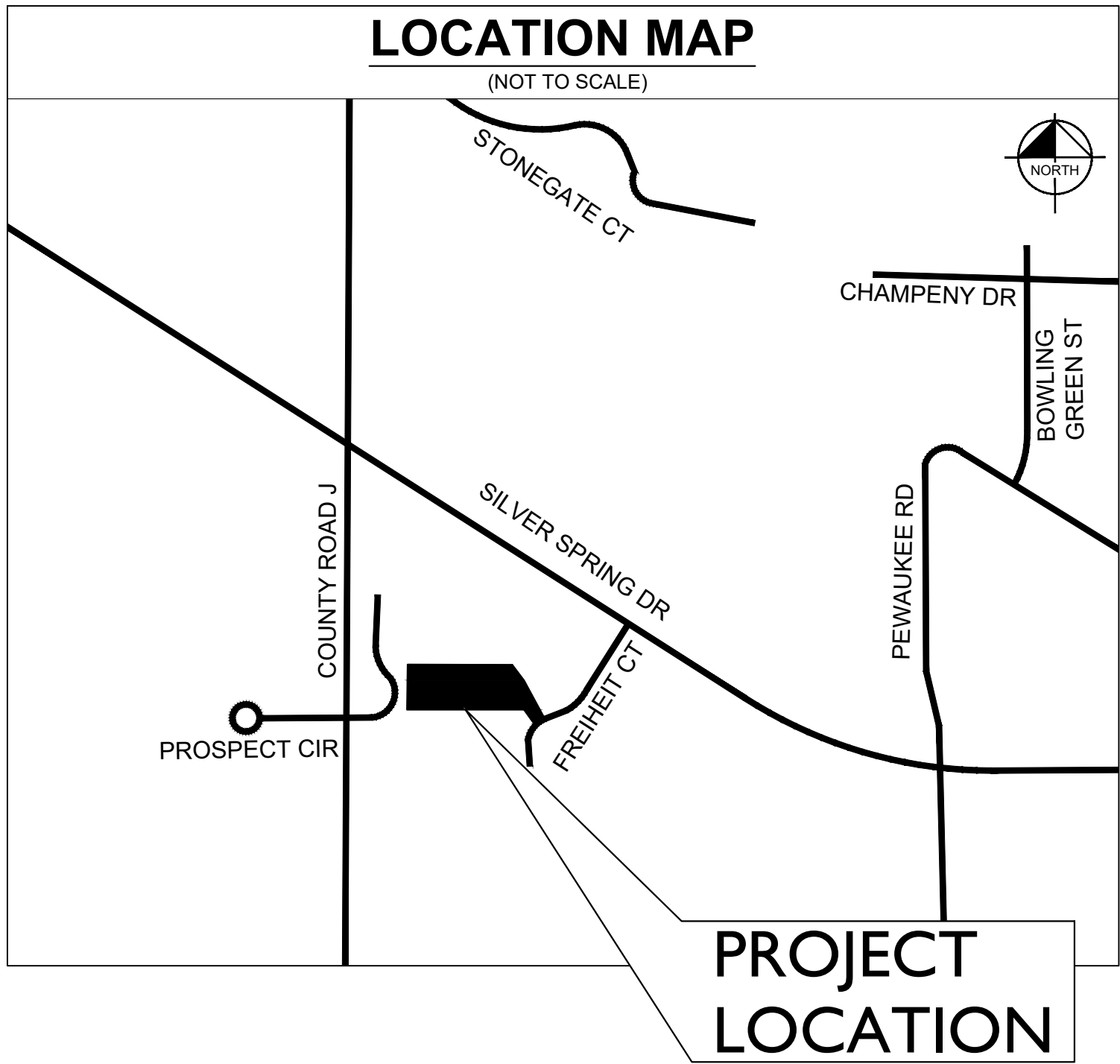
ARCHITECT
OLLMANN ERNEST MARTIN ARCHITECTS
200 S STATE ST
BELVIDERE, IL 61008
TEL: (815) 544-7790
CONTACT: WENDY MARTIN

SURVEYOR
CHAPUT LAND SURVEYS
234 W. FLORIDA ST
MILWAUKEE, WI 53204
TEL: (414) 224-8068
CONTACT: JOHN KONOPACKI

CIVIL ENGINEER
KIMLEY-HORN AND ASSOCIATES, INC.
111 W. JACKSON BLVD.
CHICAGO, IL 60604
TEL: (630) 487-5550
EMAIL: JOE.MAYER@KIMLEY-HORN.COM
CONTACT: JOE MAYER, P.E.

LANDSCAPE ARCHITECT
KIMLEY-HORN AND ASSOCIATES, INC.
4201 WINFIELD RD, SUITE 600
WARRRENVILLE, IL 60555
TEL: (630) 487-5550
EMAIL: JOE.COGSWELL@KIMLEY-HORN.COM
CONTACT: JOE COGSWELL, P.L.A.

GENERAL CONTRACTOR
MCCON BUILDING CORPORATION
1209 JOSEPH ST
DODGEVILLE, WI 53533
TEL: (608) 930-4545
CONTACT: CHRIS MCGUIRE



BENCHMARKS

REFER TO V0.0 FOR BENCHMARKS LISTED BY LICENSED LAND SURVEYOR

LEGAL DESCRIPTION

REFER TO V0.0 FOR ALTA LAND TITLE AND TOPOGRAPHIC SURVEY LEGAL DESCRIPTION.

Sheet List Table

Sheet Number	Sheet Title
C0.0	COVER SHEET
V0.0	ALTA SURVEY
C1.0	EXISTING CONDITIONS & DEMOLITION PLAN
C2.0	SITE PLAN
C3.0	EROSION CONTROL PLAN
C3.1	EROSION CONTROL NOTES & DETAILS
C4.0	GRADING & DRAINAGE PLAN
C5.0	UTILITY PLAN

PROFESSIONAL ENGINEER'S CERTIFICATION

I, JOSEPH MAYER, A LICENSED PROFESSIONAL ENGINEER OF WI, HEREBY CERTIFY THAT THIS SUBMISSION, PERTAINING ONLY TO THE "C" SERIES CIVIL SHEETS LISTED ABOVE BUT EXCLUDING DETAILS PREPARED BY OTHERS, WAS PREPARED ON BEHALF OF TOMMY'S CARWASH BY KIMLEY-HORN AND ASSOCIATES, INC. UNDER MY PERSONAL DIRECTION. THIS TECHNICAL SUBMISSION IS INTENDED TO BE USED AS AN INTEGRAL PART OF AND IN CONJUNCTION WITH THE PROJECT SPECIFICATIONS AND CONTRACT DOCUMENTS.

DATED THIS 4TH DAY OF JUNE, A.D., 2025.

MY LICENSE EXPIRES ON 07/31/2026
DESIGN FIRM REGISTRATION NUMBER: 184002012-0006

Kimley»Horn

© 2025 KIMLEY-HORN AND ASSOCIATES, INC.
111 WEST JACKSON BOULEVARD, STE 1320
CHICAGO, IL 60604
PHONE: 312-726-9445
WWW.KIMLEY-HORN.COM

NOT FOR CONSTRUCTION



COVER SHEET

TOMMY'S

W249N6424 HIGHWAY 164
SUSSEX, WI 53089

ORIGINAL ISSUE:
04/30/2025
KHA PROJECT NO.
168974030
SHEET NUMBER

C0.0

This survey was prepared based on First American Title Insurance Company National Commercial Services Commitment No. NCS-1256730-MAD, effective date of April 04, 2025 which lists the following easements and/or restrictions from schedule B-II:

13. Easements, dedications, reservations, provisions, relinquishments, recitals, certificates, and any other matters as provided for or delineated on Certified Survey Map No. 7359 recorded May 13, 1994 in Volume 62, Page 225 as Document No. 1964188 referenced in the legal description contained. Reference is hereby made to said plat for particulars. Amended by Surveyor's Affidavit of Correction recorded August 25, 1995 in Reel 2107, Image 1051 as Document No. 2062028. **Affects property by location, shown.**

14. Easements, dedications, reservations, provisions, relinquishments, recitals, certificates, and any other matters as provided for or delineated on Certified Survey Map No. 11483 recorded August 31, 2016 in Book 114, Page 172 and Document No. 4228086 referenced in the legal description contained. Reference is hereby made to said plat for particulars. (Affects Parcel B). **Affects property by location, shown.**

15. Easements, dedications, reservations, provisions, relinquishments, recitals, certificates, and any other matters as provided for or delineated on Certified Survey Map No. 11349 recorded September 09, 2015 in Book 112, Page 201 as Document No. 4165011 referenced in the legal description contained Reference is hereby made to said plat for particulars. **Affects property by location, shown.**

15. Easements, dedications, reservations, provisions, relinquishments, recitals, certificates, and any other matters as provided for or delineated on Certified Survey Map No. 12086 recorded November 10, 2020 in Book 123, Page 172 as Document No. 4529044 referenced in the legal description contained Reference is hereby made to said plat for particulars. Amended by Surveyor's Affidavit of Correction recorded January 20, 2021 as Document No. 4549890. **Affects property by location, shown.**

17. Utility Easement to Wisconsin Telephone Company, dated February 25, 1909, recorded/filed April 06, 1911 as Document No. 74794. **Does not affect property by location, not shown.**

18. Utility Easement to Wisconsin Gas and Electric Company, its successors and assigns, dated November 09, 1916, recorded/filed December 02, 1916 as Document Nos. 95508 and 95509. Does not affect property by location, not shown.

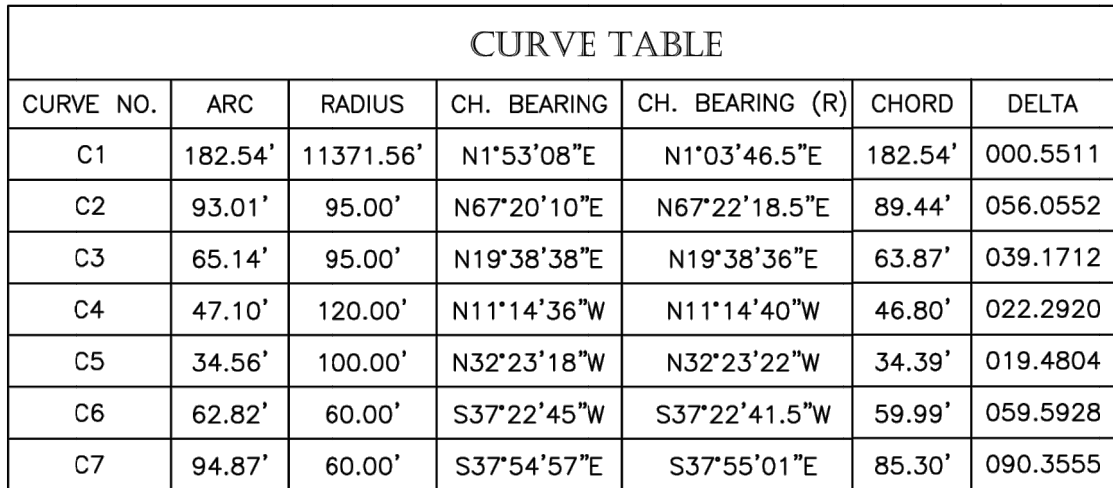
19. Utility Easement to Wisconsin Gas and Electric Company, dated January 03, 1927, recorded/filed February 04, 1927 as Document No. 148409. Conveyance of Rights in Land recorded January 31, 2006 as Document No. 3357986.

20. An easement as set forth in Conveyance by Individual recorded May 05, 1970 in Volume 1191 of Deeds, Page 210 as Document No. 759633. **Affects property by location, shown.**

21. Utility Easement to Wisconsin Electric Power Company & Wisconsin Telephone Company, their successors and assigns, dated March 05, 1974, recorded/filed April 11, 1974 in Reel 74, Image 272 as Document No. 878077.
Affects property by location, shown.

22. Memorandum of Restrictive Covenant Agreement recorded March 17, 1997 in Reel 2402, Image 343 as Document No. 2197247. **Does not affect property by location, not shown.**

23. Temporary Limited Easement as set forth in Award of Damages by State of Wisconsin recorded September 13,



To: LSRE Sussex, LLC
First Ammerican Title Insurance Company National Commercial Services
U.S. bank National Association

This is to certify that this map or plat and the survey on which it is based were made in accordance with the 2021 Minimum Standard Detail Requirements for ALTA/NSPS LAND TITLE SURVEYS, jointly established and adopted by ALTA and NSPS, and includes items 1, 2, 3, 4, 7(a), 7(b)(1), 7(c), 8, 9, 11(b), 19, and 20(b) of Table A thereof. The fieldwork was completed on MARCH 26, 2025.

Date of Map: May 5, 2025

John P. Konopacki
Professional Land Surveyor
Registration Number S-2461

Date	Revision description

This document is an instrument of professional service, and may be protected by the surveyors work product doctrine or surveyor / client privilege. The information shown hereon is intended solely for the use of the client and client directed third parties. Chaput Land Surveys is a division of Pinnacle Engineering Group.

DRAFTED BY: KGD **Drawing No. 6431.00**

V0.0

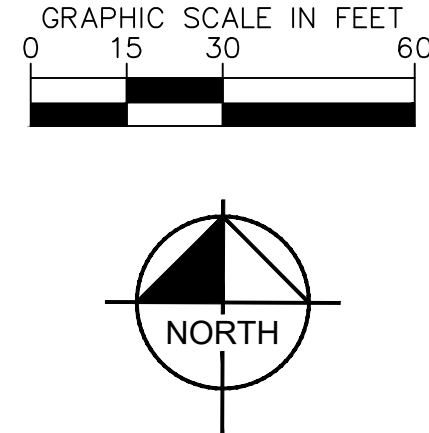
Drawing name: K:\CH\LDV\168974030_Culver's_Sussex_WI_2 Design\CAO\PlanSheets\Tommy's C1.0 - EXISTING CONDITIONS & DEMOLITION PLAN.dwg C1.0 Jun 04, 2025 11:53am By: Anthony Graziano
This document, together with the concepts and designs presented herein, is intended only for the specific purpose and client for which it was prepared. Reuse of and
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DEMOLITION NOTES

- CONTRACTOR SHALL BE RESPONSIBLE FOR REMOVAL OF THE EXISTING STRUCTURES, RELATED UTILITIES, PAVING, AND ANY OTHER EXISTING IMPROVEMENTS AS NOTED.
- CONTRACTOR IS TO REMOVE AND DISPOSE OF ALL DEBRIS, RUBBISH AND OTHER MATERIALS RESULTING FROM PREVIOUS AND CURRENT DEMOLITION OPERATIONS. DISPOSAL WILL BE IN ACCORDANCE WITH ALL LOCAL, STATE AND/OR FEDERAL REGULATIONS GOVERNING SUCH OPERATIONS.
- THE GENERAL CONTRACTOR SHALL TAKE ALL PRECAUTIONS NECESSARY TO AVOID PROPERTY DAMAGE TO ADJACENT PROPERTIES DURING THE CONSTRUCTION PHASES OF THIS PROJECT. THE CONTRACTOR WILL BE HELD SOLELY RESPONSIBLE FOR ANY DAMAGES TO THE ADJACENT PROPERTIES OCCURRING DURING THE CONSTRUCTION PHASES OF THIS PROJECT. CONTRACTOR SHALL NOT DEMOLISH ANYTHING OUTSIDE THE OWNERS LEASE/PROPERTY LINE UNLESS SPECIFICALLY MENTIONED ON THIS SHEET.
- THE CONTRACTOR IS SPECIFICALLY CAUTIONED THAT THE LOCATION AND/OR ELEVATION OF EXISTING UTILITIES AS SHOWN ON THESE PLANS IS BASED ON RECORDS OF THE VARIOUS UTILITY COMPANIES, AND WHERE POSSIBLE, MEASUREMENTS TAKEN IN THE FIELD. THE INFORMATION IS NOT TO BE RELIED UPON AS BEING EXACT OR COMPLETE. THE CONTRACTOR MUST CALL THE APPROPRIATE UTILITY COMPANY AT LEAST 72 HOURS BEFORE ANY EXCAVATION TO REQUEST EXACT FIELD LOCATION OF UTILITIES.
- IF DEMOLITION OR CONSTRUCTION ON SITE WILL INTERFERE WITH THE ADJACENT PROPERTY OWNER'S TRAFFIC FLOW, THE CONTRACTOR SHALL COORDINATE WITH ADJACENT PROPERTY OWNER, TO MINIMIZE THE IMPACT ON TRAFFIC FLOW. TEMPORARY RE-ROUTING OF TRAFFIC IS TO BE ACCOMPLISHED BY USING WSDOT APPROVED TRAFFIC BARRICADES, BARRELS, AND/OR CONES. TEMPORARY SIGNAGE AND FLAGMEN MAY BE ALSO NECESSARY.
- QUANTITIES DEPICTED ON THIS SHEET SHALL SERVE AS A GUIDE ONLY. CONTRACTOR TO VERIFY ALL DEMOLITION QUANTITIES.
- REFER TO GEOTECHNICAL REPORT PROVIDED BY OTHERS FOR ALL SUBSURFACE INFORMATION.
- CONTRACTOR SHALL BEGIN CONSTRUCTION OF ANY LIGHT POLE BASES FOR RELOCATED LIGHT FIXTURES AND RELOCATION OF ELECTRICAL SYSTEM AS SOON AS DEMOLITION BEGINS. CONTRACTOR SHALL BE AWARE THAT INTERRUPTION OF POWER TO ANY LIGHT POLES OR SIGNS SHALL NOT EXCEED 24 HOURS.
- EROSION CONTROL MUST BE ESTABLISHED PRIOR TO ANY WORK ON SITE INCLUDING DEMOLITION.
- THE EXTENT OF SITE DEMOLITION WORK IS AS SHOWN ON THE CONTRACT DOCUMENTS AND AS SPECIFIED HEREIN.
- CONTRACTOR MUST RECEIVE APPROVAL FROM CIVIL ENGINEER AND GEOTECHNICAL ENGINEER FOR THE MATERIAL TYPE AND USE IF CONTRACTOR DESIRES TO REUSE DEMOLISHED SITE PAVEMENT AS STRUCTURAL FILL.
- EXISTING UTILITIES, WHICH DO NOT SERVICE STRUCTURES BEING DEMOLISHED, ARE TO BE KEPT IN SERVICE AND PROTECTED AGAINST DAMAGE DURING DEMOLITION OPERATIONS. CONTRACTOR SHALL ARRANGE FOR SHUT-OFF OF UTILITIES SERVING STRUCTURES TO BE DEMOLISHED. CONTRACTOR IS RESPONSIBLE FOR TURNING OFF, DISCONNECTING, AND SEALING INDICATED UTILITIES BEFORE STARTING DEMOLITION OPERATIONS. EXISTING UTILITIES TO BE ABANDONED ARE TO BE CAPPED AT BOTH ENDS AND FILLED WITH FA-1 OR APPROVED EQUAL. ALL UNDERGROUND UTILITIES TO BE REMOVED ARE TO BE BACKFILLED WITH ENGINEERED FILL OR SELECT EXCAVATED MATERIAL, AS APPROVED BY THE GEOTECHNICAL ENGINEER, TO 95% OF MODIFIED PROCTOR DENSITY WITHIN PAVED AREAS AND TO 90% OF MODIFIED PROCTOR DENSITY FOR GREEN SPACE AREAS, IN ACCORDANCE WITH THE EARTHWORK SPECIFICATIONS. ALL PRIVATE UTILITIES (ELECTRIC, CABLE, TELEPHONE, FIBER OPTIC, GAS) SHALL BE REMOVED AND RELOCATED PER THE UTILITY OWNER AND THE LOCAL MUNICIPALITY'S REQUIREMENTS.
- UNDERGROUND UTILITIES SHOWN ARE BASED ON ATLASES AND AVAILABLE INFORMATION PRESENTED AT THE TIME OF SURVEY. CONTRACTOR SHOULD CALL DIGGERS HOTLINE® (1-800-242-8511) TO COORDINATE FIELD LOCATIONS OF EXISTING UNDERGROUND UTILITIES BEFORE ORDERING MATERIALS OR COMMENCING CONSTRUCTION. NOTIFY ENGINEER OF ANY DISCREPANCIES IMMEDIATELY.
- USE WATER SPRINKLING, TEMPORARY ENCLOSURES, AND OTHER SUITABLE METHODS TO LIMIT DUST AND DIRT RISING AND SCATTERING IN THE AIR TO THE LOWEST LEVEL. COMPLY WITH ALL GOVERNING REGULATIONS PERTAINING TO ENVIRONMENTAL PROTECTION. SEE EROSION CONTROL SHEETS FOR FURTHER EROSION CONTROL REQUIREMENTS.
- COMPLETELY FILL BELOW-GRADE AREAS AND VOIDS RESULTING FROM DEMOLITION OF STRUCTURES TO THE FINAL LINES AND GRADES SHOWN ON THE CONTRACT DOCUMENTS. BACKFILL MATERIAL SHALL BE WSDOT APPROVED CRUSHED LIMESTONE OR APPROVED EQUAL. USE SATISFACTORY SOIL MATERIALS, CONSISTING OF STONE, GRAVEL AND SAND, FREE FROM DEBRIS, TRASH, FROZEN MATERIALS, ROOTS AND OTHER ORGANIC MATTER. PRIOR TO PLACEMENT OF FILL MATERIALS, ENSURE THAT AREAS TO BE FILLED ARE FREE OF STANDING WATER, FROST, FROZEN MATERIAL, TRASH AND DEBRIS. PLACE FILL MATERIALS IN HORIZONTAL LAYERS NOT EXCEEDING 9" IN LOOSE DEPTH. COMPACT EACH LAYER AT OPTIMUM MOISTURE CONTENT OF FILL MATERIAL TO 95% OF MODIFIED PROCTOR DENSITY UNLESS SUBSEQUENT EXCAVATION FOR NEW WORK IS REQUIRED.

CONTRACTOR SHALL LOCATE AND PROTECT EXISTING UNDERGROUND AND OVERHEAD UTILITIES DURING CONSTRUCTION. UTILITY PROTECTION SHALL BE COORDINATED WITH THE RESPECTIVE UTILITY OWNER AND AS DIRECTED BY THE GOVERNING MUNICIPALITY. DAMAGED CABLES/CONDUITS SHALL BE REPLACED IMMEDIATELY. ALL EXISTING STRUCTURES TO REMAIN SHALL BE PROTECTED THROUGHOUT THE CONSTRUCTION PROCESS. ALL DAMAGED STRUCTURES SHALL BE REPLACED IN-KIND AND THEIR REPLACEMENT COST SHALL BE CONSIDERED INCIDENTAL TO THE CONTRACT. PROPER NOTIFICATION TO THE OWNERS OF THE EXISTING UTILITIES SHALL BE MADE AT LEAST 48 HOURS BEFORE CONSTRUCTION COMMENCES.

WARNING: CONTRACTOR TO VERIFY PRESENCE AND EXACT LOCATION OF ALL UTILITIES PRIOR TO CONSTRUCTION.



(800) 242-8511

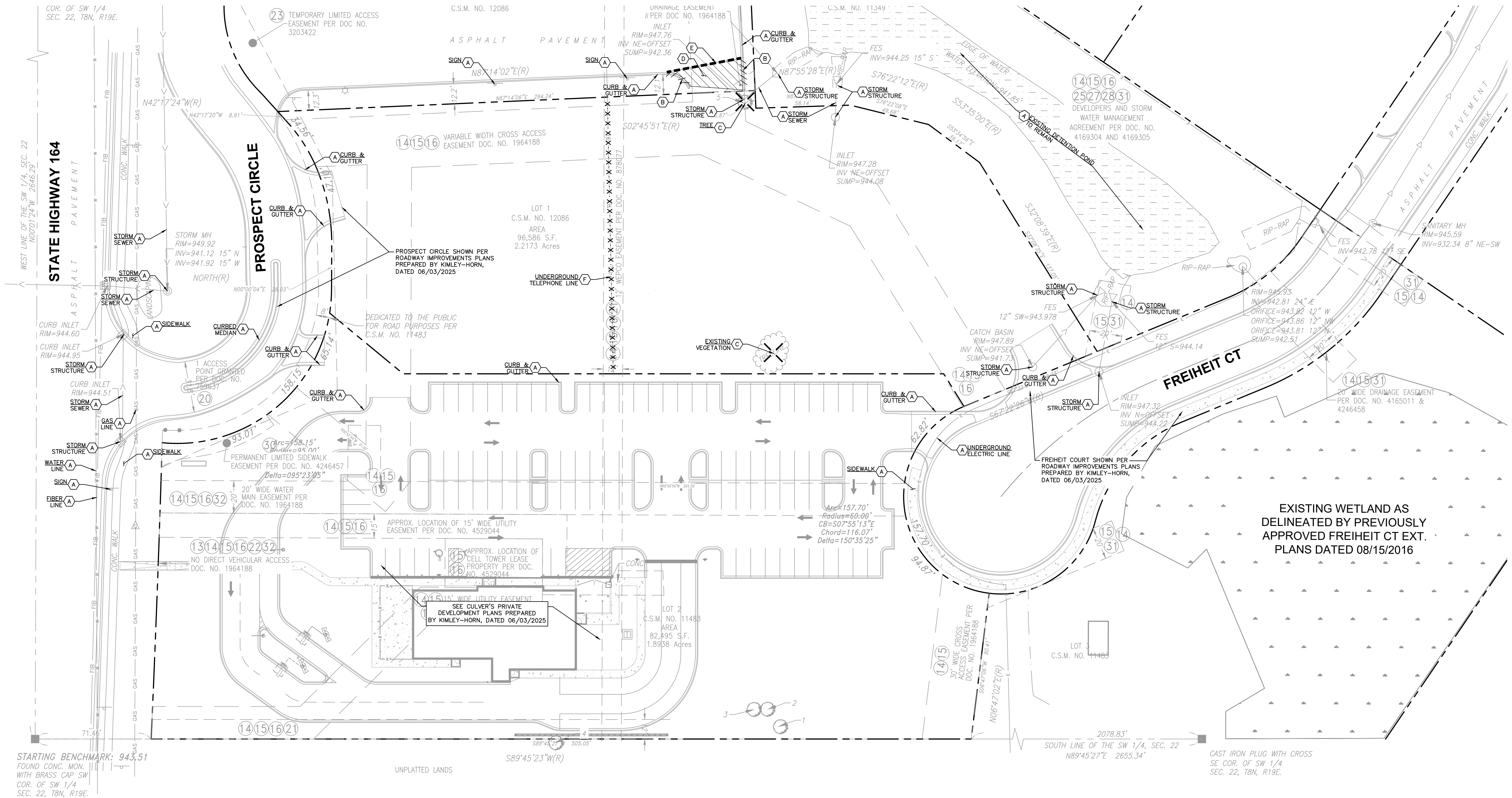
DEMOLITION LEGEND

- (A) ITEM TO REMAIN, PROTECT DURING CONSTRUCTION
- (B) Curb Removal
- (C) ITEM TO BE REMOVED
- (D) Full-Depth Asphalt Pavement Removal
- (E) Sawcut Line
- (F) X X X Utility Removal

Tree Number	Diameter	Tree Species	Tree Condition	Single / Multistem
1	19"	Tilia - Basswood / Linden	Good	Multi-Stem
2	30"	Tilia - Basswood / Linden	Good	Multi-Stem
5	8"	Tilia - Basswood / Linden	Good	Single Stem
3	18"	Tilia - Basswood / Linden	Good	Multi-Stem
4	7"	Populus - Poplar	Fair	Single Stem

NOTES

- ADDITIONAL TREES PRESENT ON SITE WERE IDENTIFIED AS EITHER BOX ELDER (*ACER NEGUNDO*), WHICH IS CONSIDERED AN INVASIVE SPECIES, OR TREES HAVING A DBH OF LESS THAN 5". THESE TREES WERE NOT INCLUDED IN TREE COUNT AS PER MUNICIPAL CODE 6.02(8).



Kimley»Horn

© 2025 KIMLEY-HORN AND ASSOCIATES, INC.
111 WEST JACKSON BOULEVARD, STE 1200
PHONE: 312-728-9445
WWW.KIMLEY-HORN.COM

SCALE: AS NOTED
DESIGNED BY: AMG
DRAWN BY: AMG
CHECKED BY: JPM

NOT FOR CONSTRUCTION

TOMMY'S EXPRESS CAR WASH

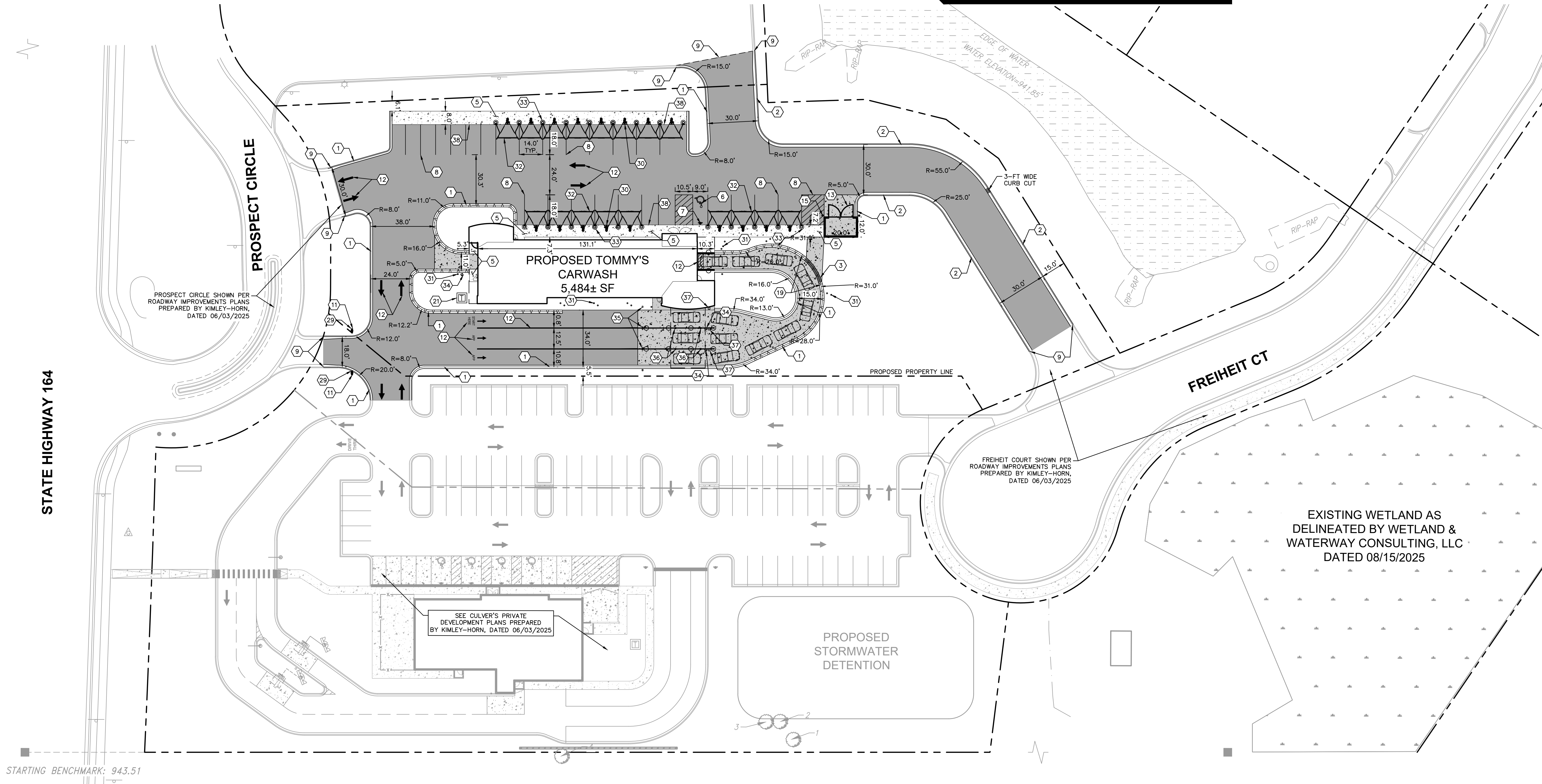
EXISTING CONDITIONS & DEMOLITION PLAN

TOMMY'S
W249N6424 HIGHWAY 164
SUSSEX, WI 53089

ORIGINAL ISSUE:
04/30/2025
KHA PROJECT NO.
168974030
SHEET NUMBER

C1.0

Drawing name: K:\CH\DEV\168974030_Culver's_Sussex_WI2 Design\CA0\PlanSheets\Tommy's\Tommy's C2.0 - SITE PLAN.dwg C2.0 Jun 04, 2025 11:54am by: AnthonyGraziano
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KEY NOTES

- 1 6-INCH CONCRETE CURB & 12-INCH GUTTER, TYP.
- 2 6-INCH CONCRETE CURB & 24-INCH GUTTER, TYP.
- 3 DEPRESSED CURB
- 4 INTEGRAL CURB AND WALK (AROUND BUILDING) (NOT USED)
- 5 CONCRETE SIDEWALK, TYP.
- 6 ACCESSIBLE PAVEMENT MARKINGS, TYP.
- 7 ACCESSIBLE PARKING SIGN, TYP. (MUTCD R7-8)
- 8 4" WIDE PAINTED SOLID LINE, TYP.
- 9 CONNECT TO EXISTING PAVEMENT, SIDEWALK, CURB, TYP.
- 10 24" WIDE STOP BAR, TYP. (NOT USED)
- 11 "DO NOT ENTER" SIGN (SEE SIGNAGE PLANS FOR DETAILS)
- 12 SITE DIRECTIONAL MARKINGS
- 13 TRASH ENCLOSURE (SEE ARCHITECTURAL PLANS FOR DETAILS)
- 14 MONUMENT SIGN (SEE SIGNAGE PLANS FOR DETAILS) (NOT USED)
- 15 6" BOLLARD, TYP. (NOT USED)
- 16 VEHICULAR HEIGHT DETECTOR (VHD, SEE SIGNAGE PLANS FOR DETAILS) (NOT USED)
- 17 PROPOSED MENU BOARD (SEE SIGNAGE PLANS FOR DETAILS) (NOT USED)
- 18 PROPOSED ORDER CONFIRMATION SYSTEM (NOT USED)
- 19 3-FT TRANSITION CURB, TYP.
- 20 SITE RETAINING WALL PER MANUFACTURER SPECS. (NOT USED)
- 21 TRANSFORMER PAD (FOR REFERENCE ONLY)
- 22 LIGHT POLES SHOWN FOR COORDINATION ONLY (SEE SITE LIGHTING PLANS) (NOT USED)
- 23 PROPOSED FENCE (SEE ARCHITECTURAL PLANS FOR DETAILS) (NOT USED)
- 24 3-FT WIDE CURB CHANNEL WITH CONCRETE FLUME (NOT USED)
- 25 ACCESSIBLE RAMP (NOT USED)
- 26 ADA COMPLIANT HANDRAILS (NOT USED)
- 27 2' WIDE TACTILE WARNING STRIP (NOT USED)
- 28 5-FT WIDE PAINTED CROSSWALK (NOT USED)
- 29 "YIELD" SIGN (SEE SIGNAGE PLANS FOR DETAILS)
- 30 STAINLESS STEEL BOLLARD, TYP. (AT VACUUM STATIONS)
- 31 U-SHAPED SNAP SIGN, TYP. (SEE ARCHITECTURAL PLANS FOR DETAILS)
- 32 VACUUM STANCHION CANOPY AND CANISTER, TYP. (SEE ARCHITECTURAL PLANS FOR DETAILS)
- 33 TOMMY PROVIDED RED BALL VACUUM HOSE HOLDER, TYP.
- 34 SONITUBE WITH CONDUIT FOR RELAX/GO LIGHT (SEE ARCHITECTURAL PLANS FOR DETAILS)
- 35 LICENSE PLATE READER (SEE ARCHITECTURAL PLANS FOR DETAILS)
- 36 COLUMN (SEE ARCHITECTURAL PLANS FOR DETAILS)
- 37 GATE (SEE ARCHITECTURAL PLANS FOR DETAILS)
- 38 SIDEWALK FLUSH WITH PAVEMENT

PAVING AND CURB LEGEND

- CONCRETE SIDEWALK
- STANDARD DUTY ASPHALT PAVEMENT
- HEAVY DUTY CONCRETE PAVEMENT
- STANDARD PITCH CONCRETE CURB & GUTTER
- CONCRETE DEPRESSED CURB AND GUTTER
- REVERSE PITCH CONCRETE CURB AND GUTTER
- SAWCUT LINE

FEMA NOTE

PER FLOOD INSURANCE RATE MAP PANEL NO. 55133C0088H, THE SITE IS LOCATED IN ZONE X, AREA OF MINIMAL FLOOD HAZARD

TOMMY'S SITE DATA TABLE

PROPERTY INFORMATION

PIN: SUXV0231989008
ADDRESS: W249N6438 HIGHWAY 164, SUSSEX, WI 53089
EXISTING TOMMY'S LOT AREA: 2.22 ACRES
PROPOSED TOMMY'S LOT AREA: 1.64 ACRES

PARKING SUMMARY:

PARKING SPACES REQUIRED (VILLAGE STANDARD)* = 8 SPACES
PROPOSED STANDARD PARKING SPACES PROVIDED = 9 SPACES
PROPOSED ACCESSIBLE PARKING SPACES PROVIDED = 1 SPACES
PROPOSED VACUUM SPACES PROVIDED = 17 SPACES
PROPOSED TOTAL PARKING SPACES PROVIDED = 27 SPACES

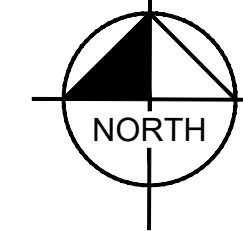
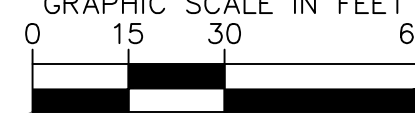
*1 SPACE PER 50 SF OF GENERAL FLOOR AREA + 1 SPACE PER EMPLOYEE FOR THE WORK SHIFT WITH LARGEST NUMBER OF EMPLOYEES (0 SF OF CUSTOMER AREA AND 8 EMPLOYEES ASSUMED FOR CALCULATION)

GENERAL NOTES

1. ALL DIMENSIONS REFER TO THE FACE OF CURB UNLESS OTHERWISE NOTED.
2. BUILDING DIMENSIONS ARE TO THE OUTSIDE FACE OF BUILDING UNLESS OTHERWISE NOTED.
3. RADII ADJACENT TO PARKING STALL AND NOT DIMENSIONED ON THIS PLAN SHALL BE 3-Feet, TYPICAL.
4. REFER TO SPRINGFIELD SIGN PLANS FOR MENU BOARD DETAILS AND ELECTRICAL SPECIFICATIONS
5. ALL PROPOSED ON-SITE STRIPING SHALL BE PAINTED UNLESS OTHERWISE NOTED.



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JPM		BY	
6/3/25		DATE	
VILLAGE SUBMITTAL		REVISIONS	
No.			
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SCALE:	AS NOTED	DESIGNED BY: AMG	CHECKED BY: JPM
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TOMMY'S EXPRESS CARWASH			
SITE PLAN			
TOMMY'S W249N6424 HIGHWAY 164 SUSSEX, WI 53089			
ORIGINAL ISSUE: 04/30/2025 KHA PROJECT NO. 168974030			
SHEET NUMBER C2.0			

Drawing name: K:\CH_LDEY\168974030_Culver's_Sussex_WV2 Design\CAD\PlanSheets\Tommya\CS3.0 - EROSION CONTROL PLAN.dwg CS3.0 Jun 04, 2025 11:54am by AnthonyGraziano
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- CONDITIONS TO BE ESTABLISHED BY THE DIRECTOR OR ADMINISTRATOR.
17. STOCKPILES TO REMAIN IN PLACE FOR MORE THAN THREE DAYS SHALL BE PROVIDED WITH SSC MEASURES. MATERIAL IS TO BE HAULED OFF IMMEDIATELY AND LEGALLY IF NO STOCKPILE IS TO REMAIN IN PLACE.
18. ALL TEMPORARY SSC MEASURES SHALL BE REMOVED WITHIN 30 DAYS AFTER FINAL STABILIZATION IS ACHIEVED. TRAPPED SEDIMENT AND OTHER DISTURBED SOLIDS RESULTING FROM TEMPORARY MEASURES SHALL BE PROPERLY DISPOSED OF PRIOR TO PERMANENT STABILIZATION.
19. WATER REMOVED FROM TRAPS, BASINS, AND OTHER WATER HOLDING DEPRESSIONS OR EXCAVATIONS MUST FIRST PASS THROUGH A SEDIMENT CONTROL AND/OR FILTRATION DEVICE. WHEN DEWATERING DEVICES ARE USED, DISCHARGE LOCATIONS SHALL BE PROTECTED FROM EROSION.
20. SITE STABILIZATION REQUIREMENTS ARE AS FOLLOWS:
- 20.1. WHERE THE INITIATION OF STABILIZATION MEASURE BY THE 7TH DAY AFTER CONSTRUCTION ACTIVITY TEMPORARILY OR PERMANENTLY CEASES ON A PORTION OF THE SITE IS PRECLUDED BY SNOW COVER, STABILIZATION MEASURE SHALL BE INITIATED AS SOON AS PRACTICABLE.
- 20.2. WHERE CONSTRUCTION ACTIVITY WILL RESUME ON A PORTION OF THE SITE WITHIN 14 DAYS FROM WHEN ACTIVITIES CEASED, (E.G. THE TOTAL TIME PERIOD THE CONSTRUCTION ACTIVITY IS TEMPORARILY CEASED IS LESS THAN 14 DAYS) THEN STABILIZATION MEASURES DO NOT HAVE TO BE INITIATED ON THAT PORTION OF THE SITE BY THE 7TH DAY AFTER CONSTRUCTION ACTIVITY TEMPORARILY CEASED.

Figure 10: Erosion Control Details. The diagram illustrates various erosion control methods and their corresponding symbols. The methods shown are:

- TS** TEMPORARY SEEDING (SEE EROSION CONTROL DETAILS)
- CE** CONSTRUCTION ENTRANCE (SEE EROSION CONTROL DETAILS)
- SF** SILT FENCE (SEE EROSION CONTROL DETAILS)
- IP** INLET PROTECTION (SEE EROSION CONTROL DETAILS)
- CW** CONCRETE WASHOUT (SEE EROSION CONTROL DETAILS) (TO BE DETERMINED BY CONTRACTOR)
- RR** RIP RAP (SEE DETAILS)
- LD** LIMITS OF DISTURBANCE

The diagram also includes lines for **EXISTING CONTOURS** and **PROPOSED CONTOURS**.



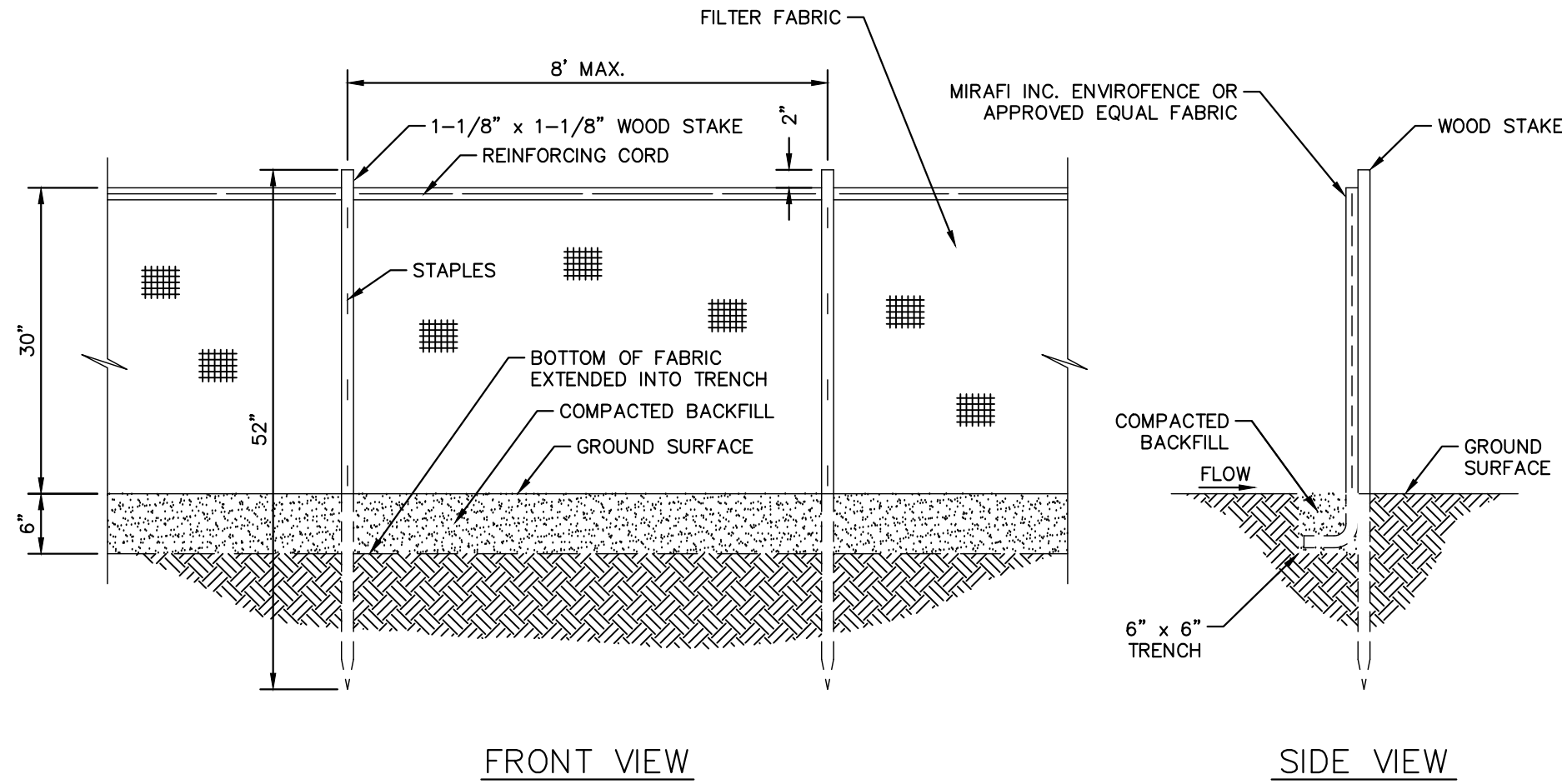
I. ROUGH GRADING	CONSTRUCTION ENTRANCE/EXIT, SILT FENCE PROTECTION, CONCRETE WASHOUT AREA AND TREE PROTECTION SHALL BE INSTALLED PRIOR TO THE INITIATION OF ROUGH GRADING, AS NEEDED. TEMPORARY EROSION CONTROL MEASURES TO BE INSTALLED UPON COMPLETION OF ROUGH GRADING AND AS NECESSARY THROUGHOUT CONSTRUCTION.
II. UTILITY INSTALLATION	ALL PRIOR EROSION CONTROL MEASURES INSTALLED ABOVE TO BE MAINTAINED AS NECESSARY DURING UTILITY INSTALLATION. STORM STRUCTURE INLET PROTECTION SHALL BE INSTALLED AS STORM DRAINAGE SYSTEM IS CONSTRUCTED.
III. PAVING	ALL PRIOR EROSION CONTROL MEASURES INSTALLED ABOVE TO BE MAINTAINED AS NECESSARY DURING PAVING AND THROUGHOUT THE REMAINDER OF THE PROJECT.
IV. FINAL GRADING/SOIL STABILIZATION/ LANDSCAPING	ALL TEMPORARY EROSION CONTROL MEASURES TO BE REMOVED AT THE CONCLUSION OF THE PROJECT AS DIRECTED BY THE LOCAL MUNICIPALITY.

NOTE: THE SEQUENCE OF CONSTRUCTION SHOWN ABOVE IS A GENERAL OVERVIEW AND IS INTENDED TO CONVEY THE GENERAL CONCEPTS OF THE EROSION CONTROL DESIGN AND SHOULD NOT BE RELIED UPON FOR CONSTRUCTION PURPOSES. THE CONTRACTOR IS SOLELY RESPONSIBLE FOR DETAILED PHASING AND CONSTRUCTION SEQUENCING NECESSARY TO CONSTRUCT THE PROPOSED IMPROVEMENTS INCLUDED IN THESE PLANS. THE CONTRACTOR SHALL NOTIFY ENGINEER IN WRITING IMMEDIATELY, PRIOR TO AND/OR DURING CONSTRUCTION IF AN ADDITIONAL INFORMATION ON THE CONSTRUCTION SEQUENCE IS NECESSARY. CONTRACTOR IS SOLELY RESPONSIBLE FOR COMPLYING WITH THE REQUIREMENTS OF THE AUTHORITY HAVING JURISDICTION AND ALL OTHER APPLICABLE LAWS.



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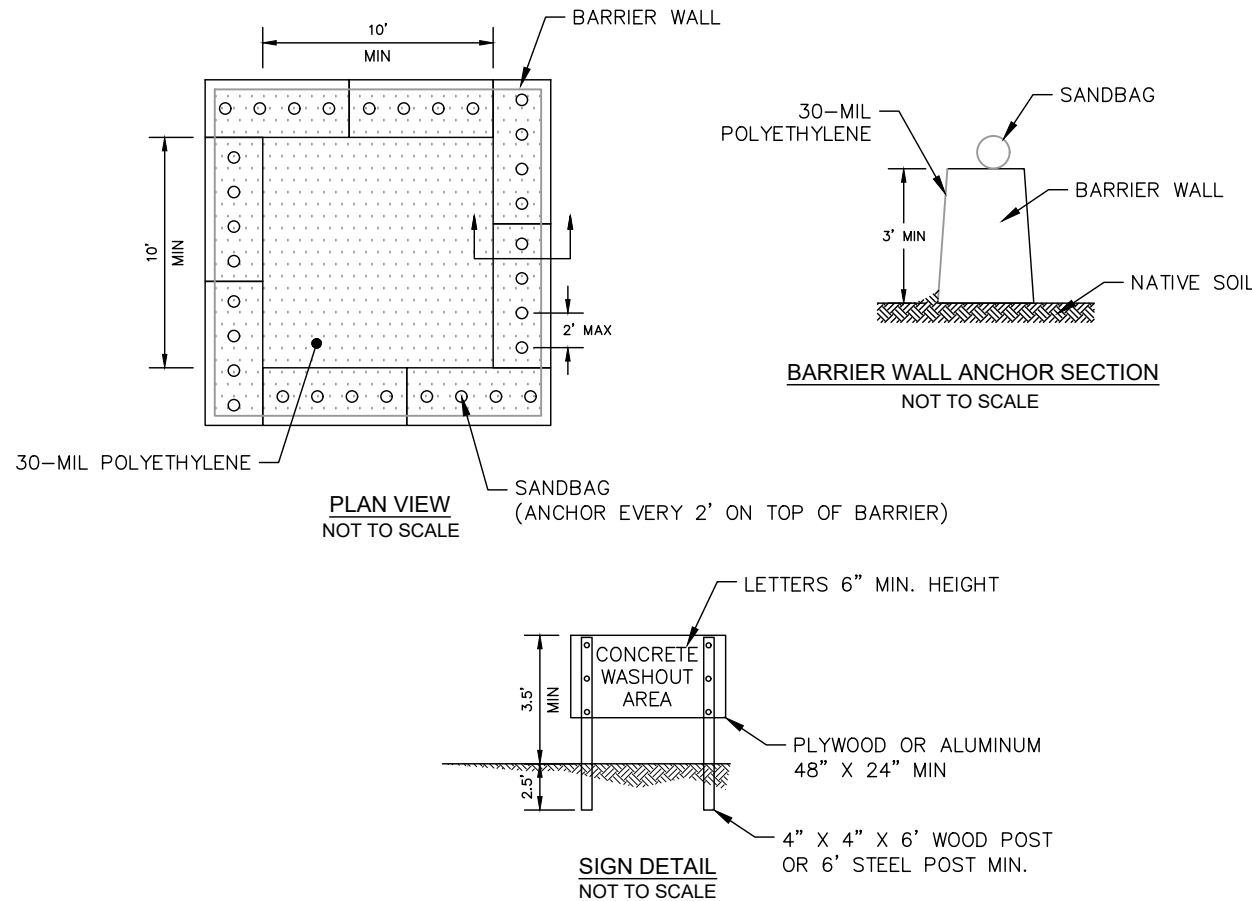


FRONT VIEW

SIDE VIEW

SEDIMENTATION/SILT FENCE

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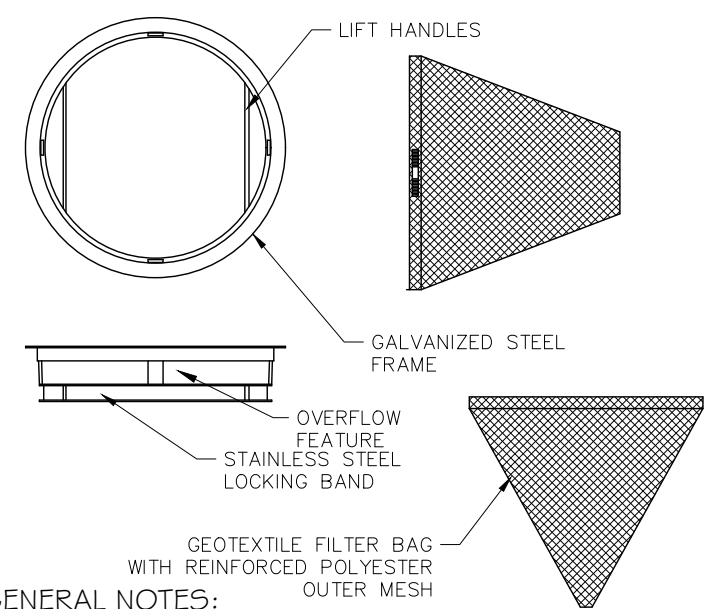


NOTES

1. MAINTAINING TEMPORARY CONCRETE WASHOUT FACILITIES SHALL INCLUDE REMOVING AND DISPOSING OF HARDEND CONCRETE AND/OR SLURRY AND RETURNING THE FACILITIES TO A FUNCTIONAL CONDITION.
2. FACILITY SHALL BE CLEANED OR RECONSTRUCTED IN A NEW AREA ONCE WASHOUT BECOMES TWO-THIRDS FULL.

CONCRETE WASHOUT

N.T.S.

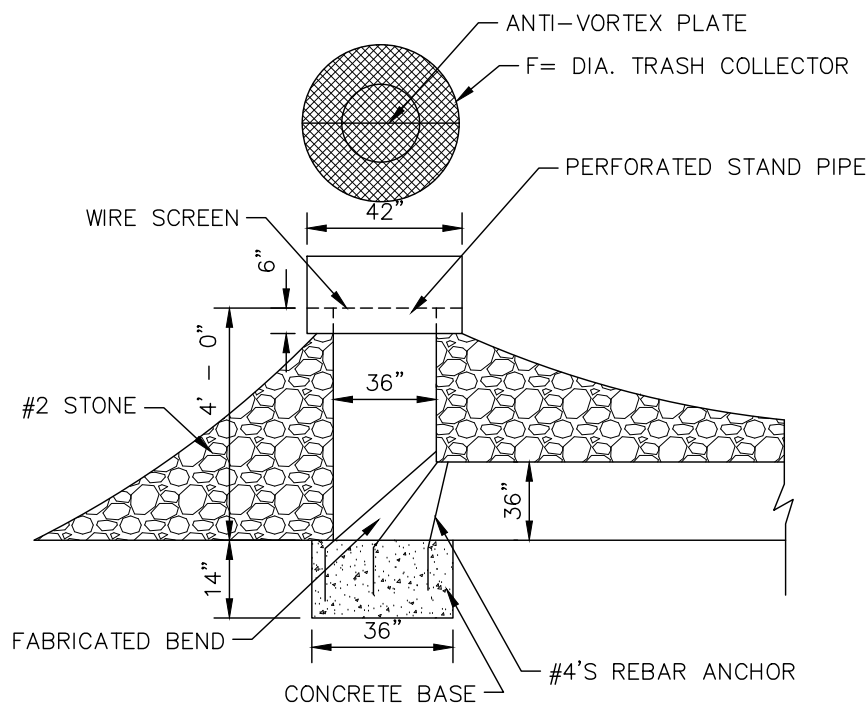


GENERAL NOTES:

- ALL PRODUCTS MANUFACTURED BY INLET AND PIPE PROTECTION, INC OR APPROVED EQUAL.
- NOTE: INLET FILTERS ARE SLIGHTLY SMALLER THAN THE INLET GRATE SIZES. WHEN IDENTIFYING OR SPECIFYING FILTERS/CASTINGS PLEASE REFER TO THE DIAMETER "D" OR WIDTH "W" AND HEIGHT "H" OF FILTER FRAMES OR CASTING GRATES. YOU MAY ALSO REFER TO OUR CASTING CROSS REFERENCE GUIDE FOR IDOT STANDARDS
- IDOT TYPE 1 ROUND INLET FILTER DEPICTED
- NOTE: ROUND AND SQUARE INLET FILTERS AVAILABLE FOR MOST NEENAH AND EAST JORDAN BEEHIVE, ROLL CURB AND CURB BOX FRAME TYPES
- ALL IPP INLET FILTERS TO CONFORM TO IDOT SPECIFICATIONS AS OUTLINED IN ARTICLE 108.15 OF IDOT'S STANDARD SPECIFICATIONS GUIDE.

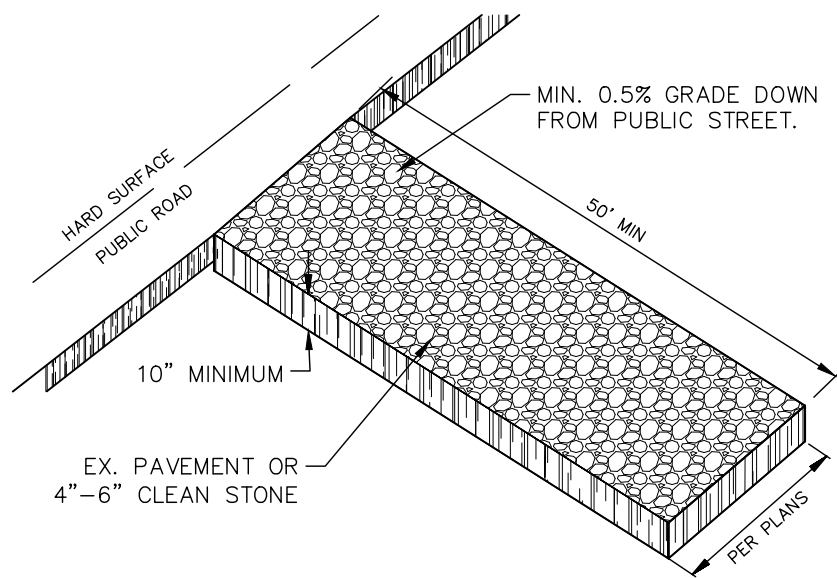
INLET PROTECTION

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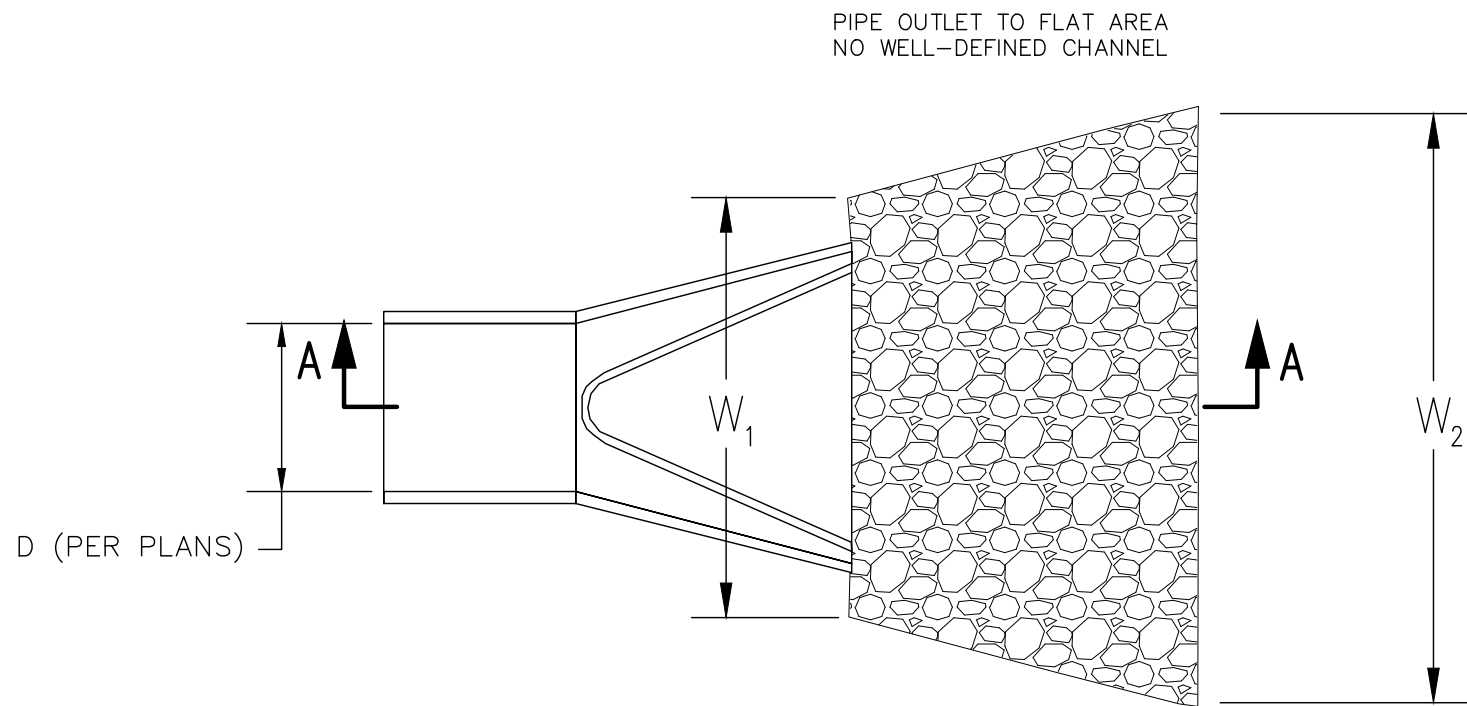
TEMPORARY STANDPIPE DETAIL

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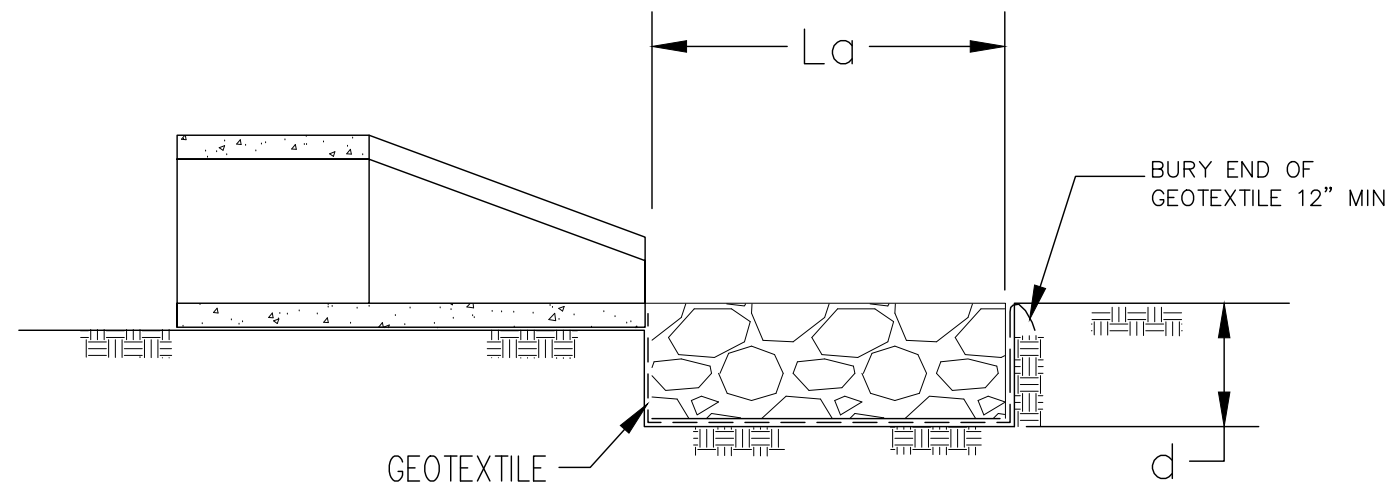


CONSTRUCTION ENTRANCE

N.T.S.



PLAN



SECTION A-A

- NOTES:
1. THE ROCK RIPRAP SHALL MEET IDOT REQUIREMENTS FOR GRADATION NO. RR-3 & RR-4, QUALITY DESIGNATION "A".
 2. GEOTEXTILE (NON-WOVEN) MINIMUM CRITERIA:
 - 2.1. WEIGHT OF GEOTEXTILE (OZ./SQ.YD.) 6
 - 2.2. TENSILE STRENGTH (LB) ASTM D 4632 180
 - 2.3. ELONGATION AT FAILURE (%) ASTM D 4632 ≥ 50
 - 2.4. PUNCTURE (LB) ASTM D 4833 80
 - 2.5. ULTRAVIOLET LIGHT (% RESIDUAL TENSILE STRENGTH) ASTM D 4355 MIN 70
 - 2.6. APPARENT OPENING SIZE (AOS) ASTM D 4751 MAX 40 SIEVE
 - 2.7. PERMITTIVITY SEC-1 ASTM D 4491 MIN 0.70
 3. ANY GEOTEXTILE SPLICES SHALL OVERLAP A MINIMUM OF 18 INCHES, WITH UPSTREAM OR UPSLOPE GEOTEXTILE OVERLAPPING THE ABUTTING DOWNSLOPE GEOTEXTILE.
 4. APRON WIDTH W₁ SHALL BE 3 TIMES THE CULVERT PIPE DIAMETER. APRON WIDTH W₂ SHALL BE EQUAL TO L_A PLUS THE PIPE DIAMETER.
 5. ROCK THICKNESS D SHALL BE AT LEAST 1.5 TIMES THE RIPRAP D₁₀₀ SIZE.
 6. APRON LENGTH L_A AND ROCK RIPRAP HAS BEEN SIZED ACCORDING TO ILLINOIS URBAN MANUAL ROCK OUTLET PROTECTION STANDARD 910 BASED CALCULATED VELOCITY FOR THIS PROJECT SITE. PLEASE SEE TABLE 1 FOR DETAILS.

RIPRAP DIMENSION TABLE					
INLET PIPE SIZE d (IN)	LENGTH OF APRON L _a (FT)	ROCK GRADATION (IDOT)	WIDTH OF APRON U/S FACE W ₁ (FT)	WIDTH OF APRON D/S FACE W ₂ (FT)	DEPTH OF RIPRAP d (IN)
12	12	RR-3	3.00	13.00	15
15	12	RR-3	3.75	13.25	15
18	16	RR-4	4.50	17.50	20
21	16	RR-4	5.25	17.75	20
24	20	RR-4	6.00	22.00	20
27	20	RR-4	6.75	22.50	20
30	22	RR-4	7.50	24.50	20
36	24	RR-5	9.00	27.00	28
42	24	RR-5	10.50	27.50	30
48	28	RR-6	12.00	32.00	32
54	28	RR-6	13.50	32.50	32
60	36	RR-6	15.00	41.00	32
72	44	RR-6	18.00	50.00	32

RIP RAP DETAIL OUTLET PROTECTION

N.T.S.

STABILIZATION TYPE	JAN.	FEB.	MAR.	APR.	MAY	JUNE	JULY	AUG.	SEPT.	OCT.	NOV.	DEC.
PERMANENT SEEDING			A			*	*					
DORMANT SEEDING	B										B	
TEMPORARY SEEDING			C				D					
SODDING			E									
MULCHING	F		**									

- A KENTUCKY BLUEGRASS 90 LBS/ACRE MIXED WITH PERENNIAL RYEGRASS 30 LBS/ACRE
- B KENTUCKY BLUEGRASS 135 LBS/ACRE MIXED WITH PERENNIAL RYEGRASS 45 LBS/ACRE + 2 TONS STRAW MULCH/ACRE
- C SPRING OATS 100 LBS/ACRE
- D WHEAT OR CEREAL RYE 150 LBS/ACRE
- E SOD
- F STRAW MULCH 2 TONS/ACRE
- * WATERING NEEDED DURING JUNE AND JULY
- ** WATERING NEEDED FOR 2 TO 3 WEEKS AFTER APPLYING SOD

SEEDING CHART

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EROSION CONTROL NOTES & DETAILS

TOMMY'S

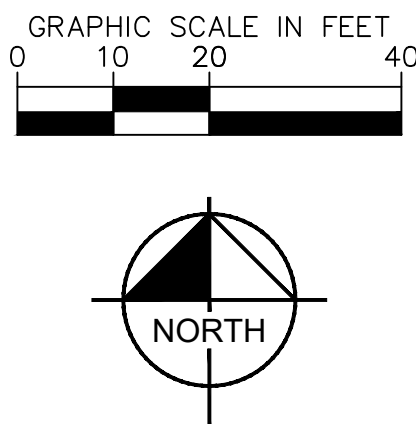
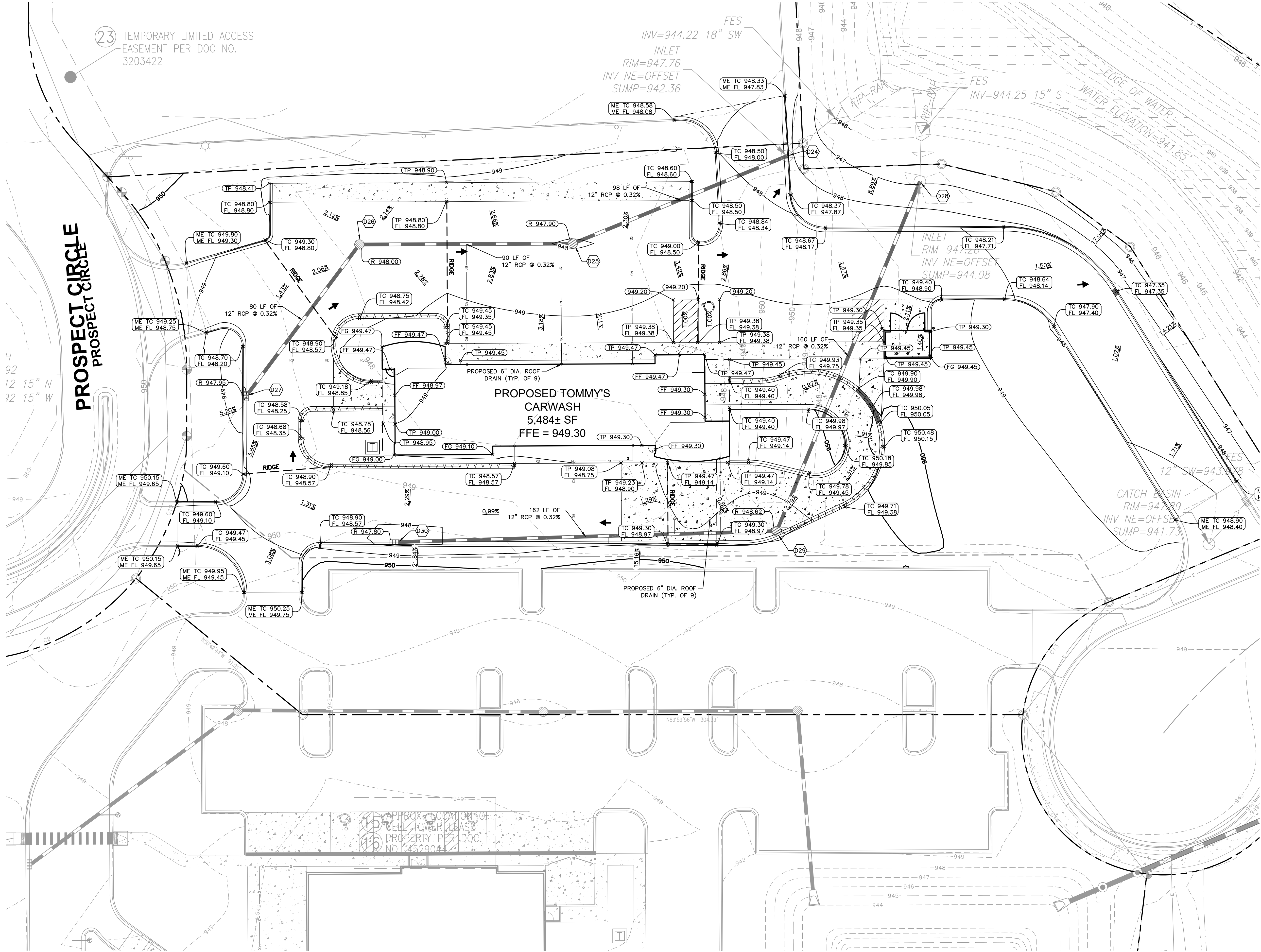
W249N6424 HIGHWAY 164
SUSSEX, WI 53089

ORIGINAL ISSUE:
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KHA PROJECT NO.
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SHEET NUMBER

C3.1

Drawing name: K:\CHILDEV\168974030_Culver's_Sussex_WI\2 Design\CAO\PlanSheets\Tommy's\Tommy's C4.0 - GRADING & DRAINAGE PLAN.dwg C4.0 Jun 04, 2025 11:54am by AnthonyCraziano
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GRADING NOTES

- CONTRACTOR TO VERIFY ALL EXISTING TOPOGRAPHY AND STRUCTURES ON THE SITE AND IMMEDIATELY NOTIFY THE ENGINEER OF ANY DISCREPANCIES PRIOR TO STARTING WORK.
- ALL PAVEMENT SPOT GRADE ELEVATIONS AND RIM ELEVATIONS WITHIN OR ALONG CURB AND GUTTER REFER TO FLOW LINE ELEVATIONS UNLESS OTHERWISE NOTED.
- ALL ELEVATIONS SHOWN DEPICT FINISHED GRADE UNLESS OTHERWISE NOTED. GENERAL CONTRACTOR TO COORDINATE WITH EXCAVATION, LANDSCAPE AND PAVING SUBCONTRACTORS REGARDING TOPSOIL THICKNESS FOR LANDSCAPE AREAS AND PAVEMENT SECTION THICKNESS FOR PAVED AREAS TO PROPERLY ENSURE ADEQUATE CUT TO ESTABLISH SUBGRADE ELEVATIONS.
- NO EARTHEN SLOPE SHALL BE GREATER THAN 3:1, UNLESS OTHERWISE NOTED.
- MAXIMUM SLOPE IN ACCESSIBLE PARKING SPACES AND LOADING ZONES SHALL NOT EXCEED 2.0% IN ALL DIRECTIONS.
- MAXIMUM RUNNING SLOPE SHALL NOT EXCEED 5% AND CROSS SLOPE SHALL NOT EXCEED 2% ON ALL SIDEWALKS AND ACCESSIBLE ROUTES.
- WHEN NATURAL FLOW OF DRAINAGE IS AWAY FROM CURB, CONTRACTOR TO INSTALL REVERSE GUTTER PITCH.
- MATCH EXISTING ELEVATIONS AT THE PROPERTY LIMITS.

GRADING LEGEND

TP = TOP OF PAVEMENT
FL = FLOW LINE
TC = TOP OF CURB
R = RIM ELEVATION
FG = FINISHED GRADE
ME = MATCH ELEVATION
TW = TOP OF WALL

(CONTRACTOR TO VERIFY ALL MATCH EXISTING SPOT GRADE ELEVATIONS AND IMMEDIATELY NOTIFY THE ENGINEER OF ANY DISCREPANCIES.)

- 950 PROPOSED CONTOUR
- 950 EXISTING CONTOUR
- RIDGE RIDGE LINE
- X.XX% SLOPE AND FLOW DIRECTION
- 100-YEAR OVERLAND OVERFLOW ROUTE
- PROPOSED STORM SEWER LINE
- PROPOSED OPEN LID STORM STRUCTURE (PAVEMENT USE NEENAH R-2540) (GRASS USE NEENAH R-4340-B BEEHIVE)
- PROPOSED CLOSED LID STORM STRUCTURE (PAVEMENT USE NEENAH R-1713) (GRASS USE NEENAH R-1786)
- PROPOSED COMBINATION CURB INLET (B6.12 C&G USE NEENAH R-3281-A)
- PROPOSED FLARED END SECTION
- PROPOSED STORM CLEANOUT
- PROPOSED ROOF DRAIN LINE

STORM STRUCTURE TABLE

STRUCTURE NAME:	DETAILS:
D24	CONNECT TO EXISTING STORM STRUCTURE RIM: 946.30 INV IN: 944.50 (W, 12") INV OUT: 944.50 (NE, 18")
D25	4' DIA. OPEN LID MANHOLE RIM: 947.90 INV IN: 944.81 (W, 12") INV OUT: 944.81 (E, 12")
D26	4' DIA. OPEN LID MANHOLE RIM: 948.00 INV IN: 945.10 (SW, 12") INV OUT: 945.10 (E, 12")
D27	4' DIA. STORM MANHOLE WITH CURB GRATE RIM: 947.95 INV OUT: 945.36 (NE, 12")
D28	CONNECT TO EXISTING STORM STRUCTURE RIM: 946.02 INV IN: 944.50 (S, 12") INV OUT: 944.50 (N, 15")
D29	4' DIA. OPEN LID MANHOLE IN CURB RIM: 948.62 INV IN: 945.01 (W, 12") INV OUT: 945.01 (N, 12")
D30	4' DIA. STORM MANHOLE WITH CURB GRATE RIM: 947.80 INV OUT: 945.53 (E, 12")

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GRADING & DRAINAGE PLAN

TOMMY'S

W249N6424 HIGHWAY 164
SUSSEX, WI 53089

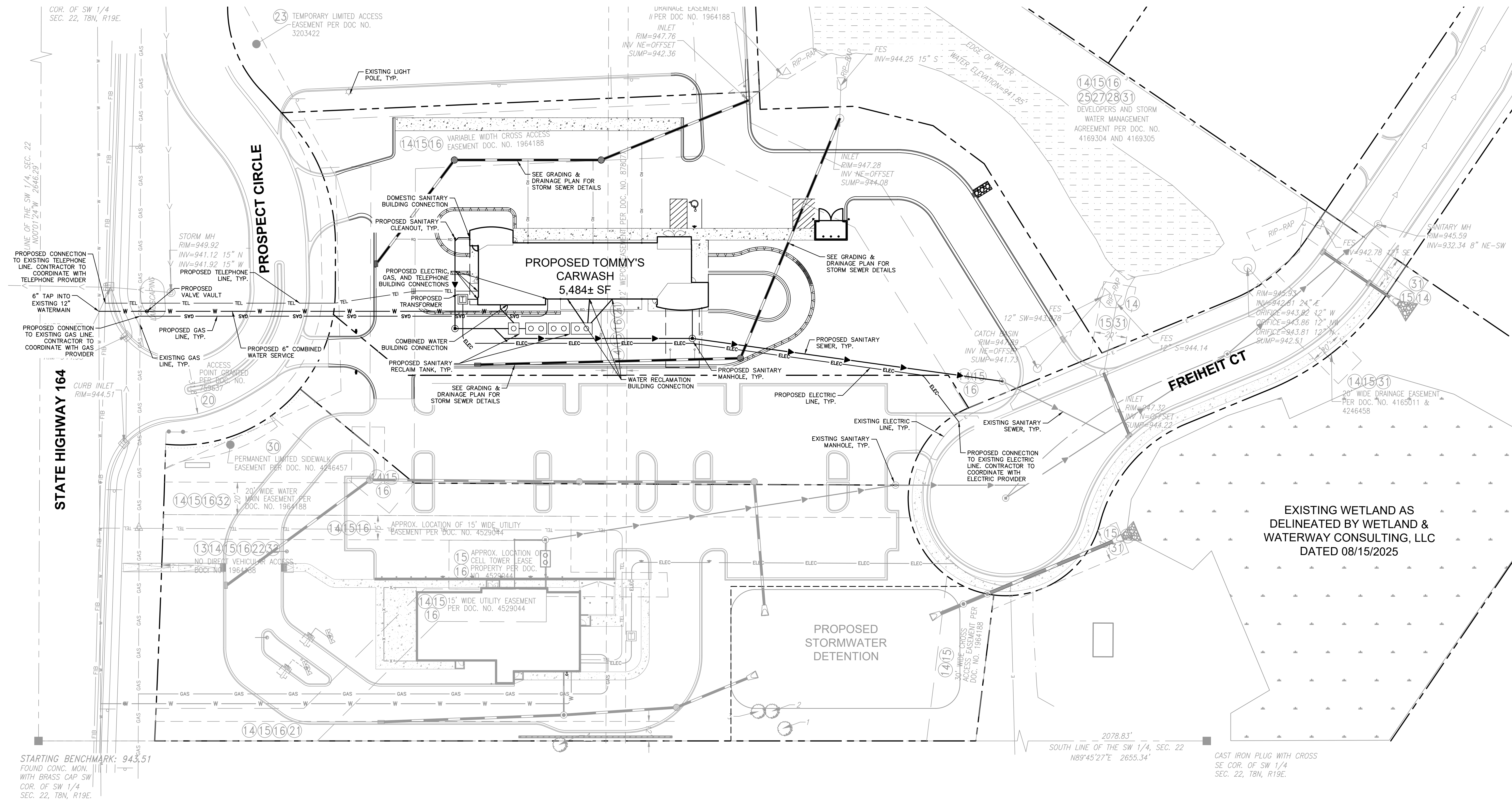
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	EX. WATER LINE		PROPOSED CLOSED LID STORM STRUCTURE (PAVEMENT USE NEENAH R-2540) (GRASS USE NEENAH R-4340-B BEEHIVE)
	EX. SANITARY SEWER LINE		PROPOSED STORM/SANITARY CLEANOUT
	EX. SANITARY SEWER MANHOLE		PROPOSED WATER LINE
	EX. STORM DRAIN LINE		PROPOSED VALVE BOX
	EX. STORM MANHOLE		PROPOSED LIGHT POLE
	EX. STORM STRUCTURE/INLET		PROPOSED TRANSFORMER PAD (FOR REFERENCE ONLY)
	EX. FLARED END SECTION		RIP RAP (SEE DETAILS)
	EX. GAS LINE		
	EX. GAS METER		
	EX. UNDERGROUND ELECTRIC LINE		
	EX. UNDERGROUND FIBER OPTIC LINE		
	EX. LIGHT POLE		
	PROPOSED UNDERGROUND ELECTRIC LINE		
	GAS LINE (BY GAS COMPANY)		
	PROPOSED PHONE LINE		
	PROPOSED STORM SEWER LINE		
	PROPOSED ROOF DRAIN LINE		
	PROPOSED STORM CLEANOUT		

1. ALL WATER LINES \pm 3" SHALL BE DUCTILE IRON PIPE, CLASS 52.
2. ALL SANITARY SEWER LINES SHALL BE PVC MEETING, ASTM D-3034 SDR 26 EXCEPT FOR SANITARY SEWER THAT CROSSES ABOVE WATER MAIN, THIS PIPE SHALL BE AWWA C900 (UNLESS WATER MAIN CASING IS UTILIZED). PROVIDE 42" MINIMUM COVER.
3. CONTRACTOR SHALL COORDINATE ANY DISRUPTIONS TO EXISTING UTILITY SERVICES WITH ADJACENT PROPERTY OWNERS.
4. ALL ELECTRIC AND TELEPHONE EXTENSIONS INCLUDING SERVICE LINES SHALL BE CONSTRUCTED TO THE APPROPRIATE UTILITY COMPANY SPECIFICATIONS. ALL UTILITY DISCONNECTIONS SHALL BE COORDINATED WITH THE DESIGNATED UTILITY COMPANIES.
5. CONSTRUCTION SHALL NOT START ON ANY PUBLIC UTILITY SYSTEM UNTIL WRITTEN APPROVAL HAS BEEN RECEIVED BY THE ENGINEER FROM THE APPROPRIATE GOVERNING AUTHORITY AND CONTRACTOR HAS BEEN NOTIFIED BY THE ENGINEER.
6. CONTRACTOR TO CALL "JULIE" (1-800-892-0123) TO COORDINATE FIELD LOCATIONS OF EXISTING UNDERGROUND UTILITIES BEFORE ORDERING MATERIALS OR COMMENCING CONSTRUCTION. NOTIFY ENGINEER OF ANY DISCREPANCIES IMMEDIATELY.
7. PRIOR TO THE CONSTRUCTION OF OR CONNECTION TO ANY STORM DRAIN, SANITARY SEWER, WATER MAIN OR ANY OTHER UTILITIES, THE CONTRACTOR SHALL EXCAVATE, VERIFY AND CALCULATE ALL POINTS OF CONNECTION AND ALL UTILITY CROSSINGS AND INFORM THE ENGINEER AND THE OWNER/ DEVELOPER OF ANY CONFLICT OR REQUIRED DEVIATIONS FROM THE PLAN. NOTIFICATION SHALL BE MADE A MINIMUM OF 72 HOURS PRIOR TO CONSTRUCTION. THE ENGINEER AND ITS CLIENTS SHALL BE HELD HARMLESS IN THE EVENT THAT THE CONTRACTOR FAILS TO MAKE SUCH NOTIFICATION. THE VILLAGE OF SUISSE SHALL BE NOTIFIED OF ANY AND ALL CHANGES TO THE DESIGN PLANS.
8. CONTRACTOR SHALL COMPLY COMPLETELY WITH THE LATEST STANDARDS OF OSHA DIRECTIVES OR ANY OTHER AGENCY HAVING JURISDICTION FOR EXCAVATION AND TRENCHING. THE CONTRACTOR SHALL USE SUPPORT SYSTEMS, SLOPING, BENCHING AND OTHER MEANS OF PROTECTION. THIS IS TO INCLUDE, BUT NOT LIMITED TO ACCESS AND EGRESS FROM ALL EXCAVATION AND TRENCHING. THE CONTRACTOR IS RESPONSIBLE FOR COMPLYING WITH PERFORMANCE CRITERIA AS REQUIRED BY OSHA.
9. CONTRACTOR TO AVOID DISRUPTION OF ANY ADJACENT TENANT'S TRAFFIC OPERATIONS DURING INSTALLATION OF UTILITIES.
10. ALL DIMENSIONS ARE TO CENTERLINE OF PIPE OR CENTER OF MANHOLE UNLESS NOTED OTHERWISE.
11. SEE ARCHITECTURAL AND MEP PLANS FOR EXACT UTILITY CONNECTION LOCATIONS AT BUILDING.
12. LIGHT POLES SHOWN FOR COORDINATION PURPOSES ONLY AND DO NOT REPRESENT ACTUAL SIZE. SEE SITE LIGHTING PLANS BY OTHERS FOR MORE INFORMATION.
13. SEE DETAILS FOR LOCATING STORM STRUCTURES WITHIN THE CURB LINE.
14. STORMWATER FACILITIES MUST BE FUNCTIONAL BEFORE BUILDING CONSTRUCTION BEGINS IF REQUIRED BY AUTHORITY HAVING JURISDICTION.



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UTILITY PLAN

TOMMY'S

TOMMY'S

TOMMY'S

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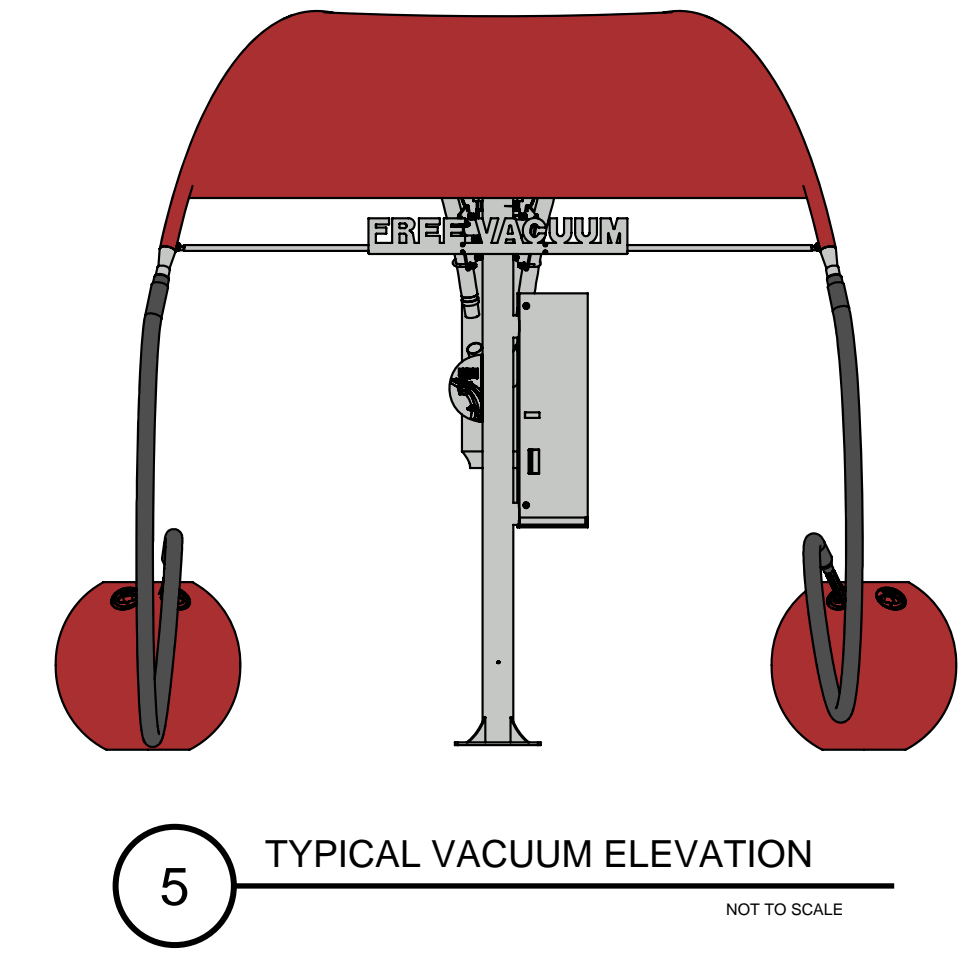
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REVISION SCHEDULE

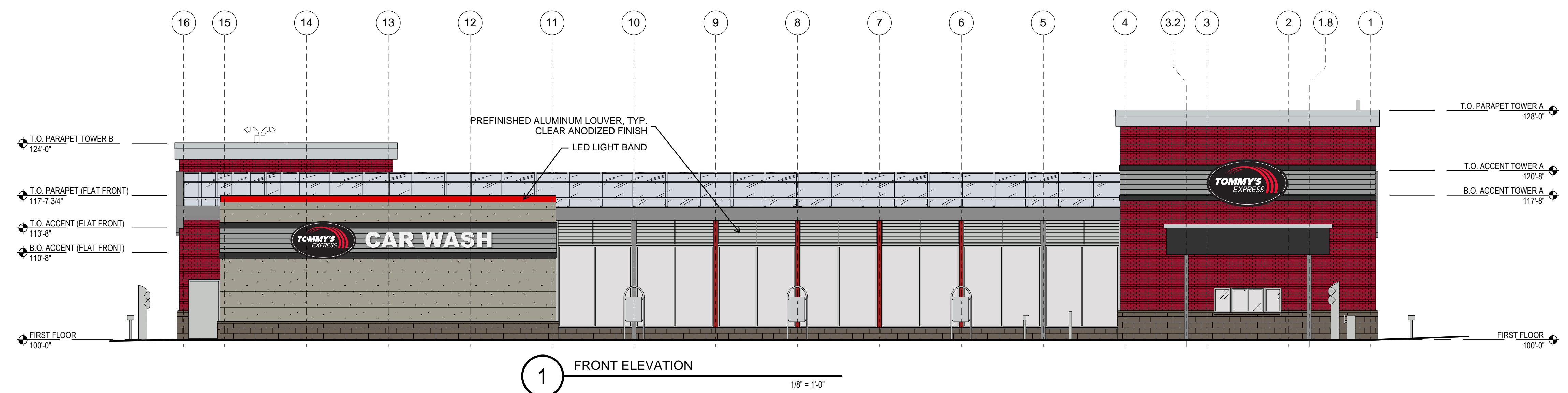
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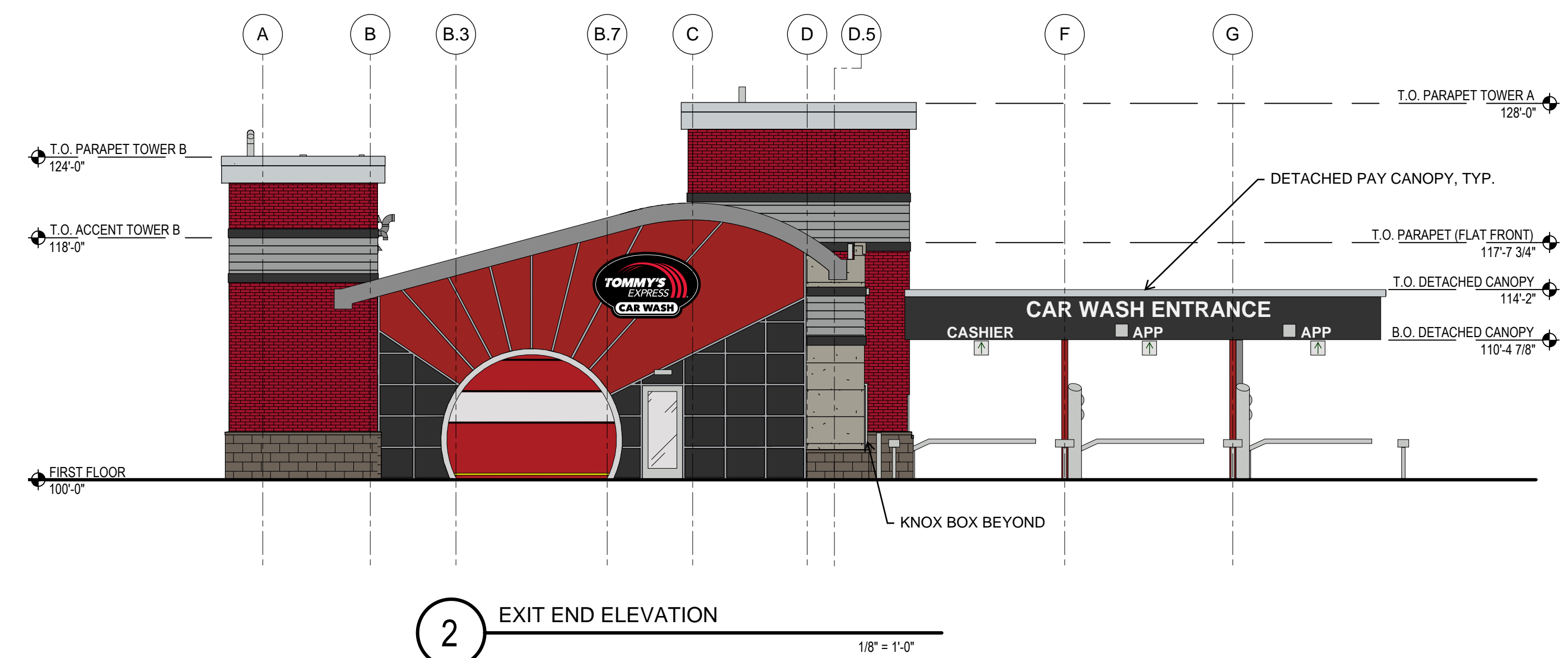
TOMMY'S EXPRESS CAR WASH
EXTERIOR ELEVATIONS
P0000 CITY, STATE



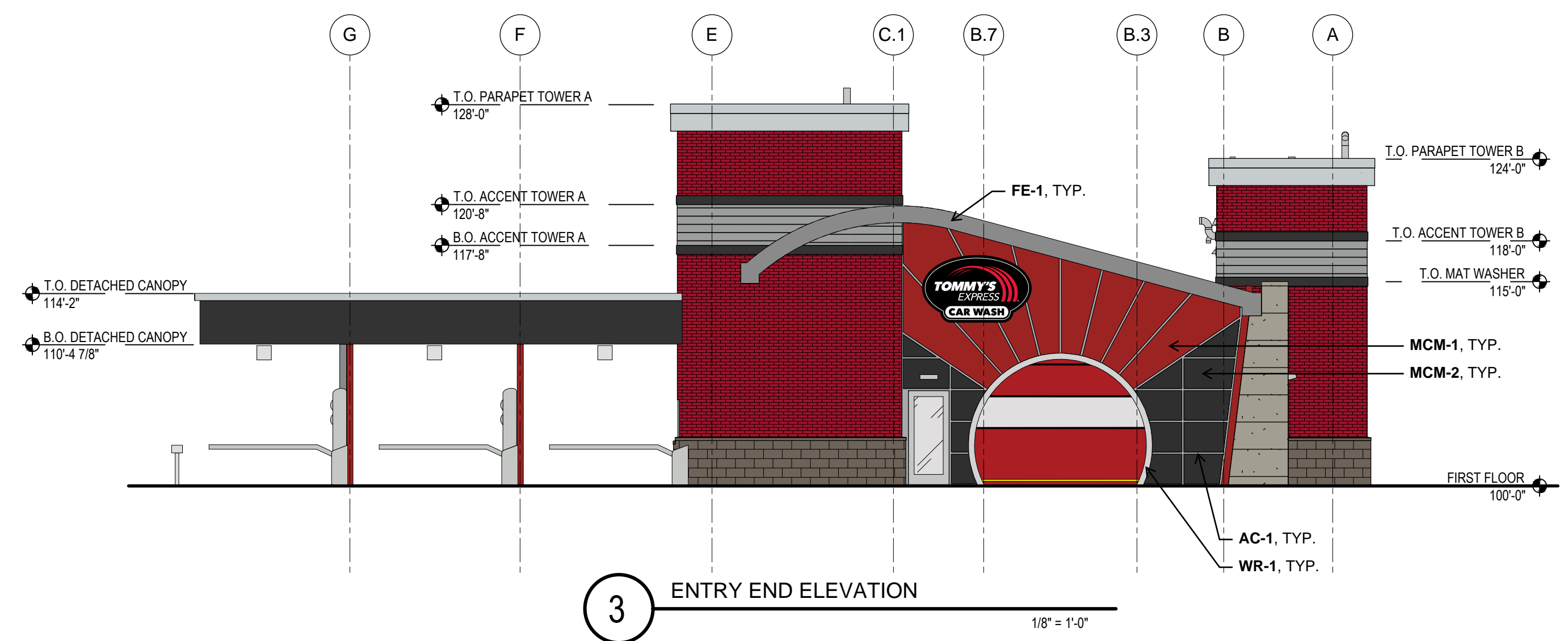
5 TYPICAL VACUUM ELEVATION
NOT TO SCALE



1 FRONT ELEVATION
1/8" = 1'-0"

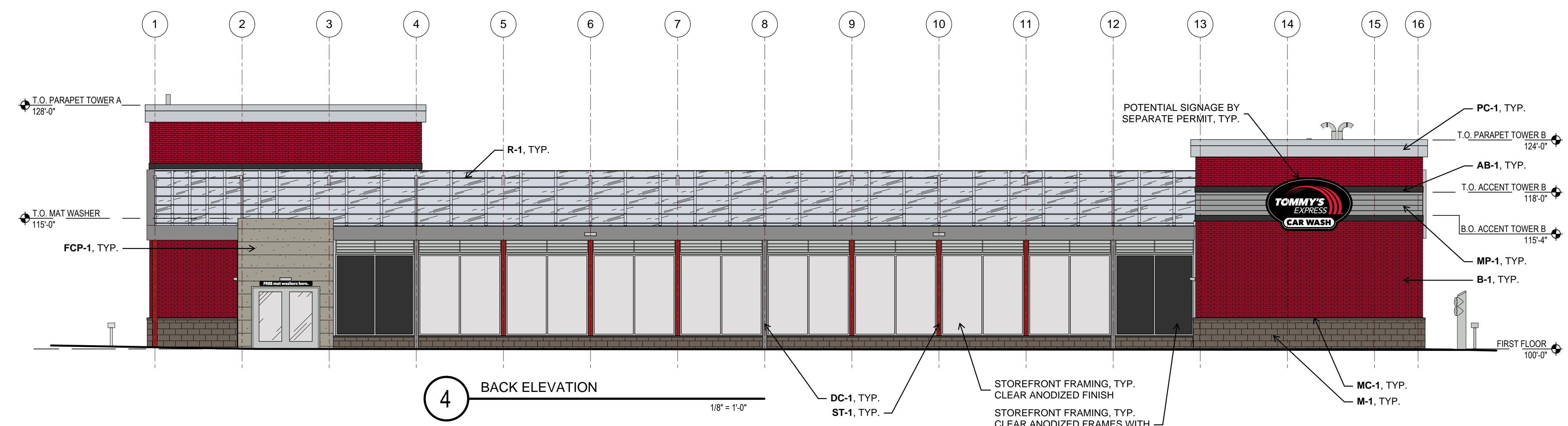


2 EXIT END ELEVATION
1/8" = 1'-0"



3 ENTRY END ELEVATION
1/8" = 1'-0"

TAG	MATERIAL	MFR.	DESCRIPTION	MFR. COLOR
ST-1	STRUCTURAL STEEL	PROSPANT	5-STAGE POWDER COATED	RAL 3001
MP-1	PREFINISHED PROFILED MCM, TOWER BANDING	ATAS	BELVEDERE 7.2" RIB PANEL	SILVERSMITH
B-1	BRICK, MAIN TOWER FINISH	ELGIN BUTLER	GLAZED BRICK	CLASSIC RED #8800
M-1	CMU BLOCK	CONSUMERS	4" SPLIT FACE VENEER	ASH (MORTAR COLOR TO MATCH)
MC-1	PRECAST STONE		MASONRY CAP	TO MATCH M-1
FCP-1	FIBER CEMENT PANEL	NICHIHA	AWP1818 - ARCH. BLOCK, MODERN SERIES	GRAY
AB-1	PREFINISHED MCM, TOWER BANDING	ATAS	FLAT SHEET AND COIL	BLACK
PC-1	PREFINISHED MCM, TOWER FASCIA	ARCONIC	REYNOBOND COMPOSITE PANEL	BRIGHT SILVER METALLIC
MCM-1	PREFINISHED MCM, END WALLS	CITADEL	SINOCORE	RAL 3001
MCM-2	PREFINISHED MCM, END WALLS	CITADEL	SINOCORE	EBONY
AC-1	PREFINISHED MCM, END WALL REVEALS	TUBELITE	200 SERIES CURTAINWALL	CLEAR ANODIZED
DC-1	PREFINISHED MCM, DOWNSPOUT COVERS	ALPOLIC	4MM PE CORE	TBX METALLIC SILVER
WR-1	PREFINISHED MCM, GARAGE DOOR WRAPS	CITADEL	ENVELOPE 2000 SYSTEM	CLEAR SATIN ANODIZED
FE-1	PREFINISHED MCM, ROOF FASCIA	ALPOLIC	4MM PE CORE	TBX METALLIC SILVER
R-1	ACRYLIC ROOF SYSTEM	ACRYLITE	HEATSTOP HIGH IMPACT MULTI-SKIN	WZO11 - COOL BLUE WHITE



4 BACK ELEVATION
1/8" = 1'-0"

NOT FOR CONSTRUCTION
FOR REFERENCE ONLY

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 17.0418 B-3 Highway 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
 - (b) Entertainment Facilities, such as arcades, bowling alleys, golf facilities, miniature golf facilities, pool and billiard halls, where the space of the use is under 30,000 square feet.
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, for a drive-through the Plan Commission must find that the vehicle stacking and noise from its operation will not impact surrounding properties.
 - (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.
- 11. Housing
 - (a) Single-Family residential detached homes only if the use is constructed prior to January 1, 2010.

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.

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.

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-ofway 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.

2025
VILLAGE OF SUSSEX ORDER GRANTING A
CONDITIONAL USE AND PRESCRIBING CONDITIONS
FOR A TOMMY’S CAR WASH IN THE
B-2 REGIONAL BUSINESS ZONING DISTRICT
IN THE VILLAGE OF SUSSEX

WHEREAS, an application has been filed by Tommy’s Car Wash, on the subject property (hereinafter collectively “Petitioners”); and

WHEREAS, the Petitioner is requesting a conditional use permit be granted pursuant to the Zoning Ordinance for the Village of Sussex for the property identified by Tax Key Number SUXV0231989008, in the Village of Sussex, Wisconsin, all as described on **Exhibit A** attached hereto and incorporated herein (hereinafter “Subject Property”); and

WHEREAS, the Petitioner has submitted a Certified Survey Map to the Village of Sussex that if approved will change the legal description of the property attached as **Exhibit A** and potentially the Tax Key Number for the property. An updated **Exhibit A** will be attached to this Conditional Use Permit as **Exhibit A.1**; and,

WHEREAS, upon referral of the application by the Village Clerk, the Plan Commission for the Village of Sussex determined that the application met all requirements as set forth in Section 17.0502 and scheduled a public hearing thereon as soon as practical; and

WHEREAS, upon publication of the required “Notice of Public Hearing” and mailing of said “Notice of Public Hearing” to all parties-in-interest as required by Section 17.1401 of the Zoning Ordinance, the Plan Commission held a public hearing on July 15, 2025 and August 19, 2025 as required by Section 17.0505 of the Zoning Ordinance for the Village of Sussex; and

WHEREAS, the Plan Commission has followed the review procedures of Section 17.0503 by reviewing 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; and

WHEREAS, the Subject Property is zoned B-2 Regional Business District; and

WHEREAS, a new carwash facility at the subject property requires a conditional use permit under Section 17.0506(9)(A)(1); and

WHEREAS, the Plan Commission for the Village of Sussex finds that the petitioner’s proposed conditional use, if said use is carried out in strict compliance with the conditions described herein, is not adverse to the public health, safety, or welfare; it is not in conflict with the spirit or intent of the Village of Sussex Zoning Ordinance; and it is not otherwise detrimental to the community and particularly the surrounding neighborhood; and

WHEREAS, the Plan Commission for the Village of Sussex, following the public hearing and necessary study and investigation, having given the matter due consideration, and having based its determination on the effect of granting such conditional use permit on the health, general welfare, safety, and economic prosperity of the Village and specifically of the immediate neighborhood in which said use will be located, and having given due consideration to the municipal problems involved, as well

as impact on the surrounding properties as to noise, dust, smoke, odor, or other similar factors, hereby determines that the use will not violate the spirit or intent of the Zoning Ordinance 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 a hazardous, harmful, noxious, offensive, or nuisance by reason of smoke, dust, odor, or other similar factors 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 conditional use is operated pursuant to the following conditions and in strict compliance with the same.

THEREFORE, IT IS ORDERED AS FOLLOWS:

Commencing upon the date hereof, a conditional use permit for the Subject Property is hereby granted. The conditional use permit granted herein shall apply only to the specific use of the Subject Property by the Petitioners for a new carwash facility as set forth in Section 17.0506 Conditional Uses if approved as part of a Plan of Operation and site plan; and the conditional use permit shall continue in existence only so long as the conditional use is operated in compliance with this permit. This conditional use permit is subject to initial and continued compliance with each and every one of the following conditions, restrictions, and limitations.

- A. This conditional use is granted for the Petitioner for the above enumerated uses, incorporating the findings as set forth above and subject to the following conditions:
1. Presentation Compliance. The new carwash facility is approved herein on the Subject Property, and the use thereof, shall be used in substantial conformity with the presentation at the Public Hearings before the Plan Commission held on July 15, 2025 and August 19, 2025.
 2. Subject Property. This conditional use permit issued to the Petitioners, shall be limited to the property described in **Exhibit A** attached hereto and incorporated herein and to the site plan presented at public hearing.
 3. Plans. The Petitioners are required and must have all plans current, approved by the Plan Commission for the Village of Sussex, and on file with the Village Clerk for the Village of Sussex in order for this Conditional Use to be in effect. The Petitioner shall be entitled to amend or change any plan contemplated herein subject to the specific language of the Conditional use and subject to the Plan Commission for the Village of Sussex approval and without a public hearing, if such amendments and/or change is not a substantial amendment or change in any plan contemplated herein as solely determined by the Plan Commission. If the Plan Commission for the Village of Sussex feels, in its sole discretion, that the amendment or change to any plan contemplated herein is substantial, the amendment or change will require a new permit and all Village procedures in place at the time must be followed.
 - A. Site Plan. The Petitioners shall comply with the site plan, which shall be attached hereto and incorporated herein as **Exhibit B**.
 - B. Plan of Operation. The Petitioners shall submit to and receive approval from the Village Plan Commission a specific plan of operation for the Subject Property, the same to be in substantial conformance with the preliminary plans on file and with the presentations at the Meetings. Once approved the plan of operation shall be attached hereto and incorporated herein as **Exhibit C**.

- C. Traffic, Access, Loading, and Parking Plans. The Petitioner shall comply with the existing traffic parking, loading, and egress plan for the subject property on file with the Village Clerk.
 - D. Lighting Plan. The Petitioner shall maintain the proposed lighting plan for the Subject Property on file with the Village Clerk
 - E. Signage Plan. The Petitioner must submit a signage plan for the subject property on file with the Village Clerk.
 - F. Public Improvements. All public improvements shall be permitted through the Village of Sussex.
 - G. Sewer, Water, Stormwater and Erosion Control Plans. The Petitioner shall comply with the specific sewer, water, stormwater, and erosion control plans on file with the Village Clerk.
 - H. Fence, Landscaping, Berm, and Open Space Utilization Plan. The Petitioner shall comply with the specific Fence, Landscaping, Berm, and Open Space Utilization Plan for the Subject Property incorporated herein as **Exhibit D**.
 - I. Architectural and Building Plan. The Petitioner shall comply with the specific Architectural and Building Plan for the Subject Property incorporated herein as **Exhibit E**.
 - J. Outdoor Storage and Uses Plan. There shall be no outdoor storage at the subject property associated with the carwash facility. If the Petitioner wishes to have additional outdoor storage they must seek approval from the Plan Commission without a new public hearing unless the Plan Commission determines a public hearing is necessary.
- 4. Adult-Oriented Materials. No adult-oriented materials or pornographic videotapes, magazines, or gift items will be sold or rented from the subject facility.
 - 5. Licenses. The Petitioner shall be required to obtain any and all required licenses and permits from the Village, County, State, and Federal Government. If any license or permit is issued, any and all conditions of the same are incorporated herein and made a part of this conditional use permit.
 - 6. Laws. The Petitioner shall comply with all Federal, State, County, and local rules, codes, ordinances, and regulations in the construction, operation, and maintenance of the Subject Property.
 - 7. Building and Fire Inspection. The Petitioner is required to keep the Subject Property in compliance with all federal, State, and local laws, statutes, codes, ordinances, policies, and guidelines as determined by the Building and Fire Inspectors of the Village of Sussex.
 - 8. Aesthetics. The Petitioner is required to properly maintain the Subject Property at all times and in full compliance with the Village Property Maintenance Code, Section 9.07

of the Village of Sussex Code all to the satisfaction of the Plan Commission for the Village of Sussex.

9. Junk. No junk shall be accumulated or stored on the Subject Property. No burying or burning of junk is permitted on the Subject Property. No junk vehicles, trailers, or other pieces of equipment that are inoperable shall be stored on the Subject Property.
10. Temporary Use or Activity. No temporary use or special activity or event shall be permitted without prior approval of the Plan Commission of the Village of Sussex and the same must be in compliance with all ordinance, rules, and regulations of the Village of Sussex and all necessary permits must be obtained except for as allowed by Outdoor Establishment Permit under Chapter 4 or Auxiliary Use under Section 17.0710.
11. Fees and Expenses. The Petitioner, upon issuance of this conditional use permit, shall reimburse the Village of Sussex for all expenses incurred by the Village, including, but not limited to, expenses for the Village Administrator, Village Engineer, Village Attorney, and all other professionals and technical assistance realized by the Village in approving and granting this conditional use permit. The Village Clerk shall provide the Petitioner with copies of all itemized invoices.
12. Enforcement. Any attorney fees incurred by the Village of Sussex to enforce any of the conditions or requirements of this conditional use permit must be paid by the Petitioner.
13. Complaints. In the event the Petitioner receives any complaints with regard to the operation authorized by this conditional use, the Petitioner shall respond to such complaints in writing within a reasonable time not to exceed two weeks from the date of the complaint and shall provide a copy of the written response to the Sussex Village Administrator within the same period of time. If the complaint was made in writing, the copy provided to the Village Administrator shall include a copy of the complaint.
14. No Nuisance. The Village reserves the right to rescind its approval of this conditional use permit based upon the finding that the use is incompatible and a nuisance to surrounding uses, that the use is not in the public interest, or that the use adversely affects the use of adjacent lands, provided the Petitioner is given an opportunity to be heard on the matter and, if so rescinded the Petitioner and Subject Property shall thereupon be immediately subject to the Village of Sussex Zoning Ordinances , as applicable, regarding the use of the Subject Property as though no conditional use permit was granted.
15. Subject to Acceptance. Subject to the Owner approving in writing the issuance of the same and Petitioner acknowledging in writing 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.
16. Review. The Plan Commission for the Village of Sussex reserves its right to review the operation and amend the conditional use permit as the Plan Commission for the Village of Sussex deems appropriate.

17. RCA Sewer Agreement. The Petitioner shall enter into an RCA Sewer Agreement with the Village of Sussex attached as **Exhibit F**.
- B. Any use not specifically listed as permitted shall be considered to be prohibited except as may be otherwise specifically provided herein. In case of a question as to the classification of use, the question shall be submitted to the Plan Commission for the Village of Sussex for determination.
- C. No use is hereby authorized unless the use is conducted in a lawful, orderly and peaceful manner. Nothing in this order shall be deemed to authorize any public or private nuisance or to constitute a waiver, exemption or exception to any law, ordinance, order or rule of either the Village of Sussex, the County of Waukesha, the State of Wisconsin, the United States of America or other duly constituted authority, except only to the extent that it authorizes the use of the Subject Property above described in any specific respects described herein. This order shall not be deemed to constitute a building permit, nor shall this order constitute any other license or permit required by Village ordinance or other law.
- D. This conditional use hereby authorized shall be confined to the Subject Property described, without extension or expansion other than as noted herein, and shall not vary from the purposes herein mentioned unless expressly authorized in writing by the Plan Commission for the Village of Sussex as being in compliance with all pertinent ordinances.
- E. Should the permitted conditional use be abandoned in any manner, or discontinued in use for twelve (12) months, or continued other than in strict conformity with the conditions of the original approval, or should the Petitioner be delinquent in payment of any monies due and owing to the municipality, or should a change in the character of the surrounding area or the use itself cause it to be no longer compatible with the surrounding area or for similar cause based upon consideration of public health, safety or welfare, the conditional use may be terminated by action of the Plan Commission for the Village of Sussex.
- F. Any change, addition, modification, alteration and/or amendment of any aspect of this conditional use, including but not limited to a change in the use, premises, lands or owners, other than as specifically authorized herein, shall require a new permit and all Village procedures in place at the time must be followed.
- G. Unless this conditional use permit expressly states otherwise, plans that are specifically required by this conditional use order may be amended upon the prior approval of the Plan Commission if the Plan Commission finds the plan amendment to be minor and consistent with the conditional use permit. Any change in any plan that the Plan Commission, in its sole discretion, finds to be substantial shall require a new permit, and all procedures in place at the time must be followed.
- H. Should any paragraph or phrase of this conditional use permit be determined by a Court to be unlawful, illegal, or unconstitutional, said determination as to the particular phrase or paragraph shall not void the rest of the conditional use and the remainder shall continue in full force and effect.
- I. This conditional use permit shall be effective subject to the following:
1. Where this permitted conditional use does not continue in conformity with the conditions of the original approval or subsequent approved amendments or changes, the

conditional use grant and any subsequent approved amendments thereto may be amended or terminated by action of the Plan Commission for the Village of Sussex. The Plan Commission for the Village of Sussex may require complete termination of such use.

2. This conditional use may be reviewed annually. Additionally, this conditional use may be reviewed by the Plan Commission for the Village of Sussex at any time upon complaint or upon Plan Commission initiative.
- J. Upon acceptance by Petitioner of this conditional use permit, all prior conditional use permits granted to the Subject Property are hereby revoked and terminated.
- K. If any aspect of this conditional use permit or any aspect of any plan contemplated and approved under this conditional use is in conflict with any other aspect of the conditional use or any aspect of any plan of the conditional use, the more restrictive provision shall be controlling as determined by the Plan Commission for the Village of Sussex.
- L. If any paragraph or phrase of this conditional use order is declared by a Court of competent jurisdiction to be invalid, unlawful, or unenforceable, such decision shall apply only to the specific paragraph or phrase thereof directly specified in the decision and shall not affect the validity of any other provisions, sections, or portions thereof of this order. The remainder of the order shall remain in full force and effect.

Let copies of this order be filed in the permanent records of the Plan Commission for the Village of Sussex, and let copies be sent to the proper Village authorities and the Petitioner.

Approved this _____ day of _____, 2025 BY THE PLAN COMMISSION FOR THE VILLAGE OF SUSSEX

Anthony LeDonne
Village President

Jennifer Boehm
Village Clerk

PETITIONER ACCEPTANCE

I hereby accept the terms of this Conditional Use in its entirety.

Dated this _____ day of _____, 2025

Agent

This conditional use was drafted by Jeremy Smith, Village Administrator off of a model by Attorney John P. Macy ARENZ, MOLTER, MACY & RIFFLE, S.C., Village Attorneys for the Village of Sussex.

EXHIBIT A

LOT 1 CSM #12086 VOL 123/172 REC AS DOC #4529044 CORRECTED BY DOC #4549890 BEING REDIV PT LOT 1 CSM #11483 & REDIV LOT 2 CSM #11349 BEING PT SW1/4 OF SW1/4 SEC 22 T8N R19E :: ALSO A RECIPROCAL ACCESS EASEMENT RECORDED AS DOC #4528934 ON 11/10/2020 :: ALSO UNDIV INTEREST OUTLOT 1 CSM #11349 REC AS DOC #4165011

EXHIBIT B

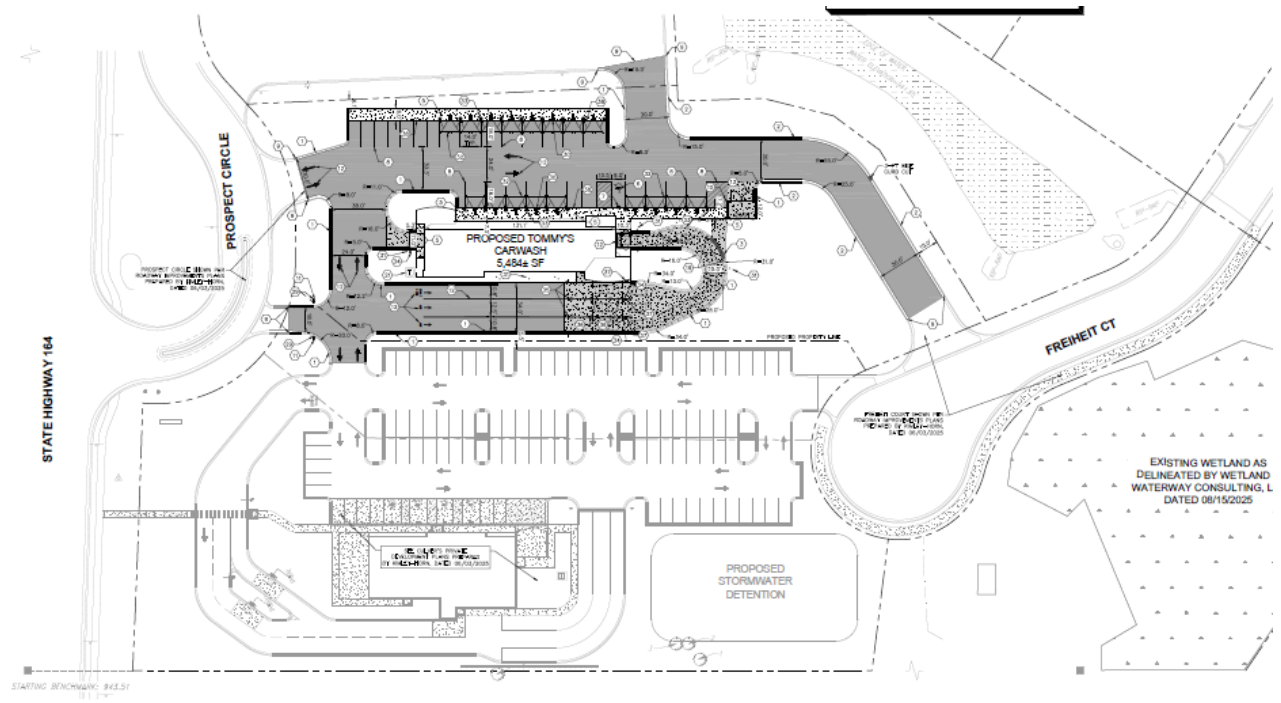
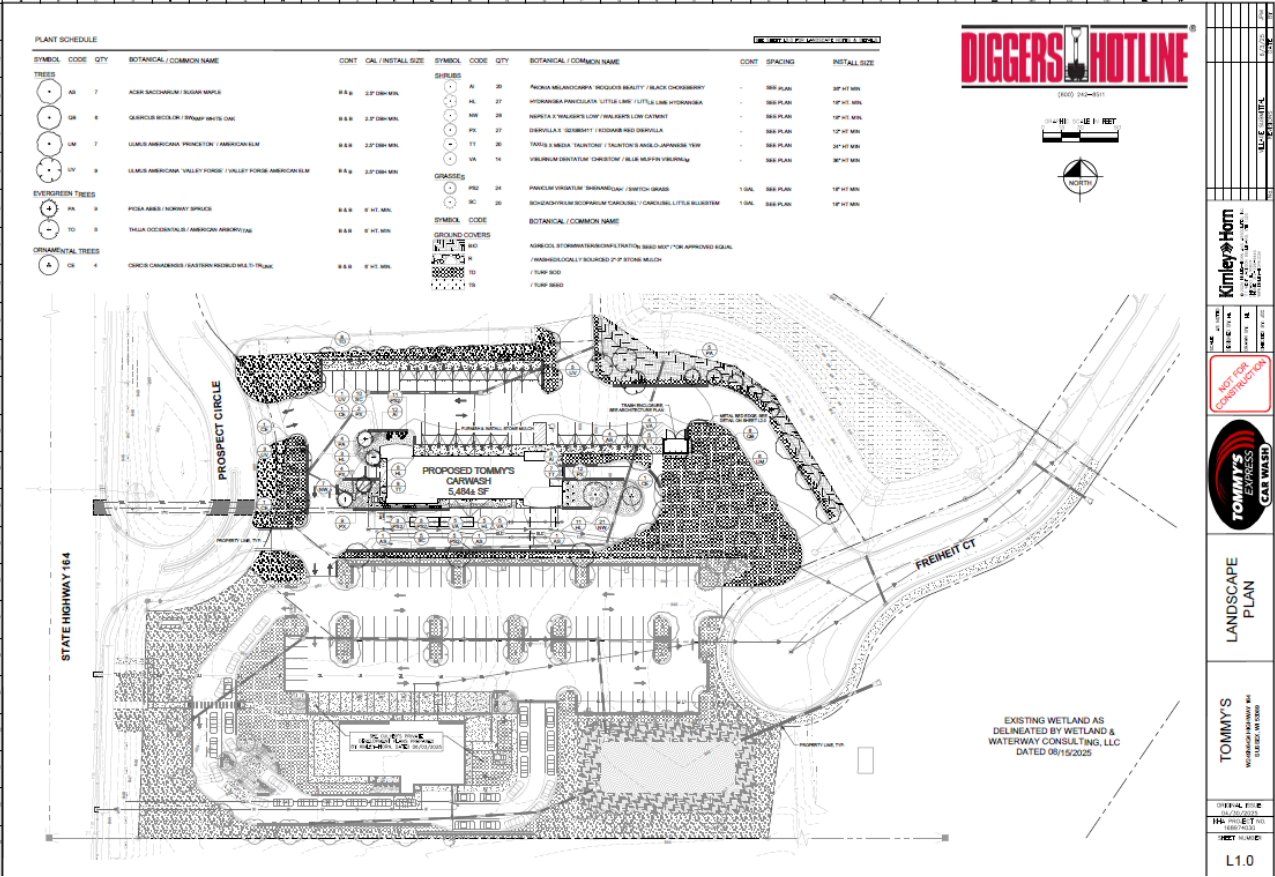


EXHIBIT C

Plan of Operation

EXHIBIT D



12

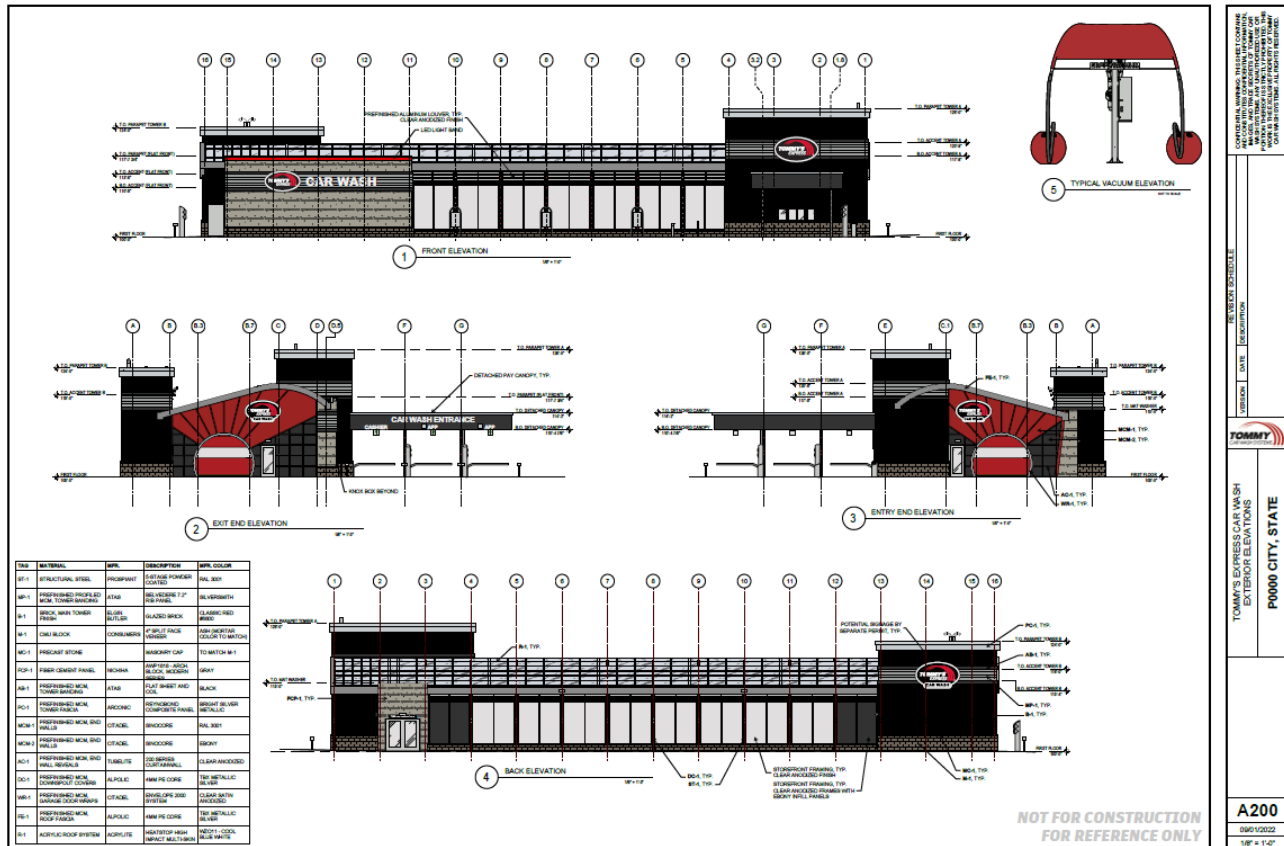


EXHIBIT F

RCA SEWER AGREEMENT

Document Number

RCA SEWER AGREEMENT
TOMMY’S CARWASH

Recording Area

Name and Return Address:

Gabriel Gilbertson,. Dev. Director
Village of Sussex
N64W23760 Main Street
Sussex, WI 53089

Tax Identification Number (PIN)

SUXV0231989008

THIS INSTRUMENT WAS DRAFTED BY: Attorney John Macy Arenz, Molter, Macy, Riffle, Larson & Bitar
Municipal Law & Litigation Group, S.C.

AGREEMENT

THIS AGREEMENT dated this ____ day of _____, 2025, between Tommy's Car Wash (hereinafter collectively "Petitioners"), and the Village of Sussex, a municipal corporation of the State of Wisconsin, located in Waukesha County (hereinafter referred to as the "Village").

WHEREAS, Petitioner desires to construct a carwash on the parcel identified by Tax Key Number SUXV0231989008 in the Village of Sussex, Waukesha County, Wisconsin (hereinafter referred to the "Property"); and

WHEREAS, pursuant to the conditions of approval for the Conditional Use Permit and Building Permit and based upon annual projected water usage of 2,841,120 gallons per year the Village levied a reserve capacity assessment for sanitary sewer systems in the amount of \$6,377 per REC (A REC is 52,000 gallons) which equates to 54.64 RECs; and

WHEREAS, pursuant to the conditions of approval for the Conditional Use Permit and prior to the issuance of a building permit Petitioner shall pay the Village the fee of \$348,419.00 for the reserve capacity assessment (RCA) for sanitary sewer systems to be used by the Village in the Village's sanitary sewerage collection and treatment facilities; and

WHEREAS, Petitioner does not have precise water usage data nor can the Village precisely calculate the water usage that this use will have, but rather has estimated usage figures; and

WHEREAS, Petitioner and the Village shall enter into an agreement regarding the reserve capacity assessment for sanitary sewer systems in the event that actual water usage exceeds the projected water usage of 2,841,120 gallons.

NOW, THEREFORE, in consideration of the foregoing, and for other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged by the parties hereto, Petitioner and the Village hereby agree as follows:

1. Reserve Capacity Assessment- Sanitary Sewer.

As provided in the Village Land Division and Development Ordinance, the Petitioner has paid as a one-time fee a reserve capacity assessment to be used by the Village in the Village's sanitary sewerage collection and treatment facilities for the benefit of Tommy's Carwash. The projected reserve capacity assessment was based upon water usage of 54.64 RECs at a rate of \$6,377 per REC, for a sum of \$348,419.00, which sum shall be paid prior to the issuance of a building permit.

In the event that actual water usage by Petitioner exceeds 2,841,120 gallons per year, the Village may levy an assessment against the Property based upon the difference between the 2,841,120 gallons and the actual water used per year. If there is additional water usage the charge will be based on the number of additional REC's and fractions therein multiplied by the rate per REC in effect for that year.

Petitioner 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, Subsection VII, Wisconsin Statutes and agrees that the Village may proceed immediately to levy the Special Assessments as outlined herein.

Petitioner further waived its right to appeal from the Special Assessments and stipulates that the amount of the Special Assessment levied against its property has been determined on a reasonable basis and the benefits to its property from the proposed improvements exceed the amount of the Special Assessment against such property.

In addition, Petitioner 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.

2. The Village will look at REC usage annually for the first five years after occupancy of the building is granted to verify water usage per this agreement. Petitioner also understands that if changes are made to the use of the facility that result in additional water/sewer usage that additional REC's may be due at that time of change of use of the facility, if such use occurs.

The Village does not waive any rights provided under Sussex Sewer Service Code, including those with regard to enlargement, adjustment, termination or limitation to any changes to charges.

3. This agreement is binding upon Petitioner, owners, their successors and assigns, and any and all future owners of the property (the "Successors").

Approved on _____, 2025

Petitioner

By: _____

Date _____

Owner(s) Print name: _____

State of _____

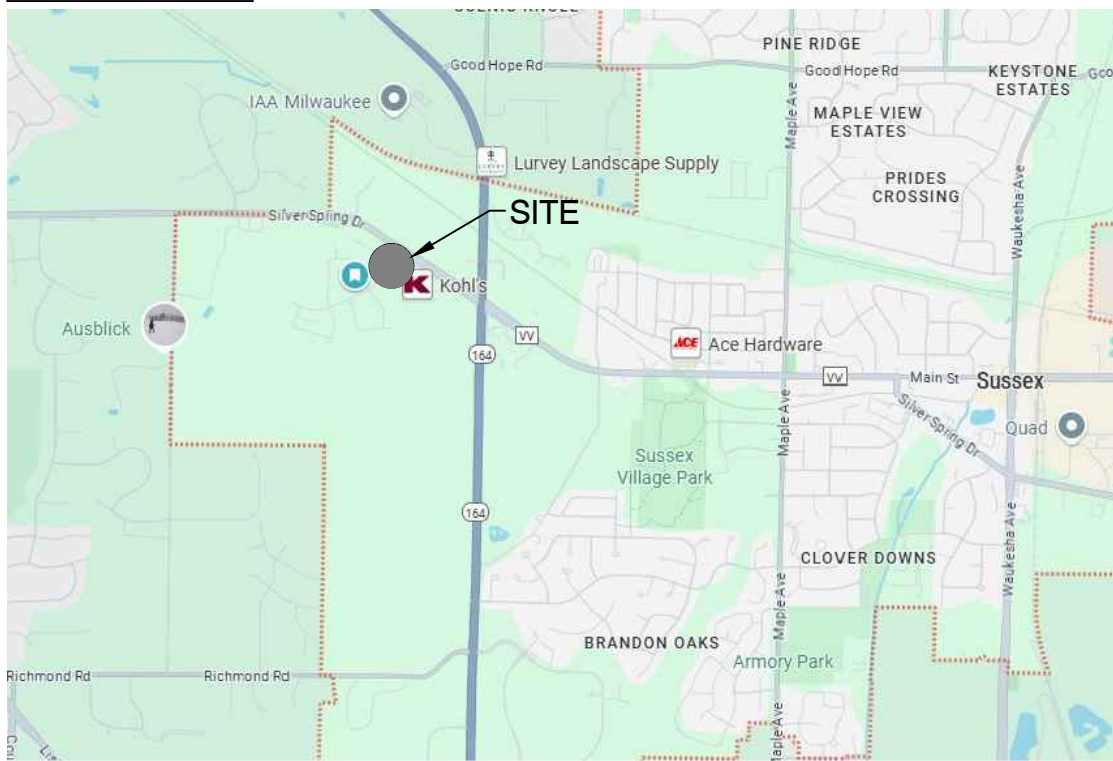
County of _____

Personally came before me this _____ day of _____ 2025 the above named _____, Authorized Signatory of Bubbles Foam Farm Carwash, the foregoing instrument and acknowledgement the same.

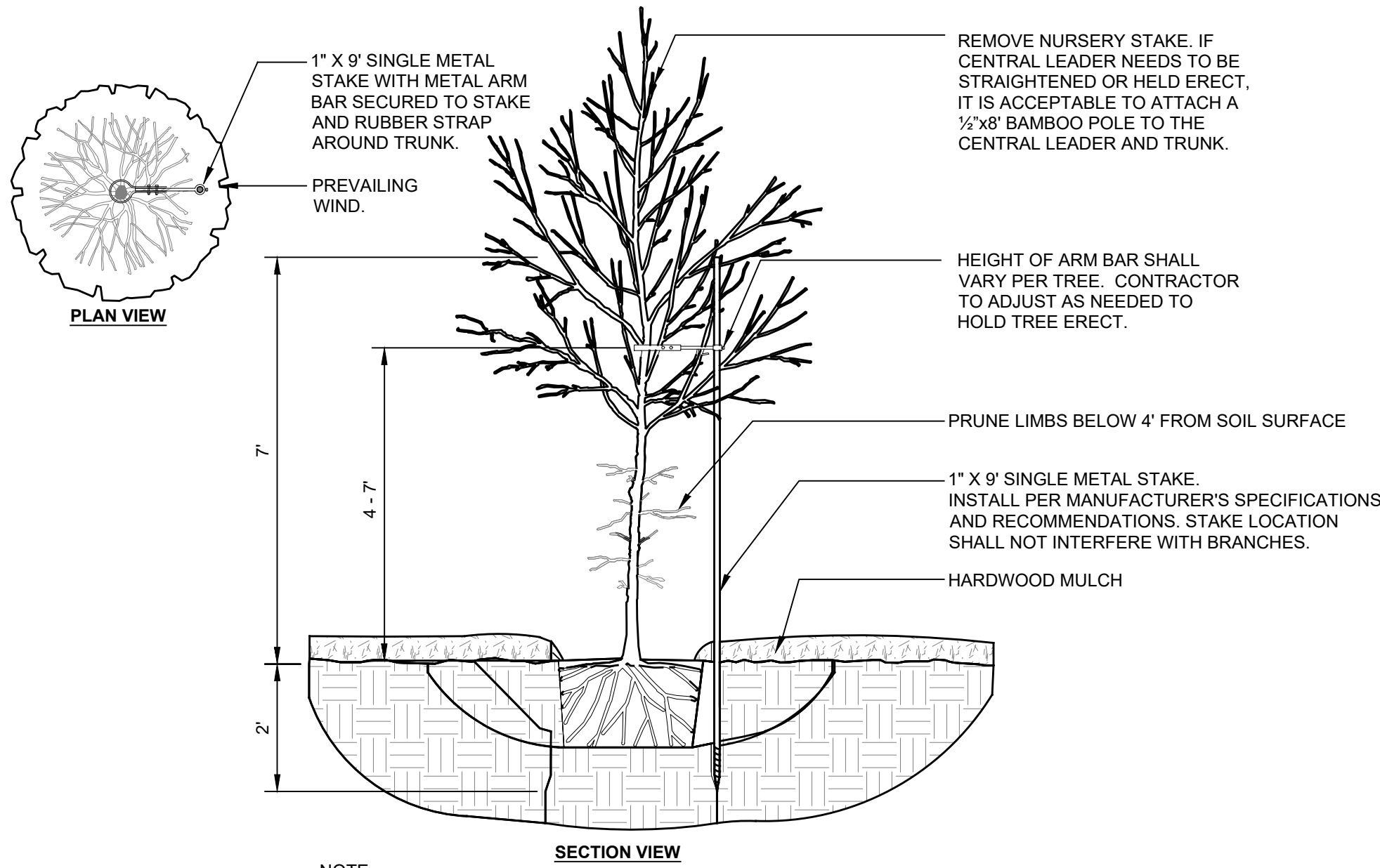
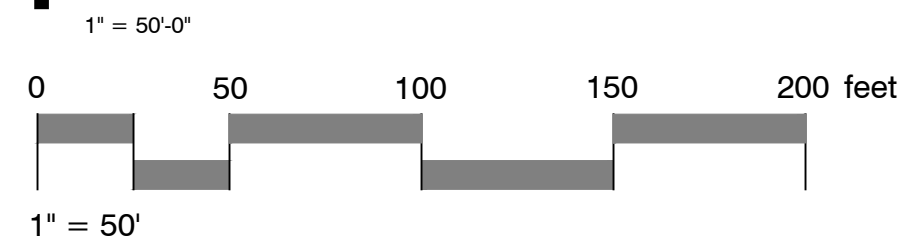
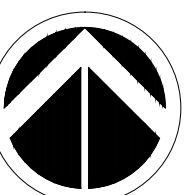
Notary printed name: _____

My commission expires _____

LOCATION MAP



1 LANDSCAPE PLAN



- NOTE:
- 1) TOP SURFACE ELEVATION OF MULCH IS TO BE AT THE FINISH GRADE ELEVATION AND SHOULD NOT BLOCK DRAINAGE.
 - 2) CONTRACTOR SHALL PROVIDE ADDITIONAL METAL STAKES AS REQUIRED TO KEEP TREE UPRIGHT AT NO ADDITIONAL EXPENSE TO CLIENT.

2 TREE DETAIL

PLANT SCHEDULE

SYMBOL	QTY	BOTANICAL NAME	COMMON NAME	SIZE	CONTAINER
TREES					
	3	ACER SACCHARUM	SUGAR MAPLE	2.5" CAL.	B&B
	1	AESCULUS GLABRA 'JN SELECT'™	EARLY GLOW BUCKEYE	2.5" CAL.	B&B
	2	AMELANCHIER X GRANDIFLORA 'AUTUMN BRILLIANCE'	AUTUMN BRILLIANCE SERVICEBERRY	25 GAL.	B&B
	2	GLEDITSIA TRIACANTHOS 'SKYLINE'	SKYLINE HONEY LOCUST	2.5" CAL.	B&B
	16	PICEA GLAUCA 'DENSATA'	BLACK HILLS WHITE SPRUCE	5' HT.	B&B
	3	TILIA AMERICANA 'MCKSENTRY'	AMERICAN SENTRY LINDEN	2.5" CAL.	B&B
	2	TILIA CORDATA 'GREENSPIRE'	GREENSPIRE LINDEN	2.5" CAL.	B&B
	2	ULMUS AMERICANA 'VALLEY FORGE'	AMERICAN ELM	2.5" CAL.	B&B

LANDSCAPE NOTES

1. TREE SPACING TO BE 50' ON CENTER (MAX. TREE SPACING TO BE 100' ON CENTER WHEN TAKING INTO ACCOUNT HARDSCAPE AND ALL UTILITIES)
2. TREES NOT TO BE PLANTED WITHIN 30' FROM INTERSECTIONS TO ENSURE VISION OF VEHICULAR & PEDESTRIAN TRAFFIC
3. TREES NOT TO BE PLANTED WITHIN 5' FROM DRIVEWAYS AND 10' FROM FIRE HYDRANTS, CONTRACTOR TO CONFIRM TREE LOCATIONS IN FIELD.
4. TREES NOT TO BE PLANTED WITHIN 5' OF BURIED OR OVERHEAD UTILITIES, CONTRACTOR TO CONFIRM TREE LOCATIONS IN FIELD.
5. CONTRACTOR TO FIELD VERIFY ALL PLANT & MATERIAL QUANTITIES TO MEET INTENT OF DRAWING. PLANT / REFERENCE NOTES SCHEDULE ARE GUIDES FOR PLANNING PURPOSES.