

TOWN OF LYONS, COLORADO

PLANNING AND COMMUNITY DEVELOPMENT COMMISSION (PCDC) RESOLUTION 2024-03

A RESOLUTION OF THE TOWN OF LYONS PLANNING AND COMMUNITY DEVELOPMENT COMMISSION RECOMMENDING THE OVERLAY ZONING DESIGNATION OF PUD-C TO 501 WEST MAIN STREET

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, the subject parcel (501 West Main Street) is currently within the PUD-C Zoning District; and

WHEREAS, Chris Legh (“Applicant”) on behalf of Lyons Properties LLC, a Colorado limited liability company (“Owner”) has applied for the rezoning of 501 West Main Street to amend the original PUD agreement (Ord. No. 999) as adopted on January 27, 2017; and

WHEREAS, the Town of Lyons Municipal Code currently has no process to amend a PUD, thus a rezoning pursuant to Lyons Municipal Code (“LMC”) § 16-15-20 - *General rezoning*, shall be required; and

WHEREAS, the owners of 501 West Main Street desire to alter the original PUD-C agreement to allow the following:

- Allow for an extended camping timeframe.
- Allow for the construction of a 6,000 square foot venue structure instead of the previously approved 4,000 square foot venue.
- Allow for music to be amplified.
- Allow for the addition of ten (10) additional tiny homes; and

WHEREAS, the Owners of 501 West Main Street seek these changes to fully utilize the property to create a year-round event space; and

WHEREAS, pursuant to Lyons Municipal Code (“LMC”) § 16-15-30(f), the Planning and Community Development Commission (“PCDC”) for the Town has the authority to recommend to the Board the Rezoning of an individual property; and

WHEREAS, the PCDC finds the application requesting a PUD-C Overlay Zoning designation of 501 West Main Street meets the Review Criteria under LMC § 16-15-40; 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 Rezoning of a PUD-C Overlay Zoning designation to 501 West Main Street.

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 approval of the Rezoning of the Subject Property, as follows:

A PUD-C Overlay Zoning designation.

Section 3. The PCDC herby recommends the following three (3) conditions:

1. A formal evacuation plan shall be submitted, which explicitly describes how all tiny homes will be removed in case of an emergency.
2. Only ten (10) tent camping sites shall be permitted.
3. The Applicant shall be held to and address all referral comments from the Lyons Fire Protection District.

Section 3. The PCDC finds that the Applicant established the need for such Rezoning as an appropriate measure, that the Applicant satisfies the spirit of Article 15 of the LMC regarding zoning amendments, and that public safety and welfare are secured, and substantial justice is done by recommending to the Board of Trustees that the PUD-C Overlay Zoning designation be approved.

Section 4. This resolution shall take effect immediately upon adoption.

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 THE 30TH DAY OF MAY, 2024

BY:

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

Neal Evers, Chairperson

ATTEST:

Dolores M. Vasquez, CMC
Town Clerk