

VILLAGE OF MENOMONEE FALLS ORDINANCE NO. 870-O-23

**AN ORDINANCE REZONING LAND AND CREATING
CRANES CROSSING NORTH, QUIET WOODS WEST, AND QUIET WOODS EAST
PLANNED RESIDENTIAL DEVELOPMENTS**

WHEREAS, Thomas V. Wruck and Sherry L. Wruck owns land generally located between Marcy Road and One Mile Road, North of the Cranes Crossing Subdivision, on the parcels identified by Tax Key Numbers 128.999.018, 129.994, 130.997, 131.994.003, and 131.064; and

WHEREAS, the subject lands are legally described as follows:

Tax Key Number 128.999.018 described as follows:

E1/2 SE1/4 SEC 32 T8N R20E EX PLAT EMERALD HILLS EX CERT SURV 968 & 969 EX CERT SURV 5208 EX VOL 960/134 DEEDS EX VOL 976/229 DEEDS EX VOL 976/536 DEEDS R2026/470 & R2026/471 :: ALSO PT SW1/4 SEC 33 T8N R20E COM SW COR SW1/4 N88°26'E 891.00 FT N00°09'E 1345.87 FT TO BGN N87°41'W 198.34 FT S01°35'W 49.26 FT S79°29'W 147.38 FT N09°10'W 72.61 FT N80°43'W 118.08 FT S81°16'W 267.56 FT S48°30'W 62.54 FT N87°47'W 106.95 FT N00°09'E 832.09 FT N88°26'E 891.00 FT S00°09'W 801.13 FT TO BGN :: EX PT NE1/4 SE1/4 SEC 32 T8N R20E COM NW COR OUTLOT 6 CRANES CROSSING ADDITION NO 1 THE BGN; N00°04'37"E 20.52 FT; S89°55'23"E 150.56 FT; SWLY 16.08 FT ALG CURVE CTR LIES TO SE RADIUS 260.00 FT CTRL ANGLE IS 03°32'35" & CHORD BEARING S02°02'59.5"W 16.08 FT; N85°57'36"W 3.35 FT; S88°14'48"W 146.74 FT TO BGN :: DOC# 3110015 EX DOC# 3200885 EX DOC# 3200887

Tax Key Number 129.994 described as follows:

PT NW1/4 & SW1/4 SEC 33 T8N R20E COM S1/4 COR N01°24'25"E 2324.01 FT THE BGN N01°24'25"E 340.49 FT S89°57'25"W 391.40 FT N84°05'25"W 146.82 FT S89°55'35"W 812.72 FT N00°04'25"W 7.30 FT N89°48'40"W 660.08 FT N01°01'35"E 1287.58 FT S89°36'35"W 620.06 FT S01°26'05"W 1819.98 FT N87°15'05"E 891.95 FT N89°52'35"E 1166.77 FT S01°28'35"W 44.10 FT S89°34'20"E 428.49 FT N00°53'15"E 179.46 FT S88°14'15"E 156.70 FT TO BGN DOC# 4082334

Tax Key Number 130.997 described as follows:

S1/2 SE1/4 NW1/4 SEC 33 T8N R20E :: ALSO STRIP 33 FT X 627 FT ON E SIDE OF S1/2 SW1/4 NW1/4 :: DOC# 4301451

Tax Key Number 131.994.003 described as follows:

PT SW1/4 SEC 33 T8N R20E; COM 54 RODS (891 FT) E OF SW COR; E 70 RODS (1160 FT); N 130 RODS & 2 FT (2147 FT); W 70 RODS (1155 FT); S 130 RODS & 2 FT (2147 FT) TO BGN :: EX PT SW1/4 SW1/4 SEC 33 T8N R20E; COM 891 FT E FROM SW COR; N 178.5 FT; E 244 FT; S 178.5 FT TO S LI SEC; W 244 FT TO BGN :: EX DOC# 3207405 :: EX DOC# 3353610 :: EX DOC# 3463310 :: EX DOC# 3512261 :: DOC# 4246217

Tax Key Number 131.064 described as follows:

OUTLOT 4 CRANES CROSSING ADDITION NO 1 PT SE1/4 SEC 32 & SW1/4 SEC 33 T8N R20E :: DOC# 4246217; and

WHEREAS, Carity Land Corp. (William W. Carity, registered agent) proposes a development consisting of 169 single family lots on the subject lands; and

WHEREAS, Carity Land Corp. has requested these developments be known as Cranes Crossing North, Quiet Woods West, and Quiet Woods East; and

WHEREAS, the Village Comprehensive Plan classifies the subject parcel for Low Density Residential Uses (densities less than 2 units per acre) and Environmental Corridor; and

WHEREAS, the net density of the Cranes Crossing North, Quiet Woods West, and Quiet Woods East Planned Residential Developments is 1.5 dwelling units per developable acre (169 dwelling units on 113.04 developable acres); and

WHEREAS, the requested densities have been deemed to be consistent with the Village Comprehensive Plan; and

WHEREAS, a Public Hearing was held on January 16, 2023 regarding the rezoning request; and

WHEREAS, covenants and restrictions will be put in place for the Cranes Crossing North, Quiet Woods West, and Quiet Woods East Planned Residential Developments, consistent with the information submitted with this development, which will be recorded at the Waukesha County Register of Deeds with the Final Plat of the development; and

WHEREAS, the developer stated the project will have average estimated sales price between \$750,000 to \$1,000,000 for all homes in the development; and

WHEREAS, the Cranes Crossing North, Quiet Woods West, and Quiet Woods East Planned Residential Developments is consistent with the spirit and intent of the Zoning Ordinance; and

WHEREAS, the Cranes Crossing North, Quiet Woods West, and Quiet Woods East Planned Residential Developments is in keeping with current economic and social considerations; and

WHEREAS, the Cranes Crossing North, Quiet Woods West, and Quiet Woods East Planned Residential Developments justifies the application of the Planned Residential Development District requirements; and

WHEREAS, the Cranes Crossing North, Quiet Woods West, and Quiet Woods East Planned Residential Development will create an attractive and satisfying residential environment of sustained desirability and economic stability beneficial to the Village; and

WHEREAS, the Plan Commission, at its meeting of December 13, 2023 recommended the Cranes Crossing North, Quiet Woods West, and Quiet Woods East Planned Residential Development be approved subject to the following conditions:

1. Stormwater management meeting the Village's stormwater ordinance must be provided for the development. The Stormwater Management Plan must be approved by the Village Engineering Department prior to starting construction.
2. Wisconsin DNR – NR 151 requirements must be met and a Notice of Intent (NOI) needs to be submitted to the Wisconsin DNR for NR 216 Permit Coverage. A copy of the DNR Certificate of Permit Coverage is to be forwarded to the Village Engineering Department prior to issuance of the Village Erosion Control Permit.
3. The site will need to be analyzed for stormwater infiltration per Wisconsin DNR Technical Standard 1002 of the NR 151 guidelines.
4. Wisconsin DNR NR 151 requirements must be met for water quality management. 80% Total Suspended Solid (TSS) removal is to be provided for this development.
5. A Village Stormwater Permit is required. The Stormwater Permit Application must be submitted with the permit review fee as required by the Village's stormwater ordinance.
6. A Village Erosion Control Permit is required prior to any land disturbing activities.
7. A geotechnical study will have to be done by a licensed soils engineer to determine the high seasonal groundwater elevations. Basement or lowest floor elevations will have to be kept at least 3 feet above the high seasonal groundwater elevations to comply with Village code.
8. A wetland delineation is needed.
9. Wetland fill permits from the Wisconsin DNR will have to be obtained by the Developer for the wetlands impacted by the road crossings. The wetland fill areas shall be sufficient to accommodate the road, terrace area, sidewalk and safety shelf behind the sidewalk.
10. Any roadway or building pad areas where 5 feet or more of fill will be placed shall have the filling operations overseen by a geotechnical engineering firm to assure proper compaction to Village Specifications. Soil compaction reports are to be submitted to the Village Engineering Department.
11. The centerline radius shall be a minimum of 150 feet for all public roads to provide safe sight distances meeting AASHTO design guidelines.
12. Accel/decel lanes and tapers meeting Village design standards need to be provided at the proposed road intersections at Marcy Road and One Mile Road.
13. The intersection at Green Crane Drive is to be revised to make Green Crane Drive a continuous road connecting both existing portions of Green Crane Drive.
14. The road connection to the parcel identified as Lot 1 of CSM No. 10704 needs to be shifted approximately 120 feet to the west to allow for an acceptable future development layout on that parcel.
15. Outlots are to be provided at the cul de sac islands.
16. The Developer shall extend 16" diameter municipal water main along Marcy Road along the entire frontage of the development parcel.
17. The Developer shall extend sanitary sewer south along Marcy Road to Villard Avenue.
18. All sanitary sewer, water main, storm sewer, and street design must follow the *Village of Menomonee Falls Standards and Requirements for Development*.

19. All sanitary sewer, water main, hydrants and laterals are to be kept out of the the cul de sac islands. The property lines of the outlots shall be at least 10 feet from any sewer or water main.
20. The Village Comprehensive Outdoor Recreation Plan shows a proposed future multi-use path along Marcy Road. It's recommended that in lieu of constructing the asphalt path at this time along Marcy Road, the Developer deposits funds with the Village for the future construction of the proposed path.
21. Landscaping within and around the stormwater detention ponds and any municipal sewer easements shall comply with the Village's *Policy for Landscaping in and Around Infrastructure* and *Village Landscape Design Guidelines*.
22. Street trees are to be kept out of the road right-of-way and placed within the front 10 feet of the private lots and outlots.
23. A Development Agreement will have to be entered into, approved by the Village Board, and signed prior to construction of any public utilities or improvements.
24. A Letter of Credit or other financial guarantee must be provided in accordance to the development agreement prior to construction of any public utilities or improvements.
25. Detailed utility, street, grading and stormwater management plans are required. Further engineering review is needed once these plans are submitted.
26. The facilities layout for electric, telephone, and cable shall conform to section 94-155 of the municipal code.
27. Lots need building area boundary lines and dimensions.

WHEREAS, at its meeting on December 20, 2022, the Architectural Control Board recommended the Cranes Crossing North, Quiet Woods West, and Quiet Woods East Planned Residential Development be approved with no conditions.

WHEREAS, it is deemed to be in the best interest of the Village of Menomonee Falls that the Municipal Code of the Village of Menomonee Falls, be further modified and amended;

NOW, THEREFORE, the Board of Trustees of the Village of Menomonee Falls do hereby ordain as follows:

Section 1. The Zoning Code be amended so that all lands located on the subject parcels described above be rezoned to the Planned Residential Development (PRD) Zoning District.

Section 2. The conditions and restrictions as recommended by the Plan Commission and Architectural Control Board hereinabove set forth be and the same are hereby adopted and approved as the conditions and restrictions for the construction, location and operation of the Cranes Crossing North, Quiet Woods West, and Quiet Woods East Planned Residential Developments.

Section 3. Except as herein above specifically modified and amended, the Municipal Code of the Village of Menomonee Falls shall remain in full force and effect exactly as originally adopted and remain in full force and effect exactly as originally adopted and

previous amended. All ordinances or part of the ordinances inconsistent with or in contravention of the provisions of this ordinance are hereby repealed.

Section 4. This Ordinance shall take effect and be in full force from and after its passage and posting.

Section 5. The Village Clerk shall cause a Certified Copy of this ordinance to be recorded with the Waukesha County Register of Deeds.

Adopted by the Village Board of Trustees of the Village of Menomonee Falls on the 16th day of January, 2023.

Jeremy Walz, Village President

Date Posted: 01/20/2023-02/02/2023

Amy Dishinger, Village Clerk