

TOWN OF LYONS, COLORADO

**PLANNING AND COMMUNITY DEVELOPMENT COMMISSION
PCDC RESOLUTION # 2022-13**

**A RESOLUTION OF THE TOWN OF LYONS PLANNING AND COMMUNITY
DEVELOPMENT COMMISSION RECOMMENDING THE MAJOR DEVELOPMENT
REVIEW OF 317 EVANS STREET, BOTH A PRELIMINARY AND FINAL PUD
PLAN**

WHEREAS, pursuant to C.R.S. § 31-23-301, the Town of Lyons (the “Town”) possesses the authority to regulate land uses within the Town; and

WHEREAS, 317 Evans Street in the Town is currently within the R-1 Zoning District; and

WHEREAS, 317 Evans Street received a Recommendation of Approval for a Planned Unit Development – Residential (“PUD-R”) Overlay Zone designation by the Town of Lyons Planning And Community Development Commission (“PCDC”) public hearing on December 12, 2022 under PCDC Resolution 2022-12; and

WHEREAS, 317 Evans Street is under contract for sale, and the anticipated owner (“Applicant”) plans to redevelop the property with a sound and affordable housing plan to be considered under this Major Development Review; and

WHEREAS, the Applicant of 317 Evans Street has provided preliminary and provisional final PUD-R planning documents as required under Lyons Municipal Code (“LMC”) § 16-4-130; and

WHEREAS, the Applicant of 317 Evans Street has agreed within the Major Development Review application documents to consent to a Development Agreement between the Applicant and the Town, to be memorialized at a future date but prior to receiving a Town building permit, ensuring that all agreed upon requirements of both the Town and the Applicant are made legal and binding; and

WHEREAS, it is an expressed verbal and 2010 & 2022 Comprehensive Plan objective to promote affordable and workforce housing opportunities; and

WHEREAS, pursuant to LMC § 16-4-130, the PCDC for the Town has the authority to review and approve Preliminary PUD plans and review and recommend to the Board Final PUD plans that the PCDC finds meet the PUD General Applicability Standards of LMC § 16-4-160 and the PUD General Review Criteria of LMC § 16-4-90, the contents of which are within the Major Development Review application for 317 Evans Street by the Applicant; and

WHEREAS, pursuant to LMC § 16-17-10(a)(2), the Planning and Community Development Commission (“PCDC”) for the Town has the authority to recommend to the Board of Trustees (the “Board”) the worthiness of a Major Development Review according to the Review Criteria under LMC § 16-17-30; and

WHEREAS, the PCDC finds the application documents for a Major Development Review and Preliminary & Final PUD Plan have been substantively met by the Applicant and those not yet provided to the satisfaction of Town Staff and the PCDC will be provided to Town Staff prior to provision of a Town building permit; and

WHEREAS, the PCDC conducted a public hearing following the provision of lawfully required notice to the public and the Applicant provided sufficient and competent evidence at the hearing as is necessary to recommend the Major Development Review, which contains in part the necessary contents of both a Preliminary and Final PUD Plan.

NOW THEREFORE, BE IT RESOLVED BY THE PLANNING AND COMMUNITY DEVELOPMENT COMMISSION OF THE TOWN OF LYONS, COLORADO, THAT:

Section 1. The above recitals are hereby incorporated by reference.

Section 2. The PCDC hereby recommends that the Major Development Review:

A. Is Approved.

B. Is Approved with Conditions as follows:

1. **THAT THE REMAINING REQUIRED INFORMATION SUCH AS ENGINEERING/CONSULTANT STUDIES AND FLOODPLAIN APPLICATION BE SUBMITTED AND ACCEPTED BY STAFF AS COMPLETE**
2. **THAT THE SETBACKS REQUESTED BY THE APPLICANT BE ACCEPTED (AS PER REVIEW CRITERION #8)**
3. **THAT PARKING ACCOMODATIONS MEET THE CRITERIA FOR MAJOR DEVELOPMENT REVIEW**
4. **THAT THE PROVISIONS FOR AFFORDAVILITY DESCRIBED BY THE APPLICATION BE FULLY INCORPORATED IN THE DEVELOPMENT AGREEMENT AND CONTINUE TO SEEK LONG TERM SOLUTIONS FOR LONG TERM AFFORDABILITY WITH STAFF**
5. **THESE CONDITIONS CAN BE EDITED FOR COMPLIANCE WITH ALL FEDERAL, STATE, COUNTY, FIRE DISTRICT,**

**AND MUNICIPAL LAWS AND REGULATIONS AND FOR
CLARITY**

C. Is Denied.

**INTRODUCED AND APPROVED BY A VOTE OF NOT LESS THAN FOUR (4)
MEMBERS OF THE PLANNING AND COMMUNITY DEVELOPMENT COMMISSION
AT A PUBLIC HEARING DULY CONDUCTED IN ACCORDANCE WITH
APPLICABLE LAW THIS _____ DAY OF _____, 2022**

**PLANNING AND COMMUNITY
DEVELOPMENT COMMISSION FOR THE
TOWN OF LYONS, COLORADO**

David Hamrick, Chairperson

ATTEST:

María Marquez-Rubio
Deputy Town Clerk