

TOWN OF LYONS, COLORADO

**PLANNING AND COMMUNITY DEVELOPMENT COMMISSION
RESOLUTION 2024-12-PCDC**

**A RESOLUTION OF THE TOWN OF LYONS PLANNING AND COMMUNITY
DEVELOPMENT COMMISSION RECOMMENDING THE REZONING OF 4545 UTE
HWY ("LOT 2") OF THE TEBO ANNEXATION TO
CEC, COMMERCIAL EASTERN CORRIDOR**

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, a written petition, together with four (4) prints of an annexation map has been filed with the Town of Lyons ("Town") Clerk requesting annexation of certain property to be known as the "Tebo Property"; and

WHEREAS, the Town of Lyons Board of Trustees ("Board of Trustees") desires to approve an annexation petition in accordance with the Municipal Annexation Act, Section 31-12-101 *et seq.*, Colorado Revised Statutes and Lyons Municipal Code ("LMC") Chapter 15; and

WHEREAS, the Board of Trustees previously approved Resolution 2024-55, finding substantial compliance and initiating annexation proceedings for the Tebo Property, as defined therein and described below; and

WHEREAS, the Municipal Annexation Act, Section 31-12-101 *et seq.*, Colorado Revised Statutes and LMC Chapter 15 require that annexed property be zoned; and

WHEREAS, pursuant to LMC 15-1-220 the Town of Lyons Planning and Community Development Commission ("PCDC"), "shall, by resolution, recommend approval of the petition for annexation with or without modifications and/or conditions, or recommend denial. If zoning of the property is requested at the time of annexation, the PCDC shall, by resolution, recommend approval with or without modifications and/or conditions, or recommend denial of the requested zoning. The PCDC shall refer any such recommendation to the Board of Trustees"; and

WHEREAS, the Tebo Annexation contains two lots, 4602 Highland Dr. or "Lot 1" which is to the north and 4545 Ute Hwy. or "Lot 2" which is to the south; and

WHEREAS, the applicant has proposed Lot 2, as is more particularly described below, and as depicted on **Exhibit A**, be rezoned from County zoning Commercial to CEC, Commercial Eastern Corridor; and

WHEREAS, the proposed zoning designation of Parcel is consistent with the Lyon's Thrive Comprehensive Plan, Future Land Use Plan, and the 2012 Boulder

County Land Use IGA; and

WHEREAS, the PCDC held a public hearing on the proposed zoning of Lot 2;
and

WHEREAS, the PCDC has determined it is in the best interest of the Town to recommend to the Board of Trustees that Lot 2 be zoned as CEC, Commercial Eastern Corridor.

NOW THEREFORE, BE IT RESOLVED BY THE PLANNING AND COMMUNITY DEVELOPMENT COMMISSION:

Section 1. The above recitals are hereby incorporated by reference.

Section 2. The PCDC hereby recommends that 4545 Ute Hwy., Lot 2, as depicted on **Exhibit A**; and as more particularly described as

COMMITMENT NUMBER 5509-3936628

DEED RECORDED ON 06/09/2017 AT REC. NO. 3597039

THE WEST HALF OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 20, TOWNSHIP3 NORTH, RANGE 70 WEST OF THE 6TH PRINCIPAL MERIDIAN, EXCEPT THE FOLLOWING:

TRACT CONVEYED TO BOULDER COUNTY BY DEED RECORDED IN BOOK 624 AT PAGE 426;

TRACT CONVEYED TO HUGH LEE HAMMONDS AND SUSIE CORNELIA HAMMONDS BY DEED RECORDED IN BOOK 642 AT PAGE 16;

TRACT CONVEYED TO FRED DIRKES BY DEED RECORDED IN BOOK 660 AT PAGE 162;

TRACT CONVEYED TO FRED DIRKES AND DORTHY BELL DIRKES BY DEED RECORDED SEPTEMBER 05, 1957 IN BOOK 1055 AT PAGE 197;

TRACT CONVEYED TO THE CITY OF LONGMONT BY DEED RECORDED AUGUST 3, 1966 AT RECEPTION NO. 822965;

AND EXCEPT ANY PART OF THE LAND LYING NORTH OF THE BOULDER COUNTY HIGHWAY KNOWN AS THE OLD ESTES PARK HIGHWAY;

AND EXCEPT A TRACT IN THE NORTHEAST CORNER, AS STATED TO HAVE BEEN CONVEYED BY DEED FROM WILLIAM L. PARSONS TO THOMAS MCCALL, AS EVIDENCED BY INSTRUMENT RECORDED

JANUARY 19, 1968 ON FILM 625 AT RECEPTION 869134,

AND EXCEPT A TRACT CONVEYED TO JUNG BY DEED RECORDED JULY 3, 1959 IN BOOK 1113 PAGE 416, COUNTY OF BOULDER, STATE OF COLORADO

Be zoned as CEC, Commercial Eastern Corridor.

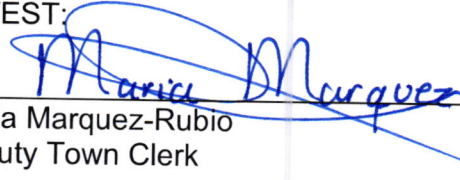
Section 3. This Resolution shall take effect immediately upon adoption.

ADOPTED this 14th DAY OF August 2024.

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

By: 
Neil Evers, Chair

ATTEST:


Maria Marquez-Rubio
Deputy Town Clerk



