

VILLAGE OF MENOMONEE FALLS ORDINANCE NO. 802-O-20

**AN ORDINANCE CREATING THE EVERGREEN FIELDS
PLANNED RESIDENTIAL DEVELOPMENT**

WHEREAS, Veridian Homes, LLC intends to purchase land located at N56W20077 and N56W19813 Silver Spring Drive, on the parcels identified by Tax Key Numbers 126.998 and 126.999.005; and

WHEREAS, the subject lands are legally described as follows:

The East 1/2 of the Northwest 1/4 of the Northwest 1/4 of Section 32, Township 8 North, Range 20 East, in the Village of Menomonee Falls, Waukesha County, Wisconsin. EXCEPTING therefrom that part acquired by Award of Damages recorded in Volume 1217, Page 635, as Document No. 777317. FURTHER EXCEPTING therefrom all that part of those lands located in the Northwest 1/4 of Section 32, Township 8 North, Range 20 East, in the Village of Menomonee Falls, Waukesha County, Wisconsin conveyed to Waukesha County by Warranty Deed recorded on September 14, 2012, as Document No. 3950313, more particularly described as follows:

Commencing at the Northwest corner of said Section 32; thence North 88° 49' 14" East along the North line of said Section 667.47 feet to a point; thence South 01° 10' 46" East 60.00 feet to a point that is the intersection of the existing Southerly right of way line of C.T.H. "VV" and the owners' Westerly property line and the point of beginning of those lands described herein; thence North 88° 49' 14" East along said existing right of way line 264.46 feet to a point; thence North 01° 10' 46" West 10.00 feet to a point; thence North 88° 49' 14" East 250.00 feet to a point; thence South 01° 10' 46" East 10.00 feet to a point; thence North 88° 49' 14" East 153.68 feet to a point on the owners' Easterly property line; thence South 00° 29' 34" East along said Easterly property line 5.00 feet to a point; thence South 88° 49' 14" West 668.14 feet to a point on the owners' Westerly property line; thence North 00° 29' 34" West along said Westerly property line 5.00 feet to the point of beginning.

And

Parcel 2 of Certified Survey Map No. 8541, recorded on May 22, 1998, in Volume 75 of Certified Survey Maps, on Page 60, as Document No. 2321633, being a re-division of Parcel 2 of Certified Survey Map No. 8373, being a part of the Northeast 1/4 and Southeast 1/4 of the Northwest 1/4 of Section 32, Township 8 North, Range 20 East, in the Village of Menomonee Falls, Wisconsin, EXCEPTING THEREFROM the Northerly 5 feet thereof conveyed to Waukesha County by Warranty Deed recorded on September 14, 2012, as Document No. 3950314; and

WHEREAS, Veridian Homes, LLC proposes a development consisting of 109 single family lots and 58 condominium units contained within 29 duplex buildings, on these lands; and

WHEREAS, Veridian Homes, LLC has requested this development be known as Evergreen Fields; and

WHEREAS, the Village Comprehensive Plan classifies the northern half of the development for Medium Density Residential Uses (densities between 2 and 6 dwelling units per acre); and

WHEREAS, the Village Comprehensive Plan classifies the southern half of the development for Low Density Residential Uses (densities less than 2 dwelling units per acre), and Environmental Corridor; and

WHEREAS, the net density of the Evergreen Fields Planned Residential Development is 2.45 dwelling units per developable acre (167 dwelling units on 68.16 developable acres), with the northern half of the development having a net density of 2.97 dwelling units per developable acre, and the southern half having a net density of 1.83 dwelling units per acre; and

WHEREAS, the requested densities are consistent with the Village Comprehensive Plan; and

WHEREAS, details concerning the general character, timetable for development, and organizational structure of the developer were submitted as part of this application; and

WHEREAS, covenants and restrictions will be put in place for the Evergreen Fields Planned Residential Development, 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 an estimated value over \$72,000,000, with the average estimated sales price of \$433,000 for all homes in the development; and

WHEREAS, the Evergreen Fields Planned Residential Development is consistent with the spirit and intent of the Zoning Ordinance; and

WHEREAS, the Evergreen Fields Planned Residential Development is in keeping with current economic and social considerations; and

WHEREAS, the Evergreen Fields Planned Residential Development justifies the application of the Planned Residential Development District requirements; and

WHEREAS, the Evergreen Fields 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 October 13, 2020 recommended the Evergreen Fields Planned Residential Development be approved subject to the following conditions:

1. The lots along the Southwest cul de sac shall be reconfigured to align with the rear lot lines of the subdivision to the west.
2. A tree preservation easement shall be placed over the existing tree line behind lots 47 to 53.
3. Sidewalks shall be added along the both sides of the main north/south street and the main east/west street.
4. Sidewalks shall be added along the south side of the east/west connecting road, and the west side of the north/south connecting road.
5. The developer shall shift the location of the trail along the southern boundary of the development to the northern edge of the Village owned lands in order to preserve the existing tree line on the subject site, and this section of the trail shall consist of an 8 foot wide paved trail.

; and

WHEREAS, at its meeting on October 27 2020, the Architectural Control Board recommended the Evergreen Fields Planned Residential Development be approved subject to the following conditions:

1. Submitting a landscape plan for any landscaped areas within the Evergreen Fields Planned Residential Development to the Architectural Control Board for review and approval prior to the submittal of the Final Plat.
2. Landscaped areas within the condo development shall consist of 2-3" of naturally shredded hardwood mulch or enviromulch and shall be consistent in color throughout the condo development.

; and

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 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 Evergreen Fields Planned Residential Development.

Section 2. This Ordinance shall take effect and be in full force from and after its passage and posting.

Section 3. 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 16 day of November, 2020.

By:

David Glasgow, Village President

Date Posted: 11/20/2020 to 12/03/2020

Attest:

Janice Moyer, Village Clerk