

**Village of Menomonee Falls Ordinance No. 535-O-12**

**AN ORDINANCE AMENDING §122-308 OF THE MUNICIPAL CODE OF  
THE VILLAGE OF MENOMONEE FALLS PERTAINING TO THE  
I-3 OFFICE & LIGHT INDUSTRIAL DISTRICT.**

**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 in the manner hereinafter more particularly set forth;

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

**Section 1.** Vill. Ord. § 122-308 is hereby repealed and recreated to read as follows:

**Sec. 122-308. I-3 executive office/light industrial district.**

(a) *Purpose and intent.* The purpose and intent of the I-3 district shall be as follows:

- (1) This I-3 district is specifically intended to provide for and encourage light industrial uses involving limited manufacturing and processing of products, research and development activities, assembly of high technology products and other similar operations which are compatible with first-class corporate and divisional headquarters and administrative, business and professional offices which may be located within the district or adjoining districts.
- (2) No uses involving offensive or noxious odors, fumes, dust, smoke, noise, vibration, pollution, glare, hazardous activities or other operations not compatible with corporate and professional offices shall be permitted.
- (3) Except for permitted Corporate Campus development as provided in subsection (e), plans and specifications regarding all buildings and improvements, site work, landscaping and other construction and development matters shall be subject to review and approval by the village architectural review board. Such review and approval shall be conducted to ensure compliance with the restrictions and standards of this section, and to provide for the promotion and protection of the fundamental purposes of this I-3 district as set forth in this subsection.
- (4) Structures located within a Corporate Campus designated by the village board shall not be required to adhere to the provisions set forth in section 122-124.

(b) *Permitted uses.* The following uses shall be permitted, to the extent consistent with the purpose and intent of this I-3 district:

- (1) Corporate and divisional headquarters.
- (2) Corporate Campus. For the purposes of the I-3 district a Corporate Campus is one or more contiguous tax parcels of land containing not less than 40 acres within the I-3 district used for a corporate or division headquarters containing offices and facilities for not less than 1,000 full time

employees on such parcel or parcels. In addition to the other permitted uses set forth in this subsection (b) the following shall also be permitted uses within a Corporate Campus:

- a. Daycare Facilities.
  - b. Wellness Center.
  - c. Fitness Center.
  - d. Athletic Fields.
  - e. Gardens, Greenhouses and supporting facilities.
  - f. Such other services, establishments, activities or facilities designed and intended for the general health, welfare, convenience and collegial work environment for employees working on the Corporate Campus and visitors to the corporate offices which do not materially change the general character or stated purpose and intent of the I-3 district.
  - g. A Corporate Campus designation and the related permitted and accessory uses for a Corporate Campus shall only be applicable if the village board approves the Corporate Campus designation in compliance with the provisions of subsection (e). The Corporate Campus development and use shall be subject to the terms and conditions of subsection (e).
- (3) Administrative and business offices which have as their primary customers or clients other business entities.
  - (4) Professional offices.
  - (5) Banks, savings banks, savings and loans and credit unions.
  - (6) Public buildings intended for general public utilization including meeting rooms, community centers and libraries.
  - (7) Data processing centers.
  - (8) Laboratories and facilities for research, testing or consulting.
  - (9) Production or assembly of prototype products, or assembly of high technology products.
  - (10) Manufacturing, processing, fabrication, packing, packaging and assembly of products with machinery or equipment wholly enclosed within a building, which building shall be compatible with and shall have an exterior appearance, including rooftop areas and rooflines compatible with first-class corporate and professional offices.
  - (11) The production or assembly of computer, photographic, medical and optical products and equipment.
  - (12) Indoor storage for wholesale transshipment, future use or safekeeping of materials.

(c) *Accessory uses.* The following shall be permitted in the I-3 district, but only where the applicable use is located within (i) a building permitted under subsections (b)(1), (b)(2), (b)(3), or (b)(4) of this section, or (ii) 2,500 feet of the perimeter of a Corporate Campus, as designated by the village board under subsection (e), within the I-3 district:

- (1) Medical or dental clinic.
- (2) Private noncommercial club or lodge.
- (3) Barber and beauty shops.
- (4) Medical or dental laboratory.
- (5) Travel agencies.
- (6) Telephone answering services, delivery service, copying service.
- (7) Class "A" restaurants.
- (8) Class "B" restaurants and coffee shops; however, there shall be no service in motor vehicles or drive-through facilities unless specifically approved with a conditional use permit.
- (9) Pharmacies; however, there shall be no service in motor vehicles or drive-through facilities unless specifically approved with a conditional use permit.
- (10) Daycare Facilities.
- (11) Wellness Center.
- (12) Fitness Center.
- (13) Athletic Fields.
- (14) Gardens, Greenhouses and supporting facilities.
- (15) Security facilities.
- (16) Welcome facilities.

(d) *Conditional uses.* Subject to the following standards and limitations, certain additional uses may be allowed within the I-3 district pursuant to a conditional use permit. Requests for conditional use permits are considered by the village board of trustees after receiving a recommendation from the plan commission. The issuance of a conditional use permit and the analysis and interpretation of applicable standards and limitations are entirely at the village board of trustee's discretion and the request for a conditional use permit is, therefore, subject to denial. In addition to the requirements for a conditional use permit pursuant to article VI of this chapter, the plan commission and the village board of trustees, when considering an application for a conditional use permit within the I-3 district, shall consider the following standards and limitations:

- (1) The proposed use and related improvements, including, but not limited to, location, size, design and vehicle and pedestrian traffic and circulation must be compatible with the permitted uses

under subsection (d) of the I-3 district and the principal or permitted uses in any neighboring district.

- (2) The proposed use must not detract from, or be inconsistent with, the purpose and intent of the I-3 district as set forth in subsection (a) nor shall it change, or significantly contribute to a change in, the overall character and nature of the I-3 district.
- (3) The aggregate amount of land or building area made available for uses which are conditional uses within the I-3 district shall not be permitted at a level which changes the character of the I-3 district as contemplated in the statement of purpose and intent for the I-3 district under subsection (a).
- (4) The proposed use and related improvements must provide services or goods which support the permitted uses within the I-3 district and the employees of, or visitors to, the entities conducting such permitted uses within the I-3 district.

(e) *Corporate Campus Designations, Developments, and Standards.*

- (1) *Corporate Campus Designation.* Subject to the following procedures and standards, and the requirements of Section 122-308(b)(2), the village board may designate an area as a Corporate Campus.
  - a. Overview. The village board, after receiving a recommendation from the plan commission, may designate an applicable development site as a Corporate Campus following its review of application materials showing that such uses and structures are in accordance with the purpose and intent of this chapter, and are found to be not hazardous, harmful, offensive or otherwise adverse to the environment or the value of the neighborhood or the community. The designation of a Corporate Campus is entirely at the village board's discretion and is, therefore, subject to denial. Development within a Corporate Campus is also subject to the approval procedures, requirements and standards in subsections (e)(2) and (e)(3) of this section.
  - b. Application Requirements for Corporate Campus Designation. Applications for a Corporate Campus designation shall be submitted to the department of community development on forms furnished by the department of community development and shall include the following:
    - 1. Names and addresses of the applicant, owner of the site, architect, professional engineer, and contractor.  
  
Legal description of the subject site by lot, block and recorded subdivision or by metes and bounds.
    - 3. General Plan of Operation. A written narrative describing the overall development concept and the nature of the business. This plan of operation shall specifically include the following information:

- a) How the development plan complies with each of the standards provided under subsection (e)(3) of this section.
  - b) Total estimated number of full and part-time employees (include phasing information).
4. Site Plan. The site plan shall include the following:
- a) Location, boundaries and dimensions of any existing structures.
  - b) Location of all building envelopes and any proposed exceptions.
  - c) Boundaries and dimensions of the exterior boundaries of the subject site.
  - d) Lands opposite the subject site, including structures within 50 feet of the right-of-way and all street and driveway accesses.
  - e) The 100-year flood elevation if within 40 feet of the subject premises.
  - f) Wetland locations and the date and person who identified the wetlands.
  - g) Location of any primary and secondary environmental corridor, as well as any isolated natural resource area located within 40 feet of the subject premises.
  - h) Limits of woodland and tree lines.
  - i) Existing easements.
  - j) Zoning district boundaries if within 50 feet of the subject premises.
  - k) Table and chart describing the following Corporate Campus statistics:
    - 1) Total Corporate Campus acreage.
    - 2) Developable acreage.
    - 3) Maximum amount of land covered by principal buildings.
    - 4) Maximum amount of land covered by surface parking, drives, and parking structures.
    - 5) Minimum amount of land devoted to open space.
5. Architectural Design and Aesthetics. A narrative describing the architectural design and aesthetics of the Corporate Campus including the primary and accent materials and colors being incorporated into the exterior design of the buildings within a Corporate Campus, understanding the design elements shall be consistent with the following:
- a) Image. The architectural character of each building and its additions and modifications, shall be designed with a quality and style appropriate for a

- corporate campus, and be designed such that the facades of the buildings relate architecturally with the first buildings constructed.
- b) Form and massing. Building form shall compliment the natural aspects of the parcel and respond to the functional needs of the occupant.
  - c) Elevations. All sides of each building shall be of quality materials and be architecturally designed to be compatible with each other. The elevations shall express a design and style appropriate for a Corporate Campus.
  - d) Building material colors. A limited palette of natural and compatible colors should be used. Buildings should maintain a similar palette of colors across the Corporate Campus.
  - e) Structured parking. The architectural appearance of parking structures that extend more than 2 stories above grade shall be compatible with the primary office buildings.
- 6. Signs. A general narrative description of the sign standards, including types and sizes of signs.
  - 7. Landscaping. A general description of landscaping standards, screening, and parking lot treatments.
  - 8. Site Pictures. Site pictures shall be submitted of the subject site for all abutting properties from the location of the subject site.
  - 9. Additional information as may be required by the village board, village plan commission and village staff.
  - 10. Fee receipt from the village clerk in the amount set out in section 42-122 of the Municipal Code.
- c. Review. Village staff shall review the application materials required under section 122-308(e)(2) and prepare a staff report on the suitability of the project and may recommend conditions of approval.
  - d. Corporate Campus Designation Approval Procedure.
    - 1. The village plan commission shall review the application information and staff report and make a recommendation, in writing, to the village board, including recommendations for conditions. The village board may approve, modify and approve, or deny the Corporate Campus designation. The village plan commission shall base its recommendation upon:
      - a) Compatibility with the comprehensive plan.
      - b) Consistency with the purpose of this chapter.

- c) Conformance with the standards set forth in subsection (e)(3) of this section.
    - d) Recommendations from the village staff review.
  - 2. Following the village plan commission's recommendation, the village board shall approve, modify and approve, or deny the designation of a Corporate Campus and any general standards for development within the specified Corporate Campus that are in addition to or modifications of the standards in subsection (e)(3) of this section.
- (2) Corporate Campus Development Approval.
- a. Application. To initiate the approval process under subsection (e)(2)b, proposed developments within an approved Corporate Campus shall be submitted to the department of community development on forms furnished by the department of community development and shall include the following:
    - 1. Names and addresses of the applicant, owner of the site, architect, professional engineer, and contractor.  
  
Legal description of the subject site by lot, block and recorded subdivision or by metes and bounds.
    - 3. Detailed Plan of Operation. A written narrative describing the development concept and the nature of the business. This plan of operation shall specifically include the following information:
      - a) How the development plan complies with each of the standards provided under subsection (e)(3) of this section and as set forth in the Corporate Campus designation approved by the village board.
      - b) Total estimated number of full and part-time employees (include phasing information).
      - c) General hours of operation.
    - 4. Plat of Survey. The plat of survey shall be prepared by a registered land surveyor showing all the information required under section 122-38(3), and in addition the following:
      - a) Lands opposite the subject site, including structures within 50 feet of the right-of-way and all street and driveway accesses.
      - b) The 100-year flood elevation if within 40 feet of the subject premises.
      - c) Wetland locations and the date and person who identified the wetlands.
      - d) Location of any primary and secondary environmental corridor, as well as any isolated natural resource area located within 40 feet of the subject premises.

- e) Limits of woodland and tree lines.
5. Site Plan. The site plan shall include the following:
- a) Location, boundaries and dimensions of any existing and proposed structures.
  - b) Boundaries and dimensions of the exterior boundaries of the subject site.
  - c) Location of any existing or proposed paved areas.
  - d) Location and setback of all proposed lighting elements.
  - e) Location of any surface water.
  - f) Existing and proposed easements.
  - g) Location of any outside storage including dumpsters and business vehicles.
  - h) Zoning district boundaries if within 50 feet of the subject premises.
  - i) Table and chart describing the following Corporate Campus statistics:
    - 1) Total Corporate Campus acreage.
    - 2) Developable acreage.
    - 3) Maximum amount of land covered by principal buildings.
    - 4) Maximum amount of land covered by surface parking, drives, and parking structures.
    - 5) Minimum amount of land devoted to open space.
    - 6) Proposed number of buildings.
6. Grading plan. The grading plan shall identify the existing and proposed grades using one-foot contours. The grading plan shall also identify existing and proposed easements, utilities and structures.
7. Stormwater management plan. The stormwater management plan shall be designed to meet the requirements of Article V of Chapter 38 of the municipal code. The stormwater management plan shall also include computations showing how the plan meets the requirements of the stormwater management design guidelines adopted by the village board, NR 151 and NR 216.
8. Utility Plan. A utility plan showing locations and sizes of existing and proposed utilities along with estimated use shall be prepared.
9. Erosion control plan. The erosion control plan shall conform to the requirements of Article IV of Chapter 38 of the municipal code.



10. Landscape plan. The landscape plan shall be prepared and stamped by a state-licensed landscape professional, be compatible with the other submitted plans, and identify the following:
    - a) The location of all landscape materials used, differentiating between existing plant materials to be used, existing plant materials to be removed, and proposed plant material to be used.
    - b) A landscape chart shall be placed on the plan showing the quantity, size (at time of planting and at maturity), spacing, and scientific and common names of the proposed landscaping as well as the existing landscaping proposed to remain.
    - c) The landscape plan shall include the location and dimensions of all existing and proposed structures, including berms, planting strips and islands, parking areas and drives, and rights-of-way, as well as identifying the vision triangle described in section 122-601.
    - d) The methods used in staking, mulching, wrapping or any other tree care used.
    - e) Detailed sections showing elevations of all proposed architectural features, such as retaining walls, lighting and water features.
  11. Building plans. The building plans shall include the following information:
    - a) Elevations of all sides of the building. These elevations shall be to scale and prepared by a licensed architect or architectural designer.
    - b) HVAC system and any screening methods.
    - c) The list of all materials, colors, and specifications of the proposed exterior building materials.
    - d) A material sample board with all exterior building materials labeled.
    - e) A rendering of the proposed building.
  12. Site Pictures. Site pictures shall be submitted of the subject site for all abutting properties from the location of the subject site.
  13. Additional information as may be required by the village staff.
  14. Fee receipt from the village clerk in the amount set out in section 42-122 of this Code.
- b. Approval Procedure. Subject to the following procedures and standards, proposed development within a Corporate Campus may be approved by the Director of Community Development.

1. Following a Corporate Campus designation, application for development shall be submitted to the department of community development.

Village staff shall review the detailed site, grading, and utility plans, 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 to determine conformance with (i) the standards set forth in subsection (e)(3) of this section and (ii) the general Corporate Campus designation granted by the village board.

3. The Director of Community Development shall prepare, in writing, a statement of approval, approval with conditions, or denial of the Corporate Campus development plans based on the plans conformance with the following:
  - a) Compatibility with the comprehensive plan.
  - b) Consistency with the purpose of this chapter.
  - c) Substantial conformance with the standards set forth in subsection (e)(3) of this section.
  - d) Substantial conformance with the plans approved by the village board for the Corporate Campus designation.
4. In the event of a denial of a proposed development by the Director of Community Development, the applicant shall have the right to appeal this denial to the Village Board.

- (3) Corporate Campus Standards. Every Corporate Campus development shall meet the following standards, except as may be modified in the Corporate Campus designation approved by the village board:

- a. Uses. All permitted and accessory uses and related operating standards or restrictions shall comply with the Corporate Campus designation.
- b. Design Standards. Conceptual design elements, materials and standards shall be provided in the Corporate Campus designation application materials. Specific design elements, building elevations, materials and standards for each structure and improvement shall be contained in the detailed Corporate Campus development plans. Design standards include:
  1. Primary building materials. All primary materials shall be of a good quality, be durable and have low maintenance finishes. Primary materials for major building elevations shall include:
    - a) Stone, brick masonry, curtain wall and storefront glass systems (including spandrel panels), aluminum window systems, articulated cast concrete, articulated precast concrete panels, and architectural metal and wood panels.

Accent building materials. All accent materials shall be of a good quality, be durable and have low maintenance finishes. EIFS systems may be used as an accent material.

3. Fenestration. Fenestration and its proportions shall be part of an integrated overall design strategy that is specific to function. The use of sunscreens and solar shading devices may be permitted.
4. Roof elements. Rooftop screening or penthouse enclosures shall be compatible with and compliment the materials of the building.
5. Mechanical Equipment. Significant mechanical equipment shall be enclosed or screened with and compliment the materials of the building.
6. Solar / wind equipment. Solar panels and wind equipment may be permitted subject to substantial evidence being provided that the placement of the equipment will not create shadows on adjacent property and the operation of such equipment will not create a noise impact on surrounding properties. Devices should be of compatible colors and shielded for view to the extent possible.
7. Miscellaneous or ancillary structures. Small ancillary structures, (such as guard houses, maintenance buildings, etc.), up to 10,000 SF, shall be permitted and should be designed to be architecturally compatible with the primary buildings using a complimentary palette of materials that shall include:
  - a) Natural stone, brick masonry, curtain wall and storefront glass systems (including spandrel panels), aluminum window systems, articulated cast concrete, articulated precast concrete panels, architectural metal and wood panels, EIFS system, lpe and cedar siding or composite wood panels, painted cement board or steel siding, and specialty concrete block.
- c. Space between Structures. Space between structures shall not be less than required by applicable building codes.
- d. Building setbacks. Building setbacks shall meet the requirements specified in subsection (g) of this section.
- e. Open Spaces. The location and development of open space and recreational facilities shall be coordinated with the overall Corporate Campus development plans. All open spaces on a Corporate Campus shall be landscaped and maintained in accordance with their intended use as to not create a nuisance or hazardous condition.
- f. Circulation, Parking and Loading. Adequate traffic circulation facilities shall be planned and installed for pedestrians and public and private vehicles. Parking and loading facilities shall be located near the uses they support and shall be adequately screened and landscaped in

a manner to meet the requirements of Division 5 of Article VII of this chapter. Private streets shall be constructed of adequate size and section to safely handle estimated traffic flows.

- g. Landscaping. Landscaping shall conform to the requirements of Division 5 of Article VII of this chapter and subsection (i)(4) of this section. All vegetation shall be of a quality consistent with the standards of the American Standard for Nursery Stock (ANSI Z60.1-2004). All required vegetation shall be maintained on an ongoing basis, including seasonal tree and plant replacement.
  - h. Lighting. Lighting shall conform to the requirements of Section 122-651.
  - i. Utilities. All utility plans shall be submitted for review and approval with the detailed Corporate Campus development plans. Transformers and substations shall be installed within buildings or otherwise screened from view. All utility lines shall be installed underground.
  - j. Signs. Building signs shall be designed to complement the architecture of the building to which they are attached. Freestanding signs shall be monumental in nature and be located in landscaping beds. When applicable, signage across a Corporate Campus should have coordinating elements. Signs shall be reviewed and approved in accordance with the requirements of Chapter 78 of the Municipal Code, except buildings exceeding 200,000 SF shall be permitted to have a building identification sign on up to two facades with each sign not to exceed 600 square feet. If signs are to be illuminated, the source of illumination shall not be visible or intermittent. A general signage program description shall be submitted with the Corporate Campus designation application material.
- (f) *Lot.* Lot width and area in the I-3 district shall be as follows:
- (1) Width: Minimum 200 feet.
  - (2) Area: Minimum two acres.
- (g) *Yards.* Yard dimensions in the I-3 district are as follows:
- (1) Street: Minimum 50 feet.
  - (2) Rear: Minimum 25 feet.
  - (3) Side: Minimum 25 feet.

No side yard will be required for simultaneously constructed buildings having common or adjoining wall construction, when wholly within this I-3 district, and in this instance must be zero side yard; provided further, however, that accessibility to the rear yard of each parcel for police and fire protection is obtained directly from either a public alley or a private service drive no less than 14 feet in width. See also divisions 1 and 3 of article VII of this chapter.

- (h) *Floor area ratio.* In the I-3 district there are no floor area ratio regulations.
- (i) *Additional restrictions and standards.* Additional restrictions and standards for the I-3 district are as follows:
  - (1) Site restrictions.
    - a. All lawn areas shall have a minimum slope of not less than two percent.
    - b. Slopes on earth berms and lawn areas shall not exceed a ratio of three to one.
    - c. All site development shall be designed in a manner which preserves, to the greatest extent practicable, any trees or wooded areas on the site, as determined by the village architectural review board.
    - d. All grading, cutting, filling and other excavation activities shall be in conformance with any grading or erosion control plan for the site on file with the village.
  - (2) Parking and storage.
    - a. Landscaping shall be used to break up views of large parking areas that are adjacent to public roadways.
    - b. All parking areas and drives shall be paved and curbed on all sides.
    - c. All loading docks, loading areas and service or truck parking areas shall be screened from view of adjacent roadways and located at the rear or side yards of the building.
    - d. Visible or other unenclosed outdoor storage of equipment, materials, merchandise or other property is prohibited.
  - (3) Building design.
    - a. All buildings shall be designed and certified by a registered and licensed architect.
    - b. All sides of a building shall be comprised of comparable materials, with equal design consideration and consistent detailing.
    - c. All mechanical equipment, utility or refuse enclosures, and other rooftop or ground-mounted protrusions or structures shall be screened from view of adjacent roadways.
    - d. All rooftop, tower-mounted, freestanding or other external antennas, towers or other devices for transmission or reception of electronic signals shall be prohibited, unless the device is essential to the direct operations of the user. Precautionary or warning devices required for public safety are permitted.

**Section 2.** Except as specifically modified and amended by this ordinance, the Municipal Code of the Village of Menomonee Falls shall remain in force and effect exactly as originally adopted and previously amended. All ordinances or parts of ordinances inconsistent with or in contravention of the provisions of this ordinance are hereby repealed.

**Section 3.** This ordinance shall take effect and be in full force from and after its passage and publication.

**Section 4. SEVERABILITY.** If any section, clause, provision or portion of this ordinance is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this chapter shall not be affected thereby.

Adopted by the Board of Trustees of the Village of Menomonee Falls on the 21st day of May, 2012.

Date Posted: May 23, 2012

By: \_\_\_\_\_  
Randall R. Newman, Village President

Attest: \_\_\_\_\_  
Janice Moyer, Village Clerk