

ORDINANCE NO. 353

AN ORDINANCE REZONING CERTAIN REAL PROPERTY IN THE TOWN OF LYONS, COLORADO, COMMONLY KNOWN AS LYONS VALLEY PARK, COMPRISING APPROXIMATELY 144 ACRES IN SECTIONS 17, 19 and 20, TOWNSHIP 3 NORTH, RANGE 70 WEST OF THE 6TH P.M., COUNTY OF BOULDER, STATE OF COLORADO, FROM C-1, R-1, R-2, R-3, E., AND UNZONED, TO C-1, R-1 and E: APPROVING THE LYONS VALLEY PARK PLANNED RESIDENTIAL DEVELOPMENT AND STATING CONDITIONS OF SUCH APPROVAL; AND SETTING FORTH DETAILS IN RELATION THERETO.

WHEREAS, Lyons Valley Park, Inc. has applied to the Town of Lyons, Colorado to rezone certain real property in the Town from its existing zoning of C-1, R-1, R-2, R-3, E and unzoned to C-1, R-1 and E, said property comprising approximately 144 acres in Sections 17, 19 and 20, Township 3 North, Range 70 West of the 6th P.M., County of Boulder, State of Colorado, and being commonly known as Lyons Valley Park;

WHEREAS, Lyons Valley Park, Inc. has further requested approval of a planned residential development for a total of 403 dwelling units upon the said property (excepting the portion to be rezoned C-1);

WHEREAS, The Planning Commission has reviewed the said rezoning and planned residential development application and forwarded its recommendations to the Board of Trustees;

WHEREAS, a public hearing on the said application, upon notice as required by law, has been held before the Board of Trustees on the 15th day of October, 1979;

WHEREAS, The Board of Trustees finds that the original zoning of the said property was in error; and the proposed zoning is a downzoning which will better implement the Lyons' Comprehensive Plan and promote the public health, safety and welfare; and

WHEREAS, The Board of Trustees further finds that the proposed planned residential development is consistent and compatible with the Comprehensive Plan;

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF LYONS, COLORADO, THAT:

Section 1. The zoning of the real property described in attached Exhibit A hereto, containing 0.94 acres more or less, is hereby amended so as to include the said property in the C-1 General Commercial Zoning District.

Section 2. The zoning of the real property described in attached Exhibit B, containing a total of 78.58 acres more or less, is hereby amended so as to include the said property in the R-1 Single Family Residential Zoning District.

Section 3. The zoning of the real property described in attached Exhibits C and D hereto, containing a total of 64.50 acres more or less, is hereby amended so as to include the said property in the E Estate Zoning District.

Section 4. The Lyons Valley Park Planned Residential Development, as shown on the "Master Plan" dated November 30, 1977 and revised August 28, 1978 (with individual lot lines deleted), consisting of 403 dwelling units on the property zoned R-1 and E by this ordinance (described in Exhibits B, C and D, and containing a total of 144.02 acres more or less) is hereby approved, subject to the following conditions:

(a) No final plat for any part or phase of the Planned Residential Development shall be approved until the Applicant has obtained approval of the proposed railroad crossing for McConnell Drive from the Colorado Public Utilities Commission. The Town will submit the application to the Public Utilities Commission on behalf of the Applicant; however, the Applicant shall be fully responsible for all information required and expenses incurred in connection with the application.

(b) Construction of the development shall be generally in accordance with the sequence described in the Applicant's letter to Vincent J. Porreca dated September 6, 1979, and specifically no more than 66 units in Area 3 on the Plan shall be constructed before the McConnell Drive railroad crossing is constructed and usable for access.

(c) During the development of Area 3, the Applicant shall provide alternative access to Second Avenue for construction vehicles and equipment.

(d) This approval is limited to the aspects of the Development represented on the Master Plan, and does not constitute an approval of the "General Conditions" stated in the Application. Detailed development plans must be submitted and approved in accordance with the Town's Subdivision Regulations.

Section 5. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 6. If any part or parts of this ordinance is for any reason held to be invalid, such shall not affect the remaining portions of the ordinance.

INTRODUCED, READ AND PASSED ON FIRST READING THIS 15TH
DAY OF October, 1979.

READ ON SECOND READING, PASSED, ADOPTED AND ORDERED
PUBLISHED THIS 19TH DAY OF February, 1980.

ATTEST:

Carol J. Moses
Town Clerk
Town of Lyons, Colorado

Naugh J. Carter
Mayor, Town of Lyons, Colorado

C-1 ZONING (GENERAL COMMERCIAL - 0.94 ACRES)

THAT PART OF THE NW 1/4 OF THE NW 1/4 OF SECTION 20, T3N, R70W OF THE 6TH P.M., COUNTY OF BOULDER, STATE OF COLORADO, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NW CORNER OF SAID SECTION 20, FROM WHENCE THE NORTH LINE OF SECTION 19, T3N, R70W OF THE 6TH P.M. BEARS N 87°17'30" W;

THENCE S 1°15'00" W, 66.20 FEET;

THENCE S 29°05'55" E, 387.00 FEET TO THE POINT OF BEGINNING;

THENCE CONTINUING S 29°05'55" E, 77.91 FEET;

THENCE S 66°55'51" E, 229.07 FEET TO A POINT ON A CURVE;

THENCE ALONG SAID CURVE TO THE RIGHT, THE CHORD OF WHICH BEARS S 66°07'01" W AND WHICH HAS A CENTRAL ANGLE OF 1°39'34" AND A RADIUS OF 1,151.00 FEET, AN ARC DISTANCE OF 33.34 FEET;

THENCE S 66°56'48" W, 236.16 FEET TO A POINT OF TANGENCY ON A CURVE;

THENCE ALONG SAID CURVE TO THE LEFT, WHICH HAS A CENTRAL ANGLE OF 0°34'05" AND A RADIUS OF 693.02 FEET, AN ARC DISTANCE OF 6.87 FEET;

THENCE N 23°03'17" W, 231.53 FEET;

THENCE N 60°54'05" E, 110.00 FEET MORE OR LESS TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS 0.94 ACRES MORE OR LESS.

R-1 ZONING (78.58 ACRES)

THAT PART OF THE NW 1/4 SECTION 20 AND THAT PART OF THE NE 1/4 SECTION 19 ALL IN T3N, R70W OF THE 6TH P.M., COUNTY OF BOULDER, STATE OF COLORADO DESCRIBED AS FOLLOWS:

COMMENCING AT THE NW CORNER OF SAID SECTION 20 FROM WHICH THE NORTH LINE OF SAID SECTION 19 BEARS N 87°17'30" W, SAID NW CORNER BEING THE POINT OF BEGINNING;

THENCE S 1°15'00" W, 66.20 FEET;
THENCE S 29°05'55" E, 387.00 FEET;
THENCE S 60°54'05" W, 110.00 FEET;
THENCE S 23°03'17" E, 231.53 FEET TO A POINT ON A CURVE;
THENCE ALONG SAID CURVE TO THE RIGHT, THE CHORD OF WHICH BEARS N 66°39'46" E AND WHICH HAS A CENTRAL ANGLE OF 0°34'05" AND A RADIUS OF 693.02 FEET, AN ARC DISTANCE OF 6.87 FEET;
THENCE N 66°56'48" E, 236.16 FEET TO A POINT OF TANGENCY ON A CURVE;
THENCE ALONG SAID CURVE TO THE LEFT, WHICH HAS A CENTRAL ANGLE OF 1°39'34" AND A RADIUS OF 1151.00 FEET; AN ARC DISTANCE OF 33.34 FEET;
THENCE S 66°55'51" E, 12.46 FEET;
THENCE S 25°54'16" E, 258.95 FEET;
THENCE S 45°00'00" E, 183.85 FEET;
THENCE S 53°46'58" E, 168.55 FEET;
THENCE N 62°09'16" E, 15.17 FEET;
THENCE S 25°56'13" E, 664.42 FEET;
THENCE S 42°01'36" E, 322.19 FEET;
THENCE S 01°18'40" E, 677.00 FEET;
THENCE N 78°17'51" W, 287.01 FEET;
THENCE S 47°38'50" W, 126.00 FEET;
THENCE N 78°06'18" W, 475.00 FEET;
THENCE N 11°38'50" E, 108.84 FEET;
THENCE N 66°14'07" W, 49.80 FEET;
THENCE S 24°08'50" W, 122.80 FEET;
THENCE N 47°44'40" W, 180.70 FEET;
THENCE S 85°09'27" W, 345.77 FEET;
THENCE S 12°08'50" W, 240.00 FEET;
THENCE N 57°51'10" W, 90.00 FEET;
THENCE S 77°41'21" W, 57.23 FEET;
THENCE S 33°08'50" W, 95.00 FEET;
THENCE N 33°49'14" W, 99.92 FEET;
THENCE N 04°49'00" E, 1,276.26 FEET;
THENCE N 85°06'00" W, 706.11 FEET;
THENCE N 05°20'00" E, 1,263.84 FEET;
THENCE S 87°17'30" E, 799.50 FEET MORE OR LESS TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS 78.58 ACRES MORE OR LESS.

E ZONING (GREENBELT - 64.50 ACRES)

THAT PART OF THE E 1/2 OF THE NE 1/4 AND THE NE 1/4 OF THE SE 1/4 SECTION 19 AND THE SE 1/4 OF THE NW 1/4 SECTION 20 ALL IN T3N, R70W OF THE 6TH P.M., COUNTY OF BOULDER, STATE OF COLORADO DESCRIBED AS FOLLOWS:

BEGINNING AT THE W 1/4 CORNER OF SAID SECTION 20;
THENCE S 01°51'00" W, ALONG THE WEST LINE OF SAID SECTION 20
1,309.00 FEET;

THENCE N 89°08'30" W, 1,313.60 FEET;
THENCE N 00°16'22" W, 1,343.00 FEET;
THENCE S 87°42'55" E, 151.50 FEET;
THENCE S 04°49'00" W, 47.61 FEET;
THENCE N 82°08'50" E, 724.36 FEET;
THENCE S 33°49'14" E, 99.92 FEET;
THENCE N 33°08'50" E, 95.00 FEET;
THENCE N 77°41'21" E, 57.23 FEET;
THENCE S 57°51'10" E, 90.00 FEET;
THENCE N 12°08'50" E, 240.00 FEET;
THENCE N 85°09'27" E, 345.77 FEET;
THENCE S 47°44'40" E, 180.70 FEET;
THENCE N 24°08'50" E, 122.80 FEET;
THENCE S 65°14'07" E, 49.80 FEET;
THENCE S 11°38'50" W, 108.84 FEET;
THENCE S 78°06'18" E, 475.00 FEET;
THENCE N 47°38'50" E, 126.00 FEET;
THENCE S 78°17'51" E, 287.01 FEET;
THENCE S 01°18'40" E, 212.01 FEET;
THENCE N 85°24'03" W, 1,192.44 FEET MORE OR LESS
TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS 49.27 ACRES MORE OR LESS.

(E ZONING CONTINUED)

AND ALSO THAT PART OF THE NW 1/4 OF SECTION 20, T3N,
R70W OF THE 6TH P.M., COUNTY OF BOULDER, STATE OF COLORADO
DESCRIBED AS FOLLOWS:

BEGINNING AT THE NW CORNER OF SAID SECTION 20 FROM
WHICH THE NORTH LINE OF SECTION 19, T3N, R70W OF THE 6TH P.M.
BEARS N 87°17'30" W;

THENCE S 1°15'00" W, 66.20 FEET;
THENCE S 29°05'55" E, 464.91 FEET;
THENCE S 66°55'51" E, 241.54 FEET;
THENCE S 25°54'16" E, 258.95 FEET;
THENCE S 45°00'00" E, 183.85 FEET;
THENCE S 53°46'58" E, 168.55 FEET;
THENCE N 62°09'16" E, 15.17 FEET;
THENCE S 25°56'13" E, 664.42 FEET;
THENCE S 42°01'36" E, 322.19 FEET;
THENCE N 1°18'40" W, 424.15 FEET;
THENCE N 72°21'35" W, 245.13 FEET;
THENCE N 8°45'25" E, 472.50 FEET;
THENCE N 41°14'25" E, 39.60 FEET;
THENCE N 18°33'35" W, 54.50 FEET;
THENCE N 43°50'35" W, 48.70 FEET;
THENCE S 32°38'25" W, 424.10 FEET;
THENCE N 0°05'35" W, 370.40 FEET;
THENCE N 32°34'25" E, 156.20 FEET;
THENCE N 40°59'35" W, 774.00 FEET;
THENCE N 77°06'20" W, 507.77 FEET;
THENCE S 1°15'00" W, 65.00 FEET MORE OR LESS TO THE
POINT OF BEGINNING.

SAID PARCEL CONTAINS 15.23 ACRES MORE OR LESS.