

**Town of Lyons, Colorado  
Board of Trustees  
BOT Agenda Cover Sheet  
Agenda Item No: VI.2  
Meeting Date: September 3, 2024**

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

**FROM:** Andrew Bowen, Senior Planner

**DATE:** 08/29/2024

**ITEM:** 2nd Reading – Ordinance 1168 – an Ordinance of the Town of Lyons, Colorado, Approving CEC Zoning for 4545 Ute Highway for Tebo Annexation

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☒ ORDINANCE  
☐ MOTION / RESOLUTION  
☐ INFORMATION

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**I. REQUEST OR ISSUE:** Staff are requesting that the BOT approve this ordinance on the second reading for a zoning request as submitted for 4545 UTE HWY. The BOT unanimously approved this request upon first reading.

No Development Plan and/or Agreement are to be considered, but the Applicant has submitted a preliminary sketch plan to provide context. Both staff and the Town Attorney have declared the application packet complete. Copies of this application's Submittal Checklists and submittal documents are attached to this packet.

**Property Information**

The legal description for the subject parcel is as follows:

TRACT 2267-A LESS A-1 & A-2 & A-3 & LESS PT TO HWY TOTAL 1.20 ACS M/L PER  
LS-09-0123R0054471 & R0054728 & R0054550 & R0127169 COMB HERE 2017 PER  
DEED # 1429342 5/20/94 & SUBSEQUENT SALE PER REC # 1447002 7/18/94

**II. PROJECT HISTORY:** This parcel has been within the Town's planning area for several years and has been used commercially. Town staff and the Applicant have met several times within the last four months to discuss annexation and the highest and best use for the property. This request for zoning reflects those conversations.

While no formal development plans were submitted, in conversations with the Applicant, the proposed development patterns for the site are commercial and best align with the (CEC) zone. This request is reflected within the application packet.

As required by Sec. 15-1-220, Step 12, the PCDC met on August 14th to consider the annexation application and held a public hearing regarding this zoning request. As noted, the

proposed zone district for the subject property is (CEC). The PCDC unanimously recommended the approval of this zoning designation.

A full staff report has been provided and attached to the packet.

**III. RELATIONSHIP WITH OTHER PLANS:** As stated before, this parcel has been within the Town's planning area for several years and has been used commercially. The redevelopment of this parcel is integral to the economic and housing development of the Eastern Corridor, which is in alignment with the Lyons Thrive Comprehensive Plan.

**IV. RECOMMENDED ACTION / NEXT STEPS:** Staff recommends that the BOT schedule a second reading and public hearing on September 3, 2024, for this zoning designation.

**V. FISCAL IMPACTS:** All fiscal impacts were considered during the review process of this application. The Applicant has submitted an analysis/Impact Report, and an Annexation Agreement is currently being drafted.

**VI. LEGAL ISSUES:** All legal analyses have been reviewed and considered during this application's review process, and an Annexation Agreement has been drafted.

**VII. CONFLICTS OR ENVIRONMENTAL ISSUES:** All referral agencies reviewed the environmental analysis during this application's review process. All referrals have been attached.

**VIII. SUMMARY AND ALTERNATIVES:** The BOT could decide not to proceed with this request.

**Proposed Motion:** "I move to approve Ordinance 1168 (an Ordinance of the Town of Lyons, Colorado Approving CEC Zoning for 4545 Ute Highway for Tebo Annexation) on second reading.