

**VILLAGE OF MENOMONEE FALLS ORDINANCE NO. 586-O-14**  
**An Ordinance Approving the Weyerhaven PRD**

WHEREAS, Neumann Companies, Inc. has an interest in the following described lands:

LOT 1 CERT SURV 6493 VOL 53/384 1.434 AC PT NW1/4 SEC 25 T8N R20E  
R2973/399 EX DOC# 3835953 and W1/2 NW1/4 SEC 25 T8N R20E EX VOL  
989/575 DEEDS EX R754/652 R2973/399 EX DOC# 3835954 Village of  
Menomonee Falls, Waukesha County, Wisconsin; and

WHEREAS, the previously described lands are located in a Planned Residential Development District; and

WHEREAS, Neumann Companies, Inc. has proposed a Planned Residential Development consisting of 140 single-family parcels to be known as Weyerhaven; and

WHEREAS, the overall density of the Weyerhaven development is 1.86 dwelling units per acre (140 dwelling units on 77.24 acres); and

WHEREAS, details concerning the general character, timetable for development, and organizational structure of the developer were submitted to the Village in a letter dated December 18, 2013; and

WHEREAS, covenants and restrictions will be put in place for Weyerhaven, which will be recorded at the Waukesha County Register of Deeds with the Final Plat of the Weyerhaven Subdivision; and

WHEREAS, the developer stated the project will have an estimated value between \$52 and 73.5 million (140 homes and lots with an estimated value between \$375,000 and \$475,000); and

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

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

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

WHEREAS, the Weyerhaven 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 February 4, 2014 recommended the Weyerhaven Planned Residential Development be approved subject to the following conditions; and

1. The Developer and Village Staff shall modify the road configuration and street naming convention.  
Eliminating the farm drives and culverts from Lilly Road to the development.
3. Analyzing the site for stormwater infiltration under Wisconsin Department of Natural Resources NR 151 guidelines.
4. Following the Village of Menomonee Falls stormwater requirements for pond designs.
5. Obtaining a stormwater permit from the Village.
6. Setting the buildings 1st floor elevation 2 feet above the anticipated 100-year high water elevation.
7. Situating the Stormwater ponds outside of the 100-year flood area.
8. Locating the Residential lots and building pads outside of the 100-year flood area.
9. Providing an emergency overflow route for the pond within outlot 9 to the satisfaction of the Village Engineering Department.
10. Properly abandoning all existing septic systems and wells.
11. Submitting sewer computations and plan & profile sheets that are ultimately approved by the Village, MMSD, and Wisconsin DNR.
12. Submitting water computations and plan & profile sheets that are ultimately approved by the Village and Wisconsin DNR.
13. Providing easements for water mains, sewer mains, and storm sewer pipes crossing private lots.
14. Submitting storm sewer computations and plan & profile sheets that are ultimately approved by the Village.
15. Designing and installing the sanitary sewer so that the lift station on Hummingbird Way will be able to be taken offline and abandoned.
16. Connecting the existing sanitary sewer in Harmony Hills II, and abandoning the lift station, manholes, and air release chamber on Mill Road.
17. Modifying the sanitary sewer design to the satisfaction of the Village Engineering Department.
18. All road termination points at the end of a phase shall have a small cul-de-sac or hammer head asphalt pavement area constructed to accommodate the turning radius of fire trucks, garbage trucks, and snow plows.
19. Removing the temporary cul-de-sacs or hammer heads when continuing the phases of the development.
20. Enlarging the radii in the proposed cul de sacs and bump-outs from 65 feet to 75 feet to accommodate the required islands.
21. Removing the temporary dead ends and installing curb and gutter when connecting to Hummingbird Way and Sunburst Drive.
22. Providing a Letter of Credit before utility installation.
23. Submitting grading plans that are ultimately approved by the Village.
24. Completing all improvements for the subdivision under a development agreement. The agreement must be approved by the Village and signed by the Developer before construction.
25. Following the Village Standards and Requirements for Subdivision Design.
26. All homes must be situated so the basement floor elevations are at least 3 feet above the seasonal ground water.

27. Transferring the soil boring locations in the geotechnical report to the new proposed subdivision layout.
28. Identifying the soil borings on the grading plan along with the seasonal high ground water elevations.
29. Obtaining all approvals for the development from the appropriate regulatory agencies prior to construction.
30. Providing the type, size, height, and location (setbacks) of all structures remaining on the farmstead.
31. Augmenting the general landscape treatment to show the required landscape buffer between the proposed subdivision and any adjacent single family residential area to the east and the industrial area to the south.

WHEREAS, at its meeting on February 25, 2014 the Architectural Control Board recommended the Weyerhaven Planned Residential Development be approved subject to the following conditions;

1. Detailed landscape plans and all proposed signage for the development shall return to the Architectural Control Board for each phase of the development.  
The internal pedestrian circulation system shall be a concrete sidewalk.
3. A concrete sidewalk connection shall be installed along the north property line of Lot 1 or along the south property line of Lot 94 to connect the future Lilly Road multi-purpose trail and the internal Weyerhaven pedestrian sidewalk system.

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 Waterside Highlands and Waterside Single Family Planned Residential Development.

Section 2. The Village Clerk shall cause a Certified Copy of this ordinance to be recorded with the Waukesha County Register of Deeds.

Adopted by the Board of Trustees of the Village of Menomonee Falls on the 3<sup>rd</sup> day of March, 2014.

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

Date Posted: 3/10/14 – 3/23/14

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