

Town of Lyons, Colorado  
Board of Trustees  
BOT Agenda Cover Sheet  
Agenda Item No: **IX 2**  
Meeting Date: APRIL 13, 2020

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

**FROM:** Paul Glasgow, AICP

**DATE:** April 9, 2020

**ITEM:** RESOLUTION 2020-66 A RESOLUTION OF THE TOWN OF LYONS, COLORADO APPROVING A DEVELOPMENT PLAN AGREEMENT BETWEEN LYONS VALLEY TOWNHOMES, LP AND THE TOWN OF LYONS BY APPROVING A SECOND AMENDMENT TO THE SUBDIVISION IMPROVEMENT AGREEMENT FOR LYONS VALLEY PARK FILING 8

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       X ORDINANCE  
       MOTION / RESOLUTION  
       INFORMATION

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- I. **REQUEST OR ISSUE:** Staff requests the Town of Lyons Board of Trustees (the “Board”) review and approved Resolution 2020 -66
- II. **RECOMMENDED ACTION / NEXT STEPS:** If approve the Lyons Valley Park Filing 8 Second Amendment to the Subdivision Improvement Agreement (“Agreement”).
- III. **FISCAL IMPACTS:** The Agreement will help reduce potential financial risks created by the development of affordable housing in the Lyons Valley Park subdivision by securing surety for the public improvements (such as utilities, drainage, roadways, sidewalks). It also reduces the fiscal impact to the Town of Lyons (the “Town”). The current subdivision improvement agreement (“SIA”) for filing 8 requires that the Town pay electrical including the main/truck line and transformers.
- IV. **BACKGROUND INFORMATION:** The Lyons Municipal Code (“LMC”) requires the execution of a SIA when subdividing and permit the Town to require a development plan agreement for larger developments. Both kinds of agreements are a contract between the Town and a developer which generally identify who is responsible for financing, building and maintaining public utilities and other kinds of public improvements. They often include water dedication requirements and development phasing.

This Agreement amends the current SIA for Filing 8 and serves as development plan agreement for 21 multifamily homes in Filing 8 on tract A, otherwise known 0 Carter Drive. It secures public access to Sullivan Way and provides the ability for the Town to maintain the private roadway and the detention basin and charge it back to the landowner if unmaintained. It includes a provision to create defensible space, a provision to work with

the Town on streambank restoration and water dedication requirements.

**V. LEGAL ISSUES:** N/A

**VI. CONFLICTS OR ENVIRONMENTAL ISSUES:** N/A

**VII. SUMMARY AND ALTERNATIVES:** The Board of Trustees has the following options:

- (1) Approve Resolution 2020-66;
- (2) Approve Resolution 2020-66 with modifications;
- (2) Continue Resolution 2020-66 to request additional information;
- (2) Deny Resolution 2020-66;

**PROPOSED MOTION:** "I MOVE TO APPROVE RESOLUTION 2020-66"

**Attachments:**

1. RESOLUTION 2020-66
2. SIA Lyons Valley park
3. First Amendment to SIA
4. Utility Easement
5. Drainage Easement
6. Access Easement for Sullivan Way