Village of Menomonee Falls Ordinance No. 892-O-23

AN ORDINANCE AMENDING THE JADE AT NORTH HILLS
PLANNED INFILL DEVELOPMENT (PID)

WHEREAS, the subject parcels are legally defined as Lot 1 of Certified Survey Map No. 11630, and

WHEREAS, the subject parcels are currently owned by Starboard Jade DST, and

WHEREAS, on July 11, 2017 the Plan Commission recommended approval of the Jade at North Hills Planned Infill Development, subject to the following Conditions:

1. The Village approving a Certified Survey Map combining the parcels currently identified by Tax Key Numbers 93.984, 93.983, and 93.975.
2. The Vacation of Highland Drive along the east side of the proposed development.
3. The property owner obtaining the necessary land to construct a parking lot for 20 vehicles and a 15 foot wide landscaped buffer along the east and south sides, to be located on the southeast corner of the project prior to issuance of a Building Permit.
4. Complying with the conditions and requirements noted by the Department of Engineering and Director of Utilities found on Pages 5 & 6 of the July 11, 2017 Plan Commission Staff Report.
5. Compliance with any conditions of the Village Architectural Control Board; and

WHEREAS, on July 25, 2017 the Architectural Control Board recommended approval of the Jade at North Hills Planned Infill Development, subject to the following conditions:

1. Submitting all outdoor hardscaping to Staff for review and approval prior to installation.
2. Submitting revised plans that increase the articulations and details for the two-story building to better match the other buildings, and having Staff review and approve these plans prior to the issuance of a building permit; and

WHEREAS, the Village Board of Trustees adopted Ordinance No. 692-O-17 on August 17, 2017, approving the Jade at North Hills Planned Infill Development, including certain understandings and the relaxation of the following development standards:

- The PID Planned Infill Development (PID) project replaces the requirement of a Conditional Use Permit for the mixed use project.
- The development will be allowed with 62,939 square feet of open space instead of the minimum 105,040 square feet required in Section 122-238(i) of the Municipal Code.
- The development will be allowed with 22 foot tall parking lot lights. Section 122-651 of the Municipal Code requires lights at this height to be setback a minimum of 57 feet from all lot lines. The development will be allowed with 2 parking lot lights 55 feet from the south property line, 1 parking lot light 28 feet from the south property line, and 1 parking lot light setback 12 feet from the east property line
- The development will be allowed with 248 parking stalls instead of the 258 parking stalls required in Section 122-716 of the Municipal Code.
- Building “B” will be allowed 26 feet from the street property line instead of the minimum 30 foot setback required in Section 122-238(h) of the Municipal Code.

- Building “B” will be allowed 87 feet from the Eastern property line instead of the minimum 100 foot setback required in Section 122-598 of the Municipal Code.
- Building “C” will be allowed 15 feet from the rear property line instead of the minimum 30 foot setback required in Section 122-238(h) of the Municipal Code.
- Building “A1” will be allowed 16 feet from the Western property line instead of the minimum 100 foot setback required in Section 122-598 of the Municipal Code.
- Building “A2” will be allowed 20 feet from the Western property line instead of the minimum 100 foot setback required in Section 122-598 of the Municipal Code.
- Buildings “A1”, “A2” and “B” will be allowed with a height of 48 feet 6 inches instead of the maximum height of 35 feet required in Section 122-238(g)(2) of the Municipal Code.
- Building “C” will be allowed with a height of 37 feet 4 inches instead of the maximum height of 35 feet required in Section 122-238(g)(2) of the Municipal Code; and

WHEREAS, the conditions recommended by the Plan Commission on July 11, 2017, and the conditions recommended by the Architectural Control Board on July 25, 2017 were adopted and approved as the conditions and restrictions for the Jade and North Hills Planned Infill Development; and

WHEREAS, on June 14, 2023, Starboard Jade DST requested the Village allow the conversion of 4,033 square feet of commercial space, within the northeast building, to five (5) residential dwellings; and

WHEREAS, on August 8, 2023 the Plan Commission recommended the Village Board of Trustees amend the Jade at North Hills Planned Infill Development to allow the conversion of 4,033 square feet of commercial space, within the northeast building, to five (5) residential dwellings, subject to sidewalks being extended from the stairwell on the north side of the northeast building to each of the proposed exterior doors; and

WHEREAS, on August 22, 2023, the Architectural Control Board recommended the Village Board of Trustees amend the Jade at North Hills Planned Infill Development to allow the conversion of vacant retail space into residential dwelling units subject to the following conditions:

1. Submitting a site plan for staff review and approval including a pedestrian path providing for a connection to all proposed new residential units.
2. Submitting an updated landscape plan for staff review and approval for the areas adjacent to all proposed new residential units; and

WHEREAS, the proposed project is in general harmony with the Village of Menomonee Falls Comprehensive Plan, and

WHEREAS, the proposed project lends itself to the character of the neighborhood, and

WHEREAS, the proposed project is located in an area that will be adequately served by the improvements, facilities, utilities and services, and

WHEREAS, the public benefits from this development will outweigh the potential adverse impacts, and

WHEREAS, Division 3 of Article V of the Zoning Code permits the relaxation of certain development standards, pertaining to underlying zoning districts, in the PID Planned Infill Development Overlay Zoning District, and

NOW THEREFORE, the Village Board of Trustees hereby amends the Jade at North Hills Planned Infill Development (PID), allowing the conversion of 4,033 square feet of commercial space, within the northeast building, to five (5) residential dwellings.

BE IT FURTHER RESOLVED that the conditions recommended by the Plan Commission on August 8, 2023, and the conditions recommended by the Architectural Control Board on August 22, 2023, are hereby adopted and approved as the conditions and restrictions for the amended Jade at North Hills Planned Infill Development (PID).

Adopted by the Board of Trustees of the Village of Menomonee Falls on the 18th day of September, 2023.

Jeremy Walz, Village President

Date Posted: 9/22/2023-10/5/2023

Amy Dishinger, Village Clerk