

**Town of Lyons, Colorado
Board of Trustees
BOT Agenda Cover Sheet
Agenda Item No: X. 5.
Meeting Date: September 3, 2024**

TO: Mayor Rogin and Members of the Board of Trustees

FROM: Aaron Caplan, Engineering, Building & Utilities Director

DATE: 29 Aug 2024

ITEM: Discussion / Direction on 2186 & 2188 Apple Valley Road (Old Water Treatment Plant Property)

☐ ORDINANCE
☐ MOTION / RESOLUTION
☒ INFORMATION

The Board of Trustees has considered these properties' best and highest use several times over the years. In 2022, staff were instructed to pursue the sale of 2186 Apple Valley Road. We were informed that we needed to determine if they were 'buildable lots' according to Boulder County regulations. Discussions with Boulder County Planning determined the buildability of the former Apple Valley Water Treatment Plant property would require the sale of both the 2186 Apple Valley Lot and the Lot to the West listed as 0 N St. Vrain Dr. (also known as 2188 Apple Valley Rd). Boulder County's Determination letter is included with this packet.

Surveying the property showed the lot included portions of the North Bank of the North St. Vrain Creek. See the included survey from January 2023. A concern was expressed previously that the town should consider the north bank for recreationists who may need to access the bank. The Board of Trustees expressed a desire to subdivide the property to create a "river parcel" on the North Bank and a to-be-sold "buildable lot parcel." This would create a new Town-owned Park on the so-called river parcel. This would allow river users to access the river without trespassing on private property to the immediate east of Apple Valley Road.

Staff had a pre-application conference with Boulder County to discuss options for the property located at 2186 and 2188 Apple Valley Road, which is owned by the Town of Lyons. We were advised to apply for an exemption from Boulder County's subdivision regulations.

This option had some drawbacks, such as a lengthy subdivision process with staff time and unknown expenses and would then create another property for the Town to maintain. Staff were then requested to find out if the North Bank of the property could be added to the existing easement that the county already has on the Western portion of the property for recreational access. Staff meetings have been challenging to organize. Boulder County has indicated that they may also be interested in purchasing the lots, so discussions continue between Boulder County staff members and departments.

Staff suggest the following alternatives:

Alternative 1: Sell the parcels as they are now.

Alternative 2: Go through a Boulder County Subdivision Exemption that would require a replatting and subdividing process and retain a river parcel as a “parkland” and sell the new southern parcel separately as a “buildable lot.”

Alternative 3: Continue to pursue having Boulder County add the North Bank to their existing recreation easement before the sale of the property. If and when this easement was added the Town would then sell the parcels.

Alternative 4: Do nothing and retain ownership for the time being.