

1 RESOLUTION R-2024-

2 A RESOLUTION OF THE LONGMONT CITY COUNCIL DENYING THE CONCEPT PLAN
3 AMENDMENT APPLICATION FOR A PORTION OF THE SCHLAGEL WILLIAMS
4 ANNEXATION KNOWN AS THE MODERNWEST 2 DEVELOPMENT, GENERALLY
5 LOCATED SOUTH OF ROGERS ROAD AND EAST OF AIRPORT ROAD

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7 THE COUNCIL OF THE CITY OF LONGMONT, COLORADO, RESOLVES:

8 Section 1

9 The City of Longmont, Colorado received an application to amend the concept plan for a
10 portion of the Schlager Williams Annexation known as the ModernWest 2 Development.
11 Consistent with Longmont Municipal Code, the City Council considered the application, including
12 the record presented with it, at a duly noticed public hearing on August 27, 2024. Having received
13 and considered evidence presented at said public hearing, the City Council denies the application
14 for concept plan amendment for the reasons stated herein.

15 Section 2

16 Pursuant to sections 15.02.055 and 15.02.060 of the Longmont Municipal Code, the
17 applicant had the burden of showing that the proposed concept plan amendment met all required
18 review criteria for concept plan amendment. The applicant did not meet its burden and the City
19 Council finds that the proposed concept plan amendment does not comply with the established
20 review criteria.

21 Specifically, the City Council finds that the ModernWest 2 Concept Plan Amendment does
22 not meet the following criteria set forth in Longmont Municipal Code section 15.02.055 Review
23 criteria for all application types: “1. [t]he application is consistent with the comprehensive plan and

1 the purpose of the code and zoning district; conforms to any previously approved concept plan,
2 preliminary plat, or PUD overall development plan; and complies with all applicable statutes, codes,
3 ordinances and regulations;” and “3. [t]he application proposes development compatible with
4 surrounding properties in terms of land use, site and building layout and design, and access” and
5 does not meet the following criterion in Longmont Municipal Code 15.02.060.A.3 review standards
6 for concept plans: “b. [m]itigation of potential adverse impacts on surrounding properties and
7 neighborhoods.”

8 The proposed concept plan amendment does not comply with applicable statutes, codes,
9 ordinance, and regulations because, if approved, would violate the City’s obligations to comply
10 with rules and regulations prescribed by the Federal Aviation Administration and Colorado
11 Department of Transportation Division of Aeronautics concerning the Vance Brand Municipal
12 Airport. Additionally, the City Council finds that the proposed concept plan amendment is not
13 compatible with surrounding properties and does not mitigate potential adverse impacts on
14 surrounding properties—specifically by proposing a multi-family residential land use in close
15 proximity to the Vance Brand Municipal Airport.

16 Section 3

17 For the foregoing reasons, along with the reasons stated during the August 27, 2024 public
18 hearing, the Longmont City Council denies the application to amend the concept plan for a portion
19 of the Schlagel Williams Annexation known as the ModernWest 2 Development because it fails
20 to meet the prescribed review criteria.

21 Section 4

22 This resolution constitutes the findings of fact and the final decision of the Longmont City
23 Council.

1 Passed and adopted this _____ day of _____, 2024.

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MAYOR

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ATTEST:

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CITY CLERK

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APPROVED AS TO FORM

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ASSISTANT CITY ATTORNEY

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PROOFREAD

DATE

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APPROVED AS TO FORM AND SUBSTANCE:

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ORIGINATING DEPARTMENT

DATE

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CA File: 24-002998