

## WRITTEN STATEMENT

### River Bend PUD with Zoning Amendment 501 W. Main, Lyons CO

#### A. Background

1. For over 30 years the 501 W. Main property has been identified as "River Bend Mobile Home Park" and provided housing for as many as 33 residents of mobile homes and manufactured housing. Lyons Properties LLC acquired "River Bend" in 2006 and managed the mobile home park until it was destroyed in the September 2013 flooding of the North St. Vrain River. The original residential dwelling on 501 W. Main survived the flooding with no substantial damage. Other accessory structures and improvements (well house, pump house, etc.) remain useable following the post-flood cleanup of the property and partial restoration of the grounds. In 2014 the Town of Lyons issued a temporary special use permit to allow for use of these properties as a venue for hosted events including weddings, community gatherings, fund raising efforts, etc. This special use permit has been extended and currently expires in September of 2016. The Town Administrator has committed to extending the current temporary use permit through 2017. 
2. Effective January 12, 2016, The Town of Lyons and Lyons Properties LLC entered into a Memorandum of Agreement (MOA) which addresses: construction of municipal water and sanitary sewer service improvements through to and through the Subject Property including corresponding easements; construction of improvements in the North St. Vrain channel along including corresponding easements; coordination and correction of property boundaries shared by the Parties; and, clarification of Town of Lyons water and sewer taps related to properties owned by Lyons Properties LLC.

#### B. Proposed Use and Development

##### 1. Current and Near Term (0-5 years)

Please refer to accompanying Drawing Sheet A02 – Site Plan for identification and location of existing and proposed new improvements on the subject property.

- (a) Event hosting on the Subject Property is supervised and produced by Lyons Farmette LLC, an experienced and active local business, which, along with their approved subcontractors, practice and promote "green" business operations for all hosted events. The existing and proposed onsite event hosting facilities are as follows:
  - i. The seasonally erected Canopy Tent provides shelter from sun and rain for hosted event ceremonial seating and catered dining;
  - ii. The Glamping Tent provides a private dressing and lounge area for bridal parties;
  - iii. The Mobile Toilet Trailer currently provides sanitation facilities in support of all hosted events.
  - iv. The Stone Patio provides a hard surfaced gathering area for entertainment and dancing associated with hosted events.
  - v. The Fire Pit area is turf surfaced and available for casual recreation and gathering 
  - vi. The proposed  pavilion is a covered and enclosed 4,000 sf structure for use in inclement weather and as an indoor venue for  amplified music performance. The necessity of this facility will be

determined during the 2016 and 2017 seasons based on success of booking weddings and other events subject to limitations on amplified outdoor music. The exact location and exterior character of the structure will be reviewed and approved by the BDC prior to building permit submittal.

vii. The following list of hosted events is representative of recent activity in 2014 and 2015 and anticipated activity in 2016 and beyond:

- (1) Approximately 60 weddings with an average attendance of 150 guests and 80 vehicles are scheduled from mid May through mid October on Thursday (frequently), Friday, Saturday and Sunday;
- (2) Charitable fundraising events including: the Lyons Community Foundation Dinner and Fundraiser, Art Show benefiting the Lyons Arts and Humanities Commission (LAHC) and the Boulder County Arts Alliance (BCAA), "CAN' Aid" event sponsored by Oskar Blues; Colorado Haiti Project; and, Earthquake Recovery Benefit for Sengma, Nepal;
- (3) The Boulder Community Foundation "Founders" appreciation and cocktail party event;
- (4) "Luna Fest" women's bike ride and dinner; and,
- (5) Several mid-week corporate retreats for local and regional businesses.

(b) Wee Casa LLC is a Lyons based business which offers "Tiny Homes" available for short term lodging at River Bend. The Tiny Homes are registered with the State of Colorado as recreational vehicles (RVs) and arranged as a campground village. In 2015, Wee Casa put 11 Tiny Homes into service on the Site (10 as lodging units and 1 as an office unit). Wee Casa is currently working to extend the "Lyons Days" of wedding participants and attendees of other Lyons based events scheduled in 2016 with the addition of 10 lodging units. Wee Casa also plans to support local manufacture and sale of Tiny Homes and provide a showcase for Tiny House lifestyles, cutting edge building design and construction techniques. As an active participant in the Tiny Home Movement, Wee Casa will encourage and attract enthusiasts of Tiny Homes to experience all that the Lyons community has to offer.

(c) During Rockygrass and Folks Festival the River Bend grounds are supervised and managed by Planet Bluegrass to provide tent camping (up to 700 people) and temporary car parking (up to 300 vehicles) as an adjunct to offsite camping and parking provided elsewhere in the Town. This was undertaken for the first time in 2014 and welcomed since with rave reviews from participants who appreciated the convenient proximity of River Bend to both the Planet Bluegrass festival grounds and Downtown Lyons. Patrons also appreciated the convenient (and safe) crossing of Highway 36 afforded by the existing supervised pedestrian walkway near the River Bend entrance. Additional temporary toilet facilities are provided by Planet Bluegrass at River Bend during the festivals. Shower facilities for River Bend campers remain available on the Planet Bluegrass festival grounds.

(d) The existing Residence on 501 W. Main will remain in use as a single family residence.

(e) The Utility Building houses the primary irrigation system pump and controls along with providing storage for facility maintenance tools and materials.

2. Longer Term (5-15 years)

The Applicant intends on developing a boutique hotel on the subject property which would include: approximately 50 guest lodging rooms associated residential condominiums, membership base creation and fitness facilities, restaurant, and ancillary guest convenience retail shopping. We've begun positive discussion with consultants experienced in development and management of hospitality projects of this nature. The ultimate scope and timing of this development would be dependent on the success of our initial offering of Tiny Home lodging on the property and the future economic climate. Any development of this

scale would occur in coordination and compliance with the community development process and standards of the Town of Lyons. 

#### C. Need for PUD with Zoning Amendment

Both the close proximity of the subject property to Downtown and the commercial zoning of adjacent properties also fronting the Highway 36 corridor provide a unique opportunity for additional commercial development within walking distance of Downtown Lyons. In 2015 the Lyons Board of Trustees supported the concept of this development and recommended that the Project be presented for their consideration and approval as a Planned Unit Development (PUD) with Zoning Amendment. The requested PUD-C zone designation and associated uses would provide the diversity and flexibility necessary to meet the Town's goals of expanding a commercial based economy and providing much needed lodging.

#### D. Impact on Neighboring Properties

##### 1. Adjacent commercial zoned neighbors (505 W. Main, 507 W. Main, 513 W. Main):

The primary impact of approval of the proposed PUD with Zoning Amendment on these adjacent C zoned properties would be positive, i.e. access to Town of Lyons municipal water and sewer services.

##### 2. Adjacent R-2 zoned neighbors (503 and 517 W. Main)

These properties are owned by Lyons Properties LLC. The primary impact of approval of the proposed PUD with Zoning Amendment on these properties would be positive, i.e. access to Town of Lyons municipal water and sewer services.

##### 3. Adjacent A-1 zoned neighbors and other residential zoned neighbors-at-large:

As a result of the 2014 and 2015 event hosting operations at River Bend, the primary concern expressed by these neighbors involved  and impact of  (both recorded and live music) associated with these events, especially weddings. Lyons Properties LLC (and our tenant businesses operating on the property) appreciate the support of the Lyons community and are fully committed to being good neighbors. The Applicant has worked diligently with neighboring property owners in an attempt to control sound associated with event production on the Site. Based on the recommendation of a majority of these neighbors (and effective 11/01/2015) the Applicant has committed to the following :

- (a) Outdoor live entertainment is limited to non-amplified instruments;
- (b) Outdoor amplified background music, vocals and public address system announcements are carefully limited to the minimum functional sound level. The Applicant agrees to immediately reduce or eliminate any amplified sounds subsequently found to be objectionable by the Town Administrator or designee 

##### 4. Adjacent POS zoned neighbor (Town of Lyons Meadow Park)

The mixture of traditional uses at Meadow Park and those proposed at River Bend are similar and supportive of one another: recreation, event hosting, camping and lodging. The redevelopment of River Bend will positively impact the experience of Meadow Park patrons by expanding and preserving the visual and riparian nature of the opposite bank of the North St. Vrain River. 

#### E. Site Access and Traffic Impacts

##### 1. Vehicular and Emergency Access:

As indicated on the Site Plan (Drawing Sheet A02), the Property enjoys the benefit of an existing access point onto Highway 36. A looped driveway extends through the Property to for access to the Tiny Home

Village and additionally provides a turnaround for emergency vehicles. Unlike previous events in 2014 and 2015, during the last Festival event of 2015 there was a temporary backup in the westbound lane on Highway 36 resulting from auto traffic yielding to continuous and uncontrolled pedestrians in the crosswalk near the Subject Property's access point onto Highway 36. Once proper control of the pedestrian crossing was re-established, the traffic backup was resolved. 

2. Pedestrian:

No negative pedestrian impacts have been reported during the course of 2014 and 2015 event hosting and festival camping operations at River Bend.

F. Availability of Utilities

1. Potable Water Service

- a. The Subject Property is currently served by a domestic water well which provides water service to the existing residence and the mobile restroom facility. Under the MOA, the Town has committed to construction of a 12" water transmission line and an associated short section of 8" main which cross the southeastern limb of the subject property in a public utility easement near the N. St. Vrain River. The 8" main will include a new 1" water service to 501 W. Main (with a 2-1/2" physical tap of the main to allow for future expansion as necessary). A new fire hydrant will also be installed on the subject property in the vicinity of the 8" water main. This main will also include new 3/4" water taps serving 503 and 517 W. Main properties adjacent to the subject property. It is the intent of the Applicant to modify the existing private water service piping infrastructure to connect the Subject Property as well as 503 and 517 W. Main to the Town of Lyons water system as soon as these connections become available. The Applicant is prepared to work diligently with the Town in order to complete the work as soon as reasonably possible.
- b. The routing of the 12" transmission line also allows for the potential for extension of a water service to the existing C zoned properties which front on Hwy 36, if needed. The Applicant is prepared to work diligently with the Town in order to complete the work as soon as reasonably possible.

2. Sanitary Sewer Service

- a. The Subject Property and 503 W. Main currently share a private sewage lift station that transmits effluent to the Town's pressurized sewer main running on the west side of Hwy 36. In agreement with the Town Engineer, it is the preference and intent of the Applicant to abandon this lift station and pressurized feed in favor of connection to a proposed gravity flow sewer main extending from Meadow Park to cross the North St. Vrain and terminate in the utility easement near the southernmost corner of 501 W. Main noted above. A similar situation with a separate private lift station and pressurized feed also exists on 517 W. Main. Under the MOA, the Applicant is responsible for payment for this sewer main extension. It is the intent of the Applicant to modify the existing private sewer service piping infrastructure to connect the Subject Property as well as 503 and 517 W. Main to the Town of Lyons sanitary sewer system as soon as these connections become available. The Applicant is prepared to work diligently with the Town in order to complete the work as soon as reasonably possible.
- b. A new 8" private sewer main is proposed to extend from the terminal manhole of the new 8" public sewer. This private main would allow for separate connection of the following service branches on 501 W. Main: the existing sanitary sewer service piping in the vicinity of the Tiny Home Village, which previously served the Mobile Home Park and survived the 2013 Flood, has been rehabilitated and amended to serve the new and proposed lodging units via which terminates in an existing 6" sewer service line branch; the existing 4" sewer line from the single family residence; and, an existing 4" sewer service from the existing Mobile Toilet Trailer (which would also serve the future Pavilion restrooms).

3. Irrigation Water

The Applicant currently leases water from the North St. Vrain and Lefthand Water Conservancy District for use in irrigating the grounds at 501 W. Main. This arrangement will continue for the foreseeable future.

4. Other Utilities

501 W. Main is currently served by natural gas, electric power and communications (cable) utilities. The existing services for 501 W. Main are adequate for the uses proposed on this Site. The existing accessory residence requires no expansion of services. The previous mobile home park included 33 gas/electric services. The proposed Tiny Home lodging village will require only (22) electric services (110V, 30A) and no gas services. Future requirements of the Pavilion will be determined at the time of development of this structure.

G. Impact on Public Facilities and Services

No negative impacts on public facilities or services have been apparent during the course of 2014 and 2015 event hosting and festival camping operations at River Bend. Availability of Town water, installation of a new on-site fire hydrant, and improved accessibility of emergency vehicles will both have a positive impact on public services.

H. Fiscal Impact Analysis

1. Lyons Farmette LLC employs 8 local people (full and part time) and 2 interns every season. Weddings bring business to town in various ways: even in the absence of lodging, wedding parties and staff typically enjoy coffee, lunch or dinner somewhere in Lyons; this is true of wedding guests too; and, thousands of visitors drawn to Lyons for (usually) happy events is valuable marketing.
2. Wee Casa LLC currently employs 2 local people and will employ additional local support staff for management and maintenance of the lodging units. Providing Lyons visitors the opportunity to stay overnight expands the fiscal impact available to the Town in obvious ways. Locating lodging near the downtown merchandising center is additionally beneficial. As the number of in-town lodging units grows, the Town has the opportunity of generating additional revenue through a "bed" tax.
3. Planet Bluegrass is already a large asset and revenue base for the Town of Lyons. Providing additional facilities for festivarians to conveniently camp and park close to Downtown shopping and dining opportunities further leverages this asset.

I. Environmental Impact Analysis

The proposed improvements associated with approval of the PUD with Zoning Amendment would have the following impacts:

1. Removal of existing screen fencing on the common property line between 501 W. Main and 517 W. Main which would reduce existing obstruction in the North St. Vrain River floodway (see Drawing Sheet A02 - Demolition Note D01).
2. Removal of up to (7) existing trees ( see Drawing Sheet A02).
3. Disturbance of the North St. Vrain River bed and banks in the vicinity of the proposed new sanitary sewer and water mains serving the Site and disturbance of the existing landscaping for installation of new sanitary sewer and water service lines (see Drawing Sheet A02). This disturbance of the existing riparian area will be

offset by proposed restoration of impacted banks by the Town of Lyons as part of the Meadow Park Renovation Project.

4. Conversion of approximately 24,000 square feet of existing grass and ground cover to new gravel roadway and parking (see Drawing Sheet A02).
5. Disturbance of the existing turf landscaping in the area of the Proposed Tiny Home Village for new utility infrastructure and, similarly, the disturbance to turf landscaping associated with connection of existing sewer and water service piping to municipal water and sewer mains.

J. The intent of the proposed PUD with Zoning Amendment is in alignment with the following elements of the most recently updated Town of Lyons Comprehensive Plan:

1. Guiding Principles
  - a. Economic Sustainability:
    - i. Promote a business-friendly environment that encourages commercial and job growth according to community members' vision and desires.
    - ii. Transition from a residential-development based economy to a commercial-based, localized economy.
    - iii. Reduce retail leakage and attract Front Range day-trip tourists to support the local economy.
  - b. Quality of Life, Social Well-Being, Sustainability:
    - i. Support the public and private provision of cultural, educational, social and healthcare services.
    - ii. Sustain Lyons' key characteristics, as defined by residents' vision and desires:
      - (1) Small-town atmosphere
      - (2) Parks, trails and recreational opportunities
2. Land Use and Growth Goals, Objectives and Strategies:
  - a. Land Use and Growth Strategy 1.1.3: Ensure that new development is compatible with the neighborhood in which it is located by evaluating projects with respect to magnitude, scale and diversity of product type so that no single project or combination of projects overtakes the character of the community. Also consider buffers and transitions between land uses; street and trail connections and building height, location and appearance 
3. Economic Development Goal, Objectives and Strategies:
  - a. Economic Development Strategy 1.3.1: Support efforts to encourage entrepreneurship and to nurture businesses throughout the Lyons Planning Area.
  - b. Economic Development Strategy 2.2.1: Focus on encouraging the development of lodging facilities.
4. Lyons Comprehensive Plan Update Survey results:
  - a. Question 14: Which two changes to Lyons would you most like to see?

Hotel:

38.1% - 1<sup>st</sup> choice; 61.9% - 2<sup>nd</sup> choice

More tourist destinations: 25.8% - 1<sup>st</sup> choice; 74.2% - 2<sup>nd</sup> choice

b. Question 25: Town's response to revenue shortfall should be?

Promote commercial development: 69.8% - 1<sup>st</sup> choice (favored result)

Annex additional commercial properties: 53.5% - 2<sup>nd</sup> choice (favored result)

c. Question 26: To which of the following should the Town give priority?

Attract new commercial businesses: 52.4% - 1<sup>st</sup> choice (favored result).

Expand existing business : 30.7% - 2<sup>nd</sup> choice (favored result)

d. Question 28: Rate the following areas of transportation in Lyons:

Lyons as a walkable community: 38.0% - Very good (favored result)

Ease of driving in Lyons : 41.2% - Good (favored result)

e. Question 30: It is important to allocate the Town's limited transportation funds to:

Improve Lyon's walkability : 42.3% - Strongly agree(favored result)

K. Approval of the proposed PUD with Zoning Amendment would produce the following public benefits:

1. Immediate increase in guest lodging facilities within Lyons with the prospect of greater expansion in the future.
2. Expansion of the Town's water and sewer services and associated revenues.
3. Improvement of the reliability of the Town's water service system via potential future looped water transmission line.
4. Elimination of potentially difficult and expensive maintenance of the small sewer lift station which currently serves the subject property.
5. Increased exposure of thousands of River Bend patrons to the unique charm and attractiveness of Lyons to visitors with walking distance of downtown businesses
6. Development of private facilities that would support and supplement the town's investment in redeveloping Meadow Park as a year round destination.
7. Increased support for local businesses and charitable organizations by providing an attractive venue for both fun and fund – raising.
8. Long term investment in a neighborly extension of the natural backdrop of newly redeveloped Meadow Park on the private side of the North St. Vrain.