

RESOLUTION 18-19

RESOLUTION TO APPROVE THE SPECIFIC DEVELOPMENT PLAN FOR THE PRESERVE AT HARVEST RIDGE, LLC FOR THE PROPERTY LOCATED NORTH OF LISBON ROAD (C.T.H. "K") AND SOUTH OF AINSWORTH ROAD, LSBT 0264.998.002

WHEREAS, the Town Board of the Town of Lisbon, Wisconsin, established a planned unit development (PUD) overlay zoning classification of property north of Lisbon Road (C.T.H. "K") and south of Ainsworth Road, LSBT 0264.998.002.

WHEREAS, Preserve at Harvest Ridge, LLC for the property located north of Lisbon Road (C.T.H. "K") and south of Ainsworth Road, LSBT 0264.998.002, received General Development Plan Approval from the Town of Lisbon; and

WHEREAS, the August 8, 2019, the Town of Lisbon Plan Commission reviewed the following:

1. Civil Engineering Plans
2. Storm Water Management Plans
3. Landscape Plans
4. Declaration of Protective Covenants

For purposes of this resolution these documents shall be deemed to be the Specific Development Plan (the "SDP"); and

WHEREAS, the Town of Lisbon Plan Commission made the following findings based upon the criteria set forth in section 33-D-6 of the Town Code of Ordinance;

1. The SPD is consistent with the Purpose and Intent of the Zoning Code, and the purpose and intent of Planned Unit Development Overlay District.
2. The subdivision layout and SPD reflects and incorporates consideration of the physical nature of the Site with particular concern for the preservation of natural resources, open spaces, natural terrain as required by Ordinance including the CDP and to the greatest extent possible.
3. The general character and intensity of the use produces an attractive environment appropriate to the uses proposed and is compatible with existing developments in the surrounding area, including developments in neighboring and adjacent municipalities, and is generally consistent with the development policies and practices of the Town.
4. Adequate municipal services are available to support the development and the development will proceed using private wells and septic systems.
5. Preserve at Harvest Ridge, LLC, through the development agreement and Letter of Credit provided adequate financial guarantees to ensure that all public improvements

are completed in a timely manner, and in accordance with all existing regulations and ordinances of the State, County and Town.

6. The provided declaration of protective covenants will be recorded, and a Home Owners Association will be responsible for maintaining common areas of the proposed Development.
7. The Preliminary Plat has been reviewed and approved and the Final Plat will be reviewed and recorded after approval of the Town Board.
8. The Developer will be entering into a Development agreement with the Town of Lisbon, as approved by the Town Attorney, the purpose of which is to ensure the implementation, completion and continued maintenance of the Development as established by the Planned Unit Development Overlay District Ordinance, the General Development Plan and the Specific Development Plan.
9. The development will include privately owned open spaces including multiuse pathways that will be open to the public through recorded easements and a tot lot used for the private use of the residents of the subdivision and or association.

WHEREAS, On August 8, 2019 the Plan Commission recommended approving the SDP with conditions:

1. Fencing details, if limited in the GDP/SDP.
2. Required lighting details, if limited in the GDP/SDP.
3. Examples, architectural plans or illustrations depicting the exterior design, materials and colors, height, and character of proposed structures, including elevations and interior floor plans.

WHEREAS, the Town Board concurs with these findings,

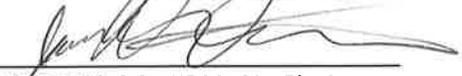
NOW, THEREFORE BE IT RESOLVED, the Town Board of the Town of Lisbon, Waukesha County, Wisconsin adopts the following Resolution, subject to:

1. The recitals set forth above are material to and are incorporated in this resolution.
2. The change in the zoning classification of the Property to Planned Unit Development Overlay District – GDP shall be null and void, if the following conditions of this SPD approval have not been satisfied within 12 months on the date of this resolution.
 - a. The applicant (Preserve at Harvest Ridge, LLC) has acquired ownership of all of the Property.
 - b. A stormwater management plan meeting the Town’s requirements has been approved by the Town Engineer and Waukesha County.

- c. The applicant (Preserve at Harvest Ridge, LLC) has obtained Town approval of, and recorded, a Final Plat in substantially the same form as the approved Preliminary Plat.
 - d. The approved deed restrictions have been recorded and submitted to the Town.
3. The Property shall be developed and used in full compliance with the General Development Plan and a Specific Development Plan. The General Development Plan and Specific Development Plan shall constitute the zoning regulations for the Property, and may be enforced as any other zoning regulation in the Town of Lisbon. A copy of the General Development Plan and the Specific Development Plan shall be maintained and kept on file by the Town Clerk.
4. Any subsequent change or addition to the plans or uses identified in the GDP or SDP shall first be submitted for approval to the Town Plan Commission and if, in the opinion of the Town Plan Commission, such change or addition constitutes a substantial alteration of the original plan, a public hearing shall be required pursuant to Sections 33, 35, and 36 of the Town Ordinance to amend the GDP prior to SDP and site plan approval.

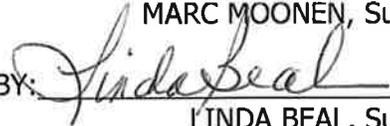
PASSED AND ADOPTED by the Town Board of the Town of Lisbon, Waukesha County, Wisconsin this 25th day of November, 2019.

TOWN BOARD, TOWN OF LISBON
WAUKESHA COUNTY, WISCONSIN

BY: 
JOSEPH OSTERMAN, Chairman

BY: absent
TEDIA GAMIÑO, Supervisor

BY: absent
MARC MOONEN, Supervisor

BY: 
LINDA BEAL, Supervisor

BY: 
REBECCA PLOTECHER, Supervisor

ATTEST:

BY: 
Dan Green, CMC/WCMC
Town Clerk

Attachment: Legal Description of the Property

