

**Town of Lyons, Colorado
Board of Trustees
Agenda Cover Sheet
Agenda Item No: IV.1
Meeting Date: January 9, 2023**

TO: **Mayor Rogin and Members of the Board of Trustees**

FROM: **David Kimmett, Planner II**

DATE: **January 6, 2023**

ITEM: **Resolution 2023-2 – A Resolution of the Town of Lyons, Colorado
Approving the Major Development Review (PUD Final Plan) for 317 Evans
Street**

ORDINANCE
 MOTION / RESOLUTION
 INFORMATION

- I. **REQUEST OR ISSUE:** An application for a Major Development Review (PUD Final Plan) for 317 Evans Street under a PUD-R Overlay designation.
- II. **RECOMMENDED ACTION / NEXT STEP:** Following the public hearing, consider input and approve the resolution.
- III. **FISCAL IMPACTS:** Undetermined and variable, though relatively minor. The Board will need to consider what if any Staff fees to be waived (e.g. Building Permit, Planning Review), Utility fees to be waived (e.g. water taps, sewer connections, electrical connections), Improvements to be obligated (e.g. sidewalks and Right-of-Way landscaping).

Staff has determined that this development will qualify to utilize Lake McIntosh allocations rather than Colorado-Big Thompson allocations per our water purchase agreement with the City of Longmont regarding affordable housing efforts.

- IV. **BACKGROUND INFORMATION:** Pursuant to Lyons Municipal Code (“LMC”) § 16-17-30, the Board is empowered with the final review of any Major Development Review application. As such, the Board is to consider the Development Review Criteria of Approval contained therein on a given application to determine if the application warrants approval.

More granular to this application, pursuant to LMC § 16-4-90, the Board is to consider the General Review Criteria in its examination of a given PUD application to determine if the application is consistent with the code.

Staff finds this application to be consistent with the Board’s desire to assist in retaining / attaining affordable and workforce housing and is consistent with Housing Objective 1.2 of the 2010 Comprehensive Plan (“Increase opportunities for affordable housing”) and with the 2022/2023 Lyons Thrive! Comprehensive Plan’s Goal HN-2 (“Expand and preserve workforce and affordable housing options”).

Please refer to attached Staff Report and application documents for further important details.

V. LEGAL ISSUES: None.

VI. CONFLICTS OR ENVIRONMENTAL ISSUES: None.

VII. SUMMARY AND ALTERNATIVES: The Board of Trustees has the following options: 1) approve the Resolution; 2) approve the Resolution with Conditions; 3) not approve the Resolution ; or 4) continue to a date certain.

VIII. PROPOSED MOTIONS:

SAMPLE MOTION OF APPROVAL:

The Board may propose a motion of approval of the proposal based on the following suggested outline:

“I move that the Board approve the Major Development Review (PUD Final Plan) for 317 Evans Street, finding that the application complies with the standards contained in Lyons Municipal Code 16-15-40.”

SAMPLE MOTION OF APPROVAL WITH CONDITIONS:

The Board may propose a motion of approval of the proposal with conditions based on the following suggested outline:

“I move that the Board approve the Major Development Review (PUD Final Plan) for 317 Evans Street, with the following conditions:

and find that the application with these listed conditions complies with the standards contained in Lyons Municipal Code 16-15-40.”

SAMPLE NEGATIVE MOTION:

The Board may propose a motion of denial of the proposal based on the following suggested outline:

“I move that the Board deny a resolution for the Major Development Review (PUD Final Plan) for 317 Evans Street, finding that the application does not comply with the standards contained in Lyons Municipal Code 16-15-40.”