

ENROLLED ORDINANCE 175-25

AMEND THE DISTRICT ZONING MAP OF THE TOWN OF LISBON ZONING CODE BY REZONING CERTAIN LANDS LOCATED IN PART OF THE NE ¼ OF SECTION 25, T8N, R19E, TOWN OF LISBON, WAUKESHA COUNTY, WISCONSIN, FROM THE A-10 AGRICULTURAL DISTRICT TO THE M-2 GENERAL INDUSTRIAL DISTRICT (RZ45)

WHEREAS, after proper notice was given, a public hearing was held and the subject matter of this Ordinance was approved by the Lisbon Town Board on January 27, 2020; and

WHEREAS, the matter was referred to and considered by the Waukesha County Park and Planning Commission, which recommended approval and reported that recommendation to the Land Use, Parks and Environment Committee and the Waukesha County Board of Supervisors, as required by Section 60.62, Wis. Stats.


THE COUNTY BOARD OF SUPERVISORS OF THE COUNTY OF WAUKESHA ORDAINS that the District Zoning Map for the Town of Lisbon Zoning Code, adopted by the Town of Lisbon on April 9, 2010, is hereby amended to rezone from the A-10 Agricultural District to the M-2 General Industrial District, certain lands located in part of the NE ¼ of Section 25, T8N, R19E, Town of Lisbon, Waukesha County, Wisconsin, and more specifically described in the "Staff Report and Recommendation" and map on file in the office of the Waukesha County Department of Parks and Land Use and made a part of this Ordinance by reference RZ45, is hereby approved.

BE IT FURTHER ORDAINED that the Waukesha County Clerk shall file a certified copy of this Ordinance with the Town Clerk of Lisbon.

BE IT FURTHER ORDAINED that this Ordinance shall be in full force and effect upon passage, approval and publication.

AMEND THE DISTRICT ZONING MAP OF THE TOWN OF LISBON ZONING CODE BY
REZONING CERTAIN LANDS LOCATED IN PART OF THE NE ¼ OF SECTION 25, T8N,
R19E, TOWN OF LISBON, WAUKESHA COUNTY, WISCONSIN, FROM THE A-10
AGRICULTURAL DISTRICT TO THE M-2 GENERAL INDUSTRIAL DISTRICT
(RZ45)


Presented by:
Land Use, Parks, and Environment Committee

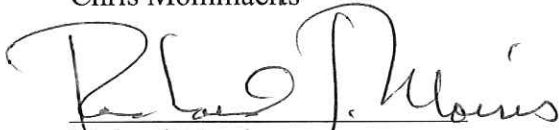

Jennifer Grant, Chair


Keith Hammitt


Thomas J. Michalski

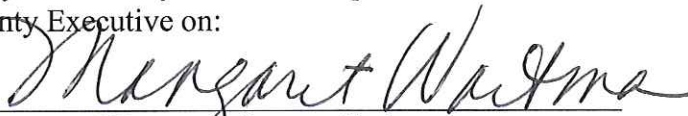

William A. Mitchell


Chris Mommaerts


Richard Morris


Thomas J. Schellinger

The foregoing legislation adopted by the County Board of Supervisors of Waukesha County, Wisconsin, was presented to the County Executive on:

Date: 8/31/2020, 
Margaret Wartman, County Clerk

The foregoing legislation adopted by the County Board of Supervisors of Waukesha County, Wisconsin, is hereby:

Approved: X

Vetoed: _____

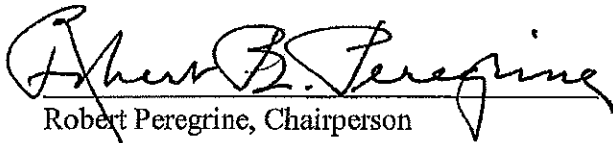
Date: 8/31/2020, 
Paul Farrow, County Executive

COMMISSION ACTION

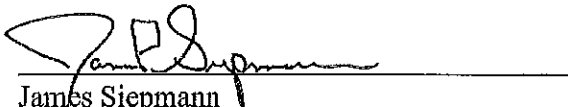
The Waukesha County Park and Planning Commission after giving consideration to the subject matter of the Ordinance to amend the Town of Lisbon Zoning Ordinance hereby recommends **approval** of **RZ45 (Town of Lisbon Board)** in accordance with the attached "Staff Report and Recommendation".

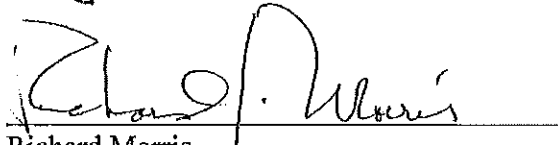
PARK AND PLANNING COMMISSION

February 20, 2020

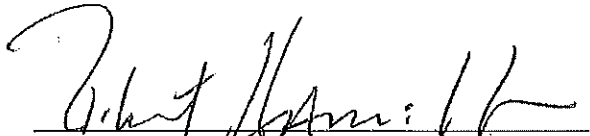

Robert Peregrine, Chairperson


William Mitchell, Vice Chairperson


James Siepmann


Richard Morris


Thomas Michalski


Robert Hamilton

WAUKESHA COUNTY DEPARTMENT OF PARKS AND LAND USE
STAFF REPORT AND RECOMMENDATION
ZONING MAP AMENDMENT

DATE: February 20, 2020

FILE NO.: RZ45

OWNER: Town of Lisbon
W234 N8676 Woodside Road
Lisbon, WI 53089

APPLICANT: Town of Lisbon Board of Supervisors
W234 N8676 Woodside Road
Lisbon, WI 53089

TAX KEY NO.: (part of) LSBT 0241.999

LOCATION:

Part of the N ½ and NE ¼ of Section 25, T8N, R19E, Town of Lisbon. More specifically, the property is located at N63 W22039 CTH F, containing approximately 71.5 acres, however only approximately 45 acres are proposed to be rezoned.

EXISTING ZONING: A-10 Agricultural District (Town)

PROPOSED ZONING: Re-establish the M-2 General Industrial District

EXISTING USES: Former Lied's Nursery property, currently vacant

PROPOSED USES: Industrial

PUBLIC HEARING DATE: April 11, 2019

PUBLIC COMMENT: None

TOWN PLAN COMMISSION ACTION:

On April 11, 2019, the Town of Lisbon Plan Commission unanimously recommended approval of the rezone request, Ordinance 10-19, to the Town Board.

TOWN BOARD ACTION:

On May 13, 2019, the Lisbon Town Board of Supervisors unanimously approved Ordinance No. 10-19 specific to the subject rezoning request and recommended the same to Waukesha County.

On January 27, 2020, the Lisbon Town Board of Supervisors unanimously re-approved a modified Ordinance No. 10-19 (attached) specific to the subject rezoning request and recommended the same to Waukesha County.

TOWN OF LISBON/VILLAGE OF SUSSEX JOINT PLANNING COMMITTEE (JPC):

Pursuant to the Boundary Stipulation and Intergovernmental Cooperation Agreement between the Town of Lisbon and the Village of Sussex dated January 22, 2001, the Advisory Committee met on

July 10, 2019 to review, consider, and comment on the proposed rezoning request as required. The result of the JPC meeting was a 3-3 vote. It should be noted the JPC is advisory in nature and therefore a majority vote is not required.

In a conversation with the Village of Sussex Administrator, the Waukesha County Planning and Zoning Division staff inquired what concerns the Village had regarding the project and were told the Village was concerned the Town would not include the design standards. As noted below the Town of Lisbon has addressed these concerns by including a reference to the design standards as outlined in the Town of Lisbon Zoning Ordinance.

COMPLIANCE WITH THE COMPREHENSIVE DEVELOPMENT PLAN (CDP) FOR WAUKESHA COUNTY AND THE TOWN OF LISBON CDP:

The Town and County CDP's designate the west portion of the subject parcel as Industrial and Other Open Lands to be Preserved in the areas that contain hydric soils. It is unlikely development of this land would contain subsurface development, therefore, the proposed rezone will comply with both plans.

STAFF ANALYSIS:

In 2008, the subject area was conditionally rezoned to M-2 (ZT-1675, Town Ordinance 02-08). However, since the condition of that rezone approval was not fulfilled, and the Town has subsequently amended the text of their Zoning Ordinance in 2018 such that the condition cannot be satisfied, the zoning of the property has technically reverted back to its pre-2008 status, which was A-10 Agricultural. Through the proposed rezone request, the Town is now seeking to re-establish M-2 zoning on the property, and the proposed request would not include the condition of 2008 rezone request, which was specific to the development proposal at that time.

In 2019, the Waukesha County Planning and Zoning Division staff had conversations with the Town of Lisbon regarding the development of the overall former Lied's Nursery parcel, which contains 71.5 acres and is located at the southwest corner of CTH F and CTH V in the Town of Lisbon. County staff recommended that the proposed town ordinance require adherence to the design standards outlined in the Town of Lisbon Zoning Ordinance. These design standards are applicable in special use districts near the Village of Sussex boundary, and the Town has recently revised the proposed ordinance to include such a reference.

The Town currently owns the subject property and created a Tax Incremental Finance district to help finance development in the area. The proposed map amendment involves only the western portion of the overall property, which contains approximately 45 acres. The SEWRPC conducted a wetland delineation on the site in 2016 indicating wetland areas mainly around an existing stockpile in the northwestern portion of the property and along the ditch lines of CTH F. The property also contains hydric soils and bedrock conditions.

A Certified Survey Map has been drafted for the approximately 45 acres showing access from CTH F via a 75 foot wide road extension ending in a cul-de-sac. The property will be served with public sewer extended from Townline Road and a private well system. The testing for the water has already been completed. The Town will review a Site Plan and Plan of Operation for the new industrial use if the zoning amendment and subsequent Certified Survey Map are approved, and review of the development of the site will include the design standards outlined in the Town of Lisbon Zoning Ordinance. The proposed end user is proposing to construct a 40,000 square foot light industrial

building (refer to Exhibit A) to house an ink manufacturing company. There would be space for expansion and preliminary landscape plans show extensive screening consistent with the design standards outlined in the Town of Lisbon Zoning Ordinance (refer to Exhibit B).

The adjacent zoning is industrial (west – village, north - town), public and institutional (south), commercial (east - town, north - village). Adjacent land uses are industrial to the west (village), commercial (north – village, east – town), government and institutional to the south, and medium density residential to the north (mobile home park).

STAFF RECOMMENDATION:

Based on the above analysis, the Planning and Zoning Division Staff recommends approval of the request in accordance with Lisbon Ordinance No. 10-19. The proposed zoning would re-establish the industrial zoning on the site which conforms with the land use designation of the site on the Town and County Comprehensive Development Plans and the immediately adjacent industrial zoning in the Village of Sussex while also incorporating the design standards outlined in the Town of Lisbon Zoning Ordinance as previously committed to by both the Town of Lisbon and the Village of Sussex. Further, the proposed industrial use is consistent with the use designated on the Comprehensive Development Plans and would be served with public sewer and a private well system. Therefore, the proposed map amendment complies with the Town and County Comprehensive Development Plans and the purpose and intent of the Town of Lisbon's Zoning Ordinance.

Respectfully submitted,

Sandra L. Scherer

Sandy Scherer
Senior Planner

Attachments: Town Ordinance 10-19
Exhibit A
Exhibit B
Map

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STATE OF WISCONSIN

TOWN OF LISBON

WAUKESHA COUNTY

RECEIVED
1/28/2020
DEPT OF
PARKS & LAND
USE

Ord. 10-19

AN ORDINANCE REZONING LSBT 0241.999, KNOWN AS THE LIEDS PROPERTY, TO ALLOW INDUSTRIAL USES IN ACCORDANCE WITH THE M2 GENERAL INDUSTRIAL DISTRICT ZONING CLASSIFICATION

THE TOWN BOARD OF THE TOWN OF LISBON, WAUKESHA COUNTY, WISCONSIN, DOES ORDAIN AS FOLLOWS:

WHEREAS, the Town of Lisbon is owner of LSBT 0241.999, a 44.96 acre parcel of property described more particularly on Exhibit A, known as the Lieds Property, which is appended hereto and incorporated herein; and,

WHEREAS, the property was conditionally rezoned from the Agricultural District to the General Industrial District zoning classification by enactment of Ordinance 02-08 on May 12, 2008; and,

WHEREAS, the Town Board has determined that the condition necessary to place in effect the rezoning established by Ordinance 02-08 have not been fulfilled; and,

WHEREAS, the Town Board has now determined that the property should be rezoned to the M2 General Industrial District zoning classification;

WHEREAS, pursuant to the Boundary Stipulation and Intergovernmental Cooperation Agreement between the Village of Sussex and the Town of Lisbon dated January 22, 2001, the Town of Lisbon and Village of Sussex Joint Planning Committee on July 10, 2019 received, considered and commented on the Application for Rezoning those lands more particularly described on Exhibit A, appended to this Ordinance;

NOW THEREFORE, the Town Board of the Town of Lisbon does ordain as follows:


SECTION 1: That 44.96-acre parcel of property described on Exhibit A, which is appended hereto and incorporated herein by reference, shall be zoned for uses allowed by the M2 General Industrial District zoning classification as established by the Zoning Code of the Town of Lisbon.


SECTION 2: Development of Properties in the area described as Exhibit A shall be reviewed as provided in the Design Standards found in Addendum E of the Town of Lisbon Zoning Code.

SECTION 3: This Ordinance shall take effect upon passage and posting as provided by law.

AMENDED by the Town Board of the Town of Lisbon, Waukesha County, Wisconsin this 27th day of January 2020.

TOWN BOARD, TOWN OF LISBON
WAUKESHA COUNTY, WISCONSIN

BY: 
JOSEPH OSTERMAN, Chairman

BY: 
TEDIA GAMINO, Supervisor

BY: 
MARC MOONEN, Supervisor

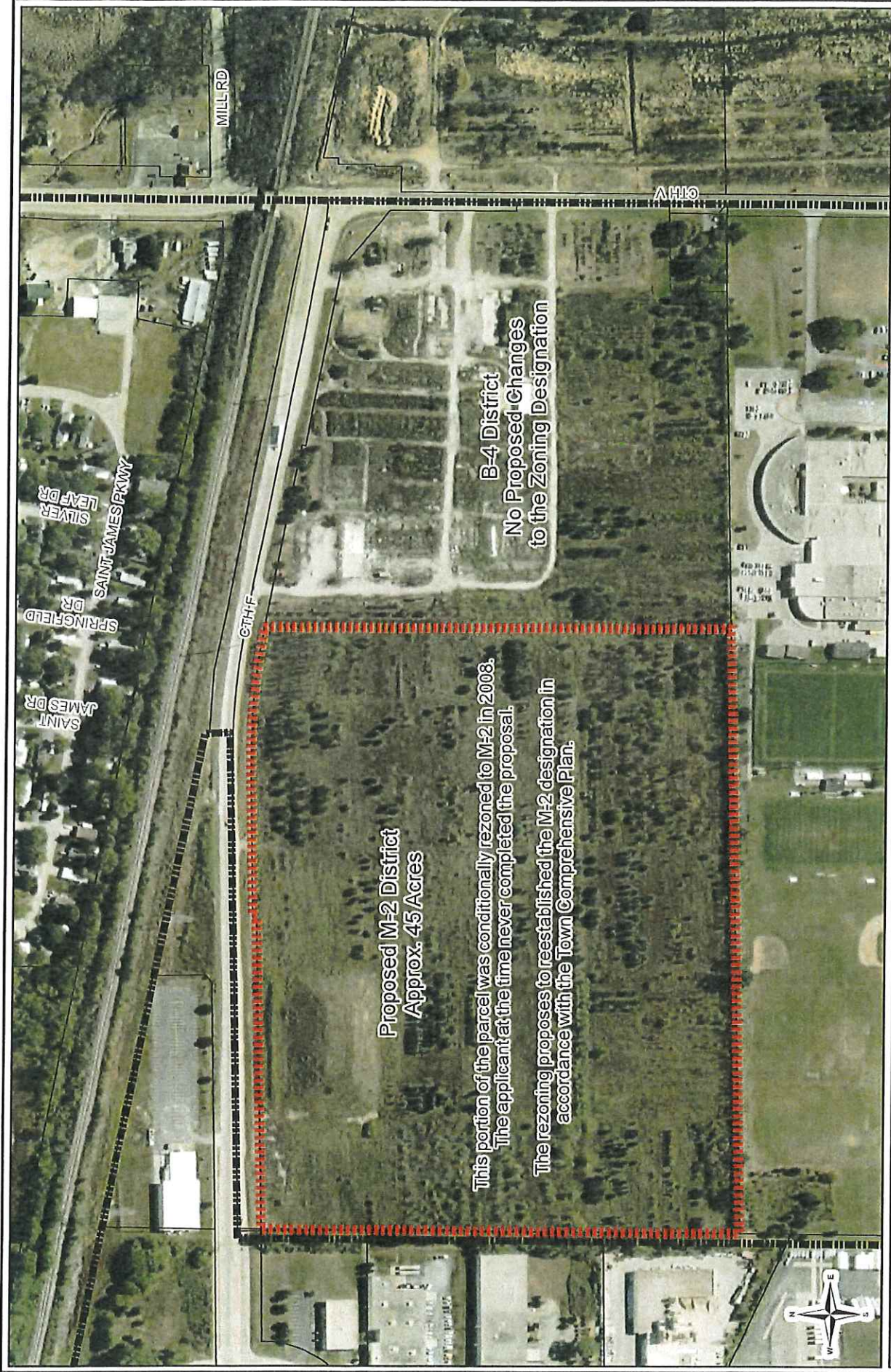
BY: 
LINDA BEAL, Supervisor

BY: 
REBECCA PLOTECHER, Supervisor

ATTEST:

BY: 
Rick J. Goeckner, MMC
Interim Town Clerk



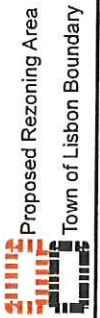


**Proposed M-2 District
Approx. 45 Acres**

This portion of the parcel was conditionally rezoned to M-2 in 2008.
The applicant at the time never completed the proposal.
The rezoning proposes to reestablish the M-2 designation in
accordance with the Town Comprehensive Plan.

**B-4 District
No Proposed Changes
to the Zoning Designation**

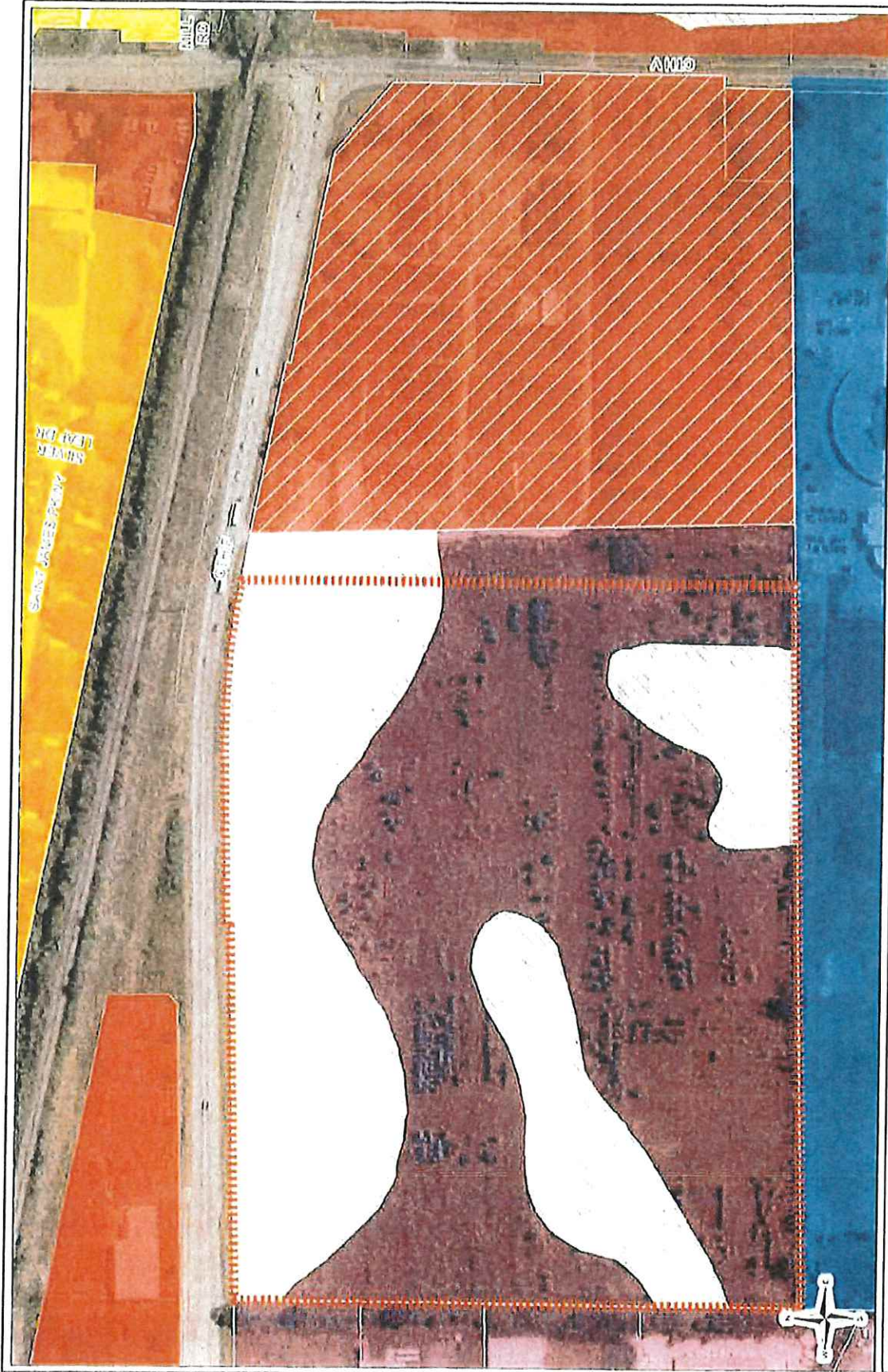
Portion of the Lied's Property (LSBT0241999) Site Map
Town of Lisbon



vierbicher
engineers advisors

REEDSBURG - MADISON - PRAIRIE DU CHIEN - MILWAUKEE METRO
127 W23957 Paul Road, Suite 105, Pewaukee, WI 53072
Phone: (262) 875-8000 Fax: (608) 826-0530

Data Source: Vierbicher, Town of Lisbon, Waukeshia County, ESRI



Lied's Property (LSBT0241999) Comprehensive Development Plan Map
 Town of Lisbon

1 inch = 279 feet



vierbicher
 planners engineers advisors
 REDSHIRE - MADISON - PRAIRIE DU CHIEN - WAUKESHA METRO
 N27 W23957 Paul Road, Suite 100, Pewaukee, WI 53072
 Phone: (414) 875-5000 Fax: (414) 826-0330

- Industrial
- Medium Density Residential
- Other Open Lands to be Preserved
- Governmental & Institutional
- Commercial and Office Park
- Commercial Special Use

Map Date: 12/15/19; Map by: Lisa Wagner, Planning & Zoning

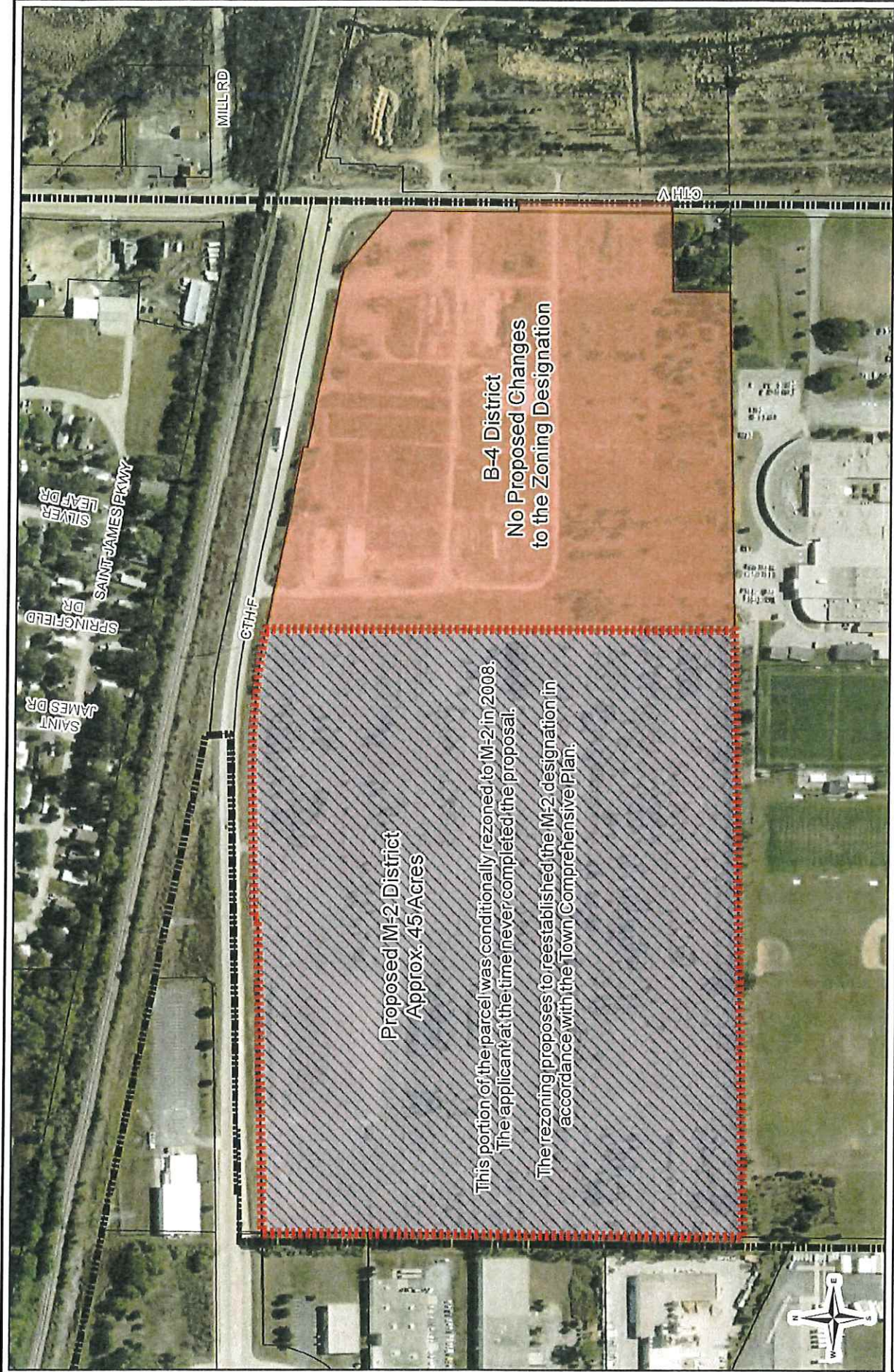






Exhibit A - Portion of the Lied's Property (LSBT0241999) Rezoning Town of Lisbon



 Proposed Rezoning Area
 B-4
 Town of Lisbon Boundary
 M-2 (*See ZI-1675)

vierbicher
planners engineers advisers

REEDSBURG - MADISON - PRAIRIE DU CHIEN - MILWAUKEE METRO
N27 W23957 Paul Road, Suite 105, Pewaukee, WI 53072
Phone: (262) 875-5000 Fax: (608) 826-0330

Map Sources: Town of Lisbon, Wisconsin County, ESRI

Proposed M-2 District
Approx. 45 Acres

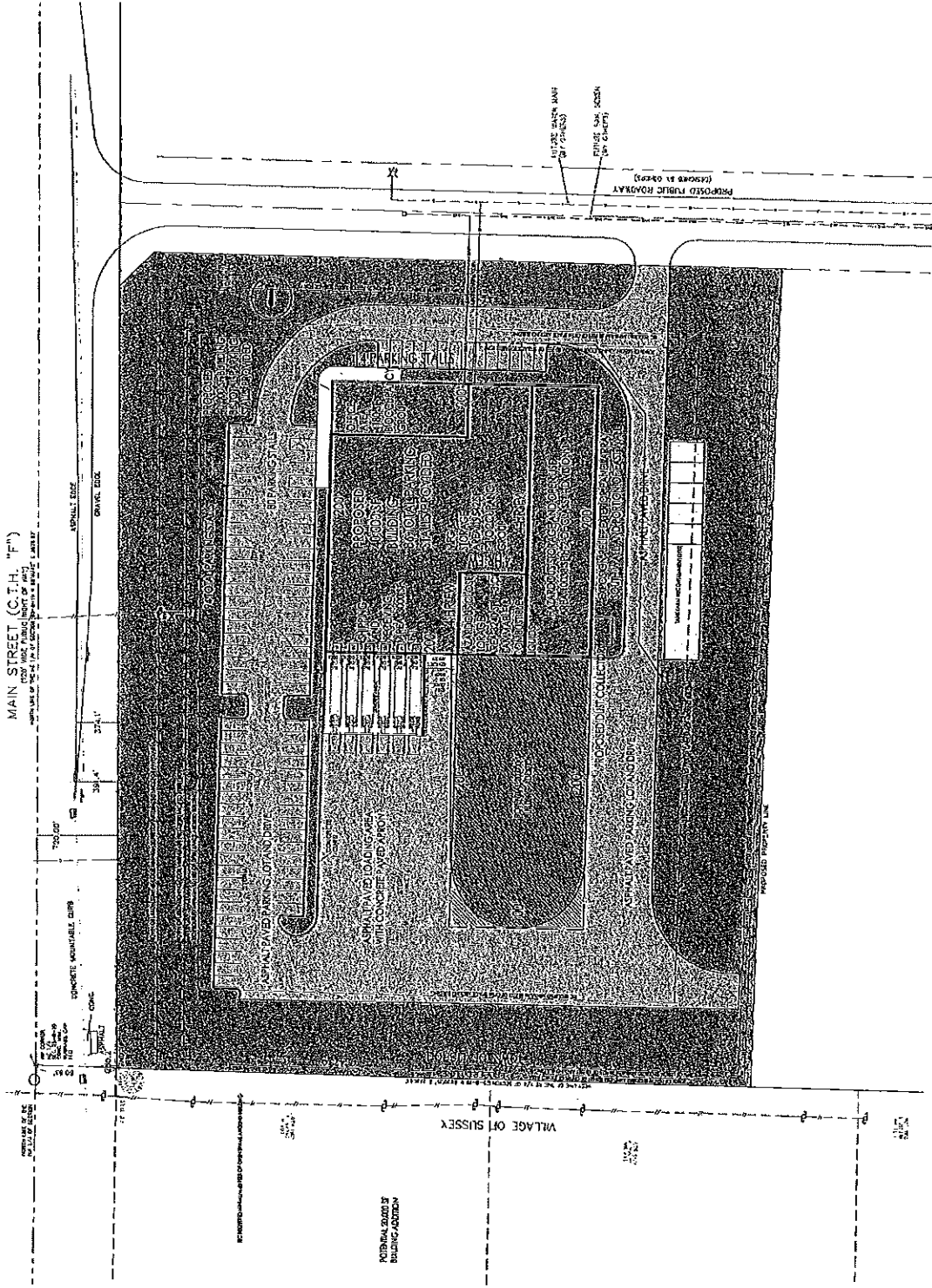
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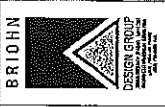
B-4 District
No Proposed Changes
to the Zoning Designation

EXHIBIT "A"

REFER TO CIVIL DRAWINGS FOR ADDITIONAL SITE INFORMATION



1 SITE PLAN
Scale: 1"=30'



BRIOHN DESIGN GROUP
DESIGN GROUP
1000 W. WISCONSIN ST. SUITE 200
MILWAUKEE, WI 53233
TEL: 414.224.1100
WWW.BRIOHNDESIGN.COM

PROPOSED NEW MANUFACTURING FACILITY - BUILDING FOR:
WOKOFF COLORS
MAIN STREET C.T.H. "F"
TOWN OF MADISON, WISCONSIN 53089

A0.1

EXHIBIT "B"



4 PERSPECTIVE RENDERING OF WIKOFF BUILDING
NEW LOOKING SOUTHWEST AT NORTHWEST CORNER OF BUILDING WITH TREES GROWN IN FALL

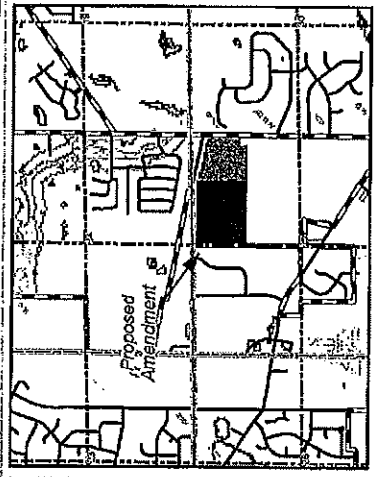
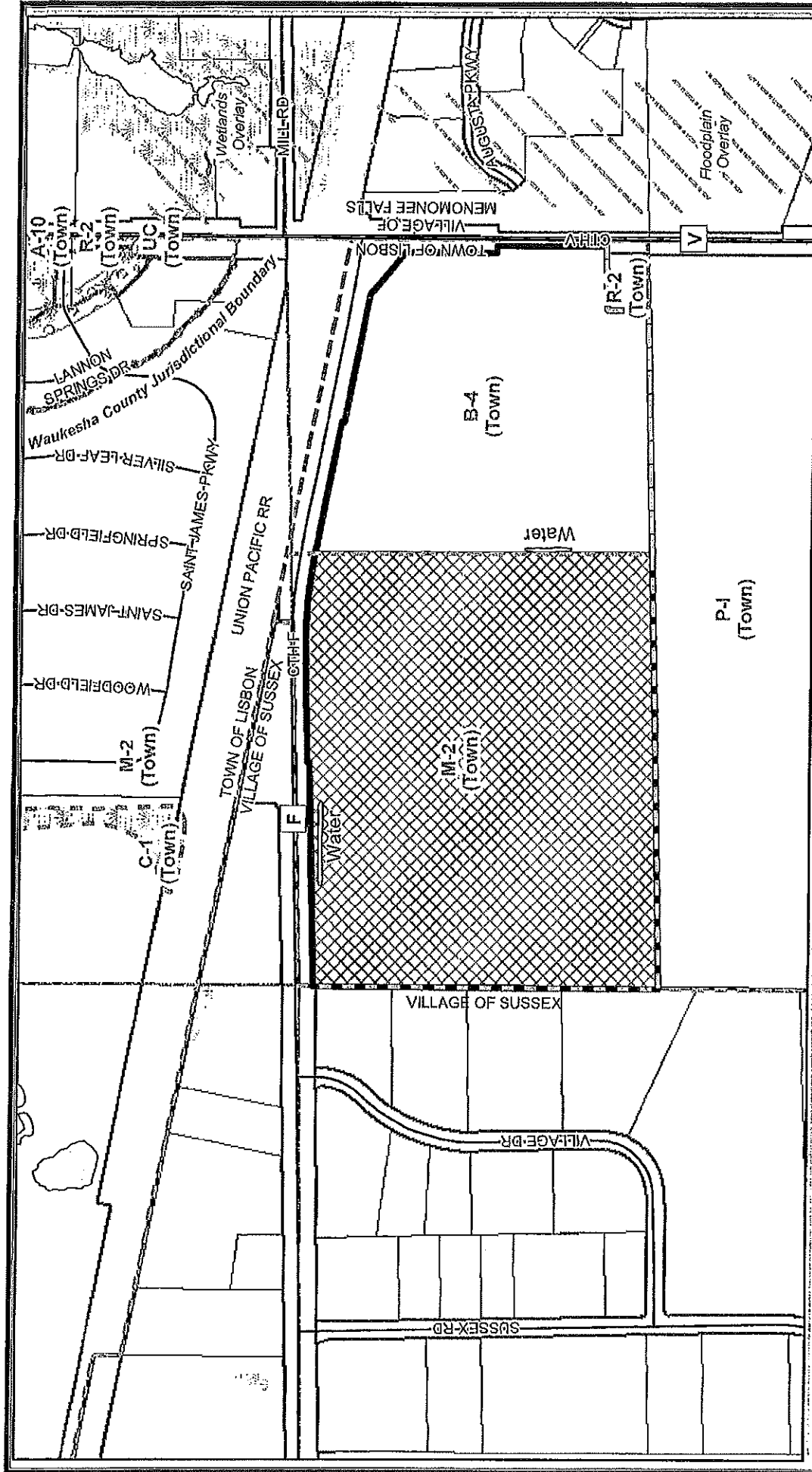
3 PERSPECTIVE RENDERING OF WIKOFF BUILDING
NEW LOOKING SOUTHWEST AT NORTHWEST CORNER OF BUILDING WITH TREES ADDED FOR BUILDING VISIBILITY



2 PERSPECTIVE RENDERING OF WIKOFF BUILDING
NEW LOOKING SOUTHWEST AT NORTHWEST CORNER OF BUILDING AND DOGS WITH TREES GROWN IN FALL

1 PERSPECTIVE RENDERING OF WIKOFF BUILDING
NEW LOOKING SOUTHWEST AT NORTHWEST CORNER OF BUILDING AND DOGS WITH TREES ADDED AWAY FROM BUILDING VISIBILITY





TOWN ZONING CHANGE FROM A-10 AGRICULTURAL DISTRICT TO M-2 GENERAL INDUSTRIAL DISTRICT

Wetlands Overlay
 Floodplain Overlay

FILE..... RZ45
 DATE OF PLAN COMMISSION.....02/20/2020
 AREA OF CHANGE.....44.98 ACRES
 TAX KEY NUMBER.....LSBT 0241.999

1 inch = 500 feet

0 250 500 Feet

Prepared by the Waukesha County Department of Parks and Land Use

ZONING AMENDMENT

PART OF THE N 1/2 OF THE NE 1/4 SECTION 25, TOWN OF LISBON