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**In-N-Out Burger Review Criteria  
SWC Ken Pratt Blvd. (Hwy 119) and Harvest Moon Drive  
Longmont, CO**

**Sec. 15.02.055. - Review criteria for all application types.**

1. The application is consistent with the comprehensive plan and the purpose of the code and zoning district; conforms to any previously approved concept plan, preliminary plat, or PUD overall development plan; and complies with all applicable statutes, codes, ordinances, and regulations.

Comprehensive Plan

- The proposed site is located within an “area of change” – generally for the highest volume and intensity of future growth, and is located along Ken Pratt Blvd. (Hwy 119), which is designated as a Regional Arterial roadway.
- Site designated as Mixed-Use Employment, which includes supporting retail as a secondary use in the category. Development is generally 1-4 stories. Located within walking distance of public transportation; enhanced pedestrian and bicycle networks needed in many cases.

The proposed site is situated along Ken Pratt Blvd. (Hwy 119) next to Costco on the west, and the proposed Multi-tenant Commercial building to the east. This location is an ideal place to be consistent with the Comprehensive Plan, including the following goals:

- Goal 1.1A GROWTH MANAGEMENT: Prioritize the development of sites located within the Municipal Service Area, where infrastructure and services can be readily provided.

The proposed site is located in an area of Longmont that is within the Municipal Service Area with infrastructure in place to serve the proposed site.

- Goal 1.4B ACTIVITY-GENERATING USES: Promote a diverse mix of activity-generating uses in centers and corridors where they may be readily accessed by those who live or work in these areas, as well as by residents of adjoining neighborhoods and visitors to the City.

The location of the proposed In-N-Out Burger near the existing Costco to the west and proposed multi-tenant commercial building to the east creates a commercial area that will provide a variety of uses for the community that have been designed in a way that supports activity in the area.

- Goal 1.4C TRANSIT-SUPPORTIVE DEVELOPMENT: Encourage Transit-Supportive Development—or development that emphasizes pedestrian and bicycle connectivity and a broader mix of uses at higher densities than may exist today—in all centers and corridors to enhance community livability and expand transportation options.



The proposed site has been designed to encourage multi-modal transportation with pedestrian/bike path connections provided on the south and west sides of the site. These connections along with the traditional vehicular access ways will allow customers to access the site and adjacent uses in a variety of ways. Bike racks have been provided at the northeast corner of the building near the outdoor patio to help support the use of bikes in the area.

- **Goal 1.7A GATEWAYS:** Collaborate with the Colorado Department of Transportation (CDOT) and neighboring jurisdictions on efforts to enhance the appearance of right-of-ways at the City's key gateways and provide a sense of arrival when coming into Longmont through the use of distinctive landscaping, entry signs, public art, or other unique features. Key gateways are located at the Longmont Planning Area boundary on US Highway 287, State Highway 66, and State Highway 119.

In an effort to enhance the frontage along Ken Pratt Blvd. (Hwy 119), In-N-Out Burger is proposing to add plantings along the northern edge of the development between the drive-thru lane and the pedestrian path.

- **Goal 1.7B VIEWS:** Encourage development that maximizes the ability for public enjoyment of the City's significant views through the orientation of buildings and incorporation of outdoor patios, balconies, and other public gathering spaces.

The In-N-Out Burger building includes a covered patio area on the north side of the building. This location of the patio will allow for customers to enjoy the significant views.

- **Goal 6.3B MIXED-USE EMPLOYMENT AREAS:** Prioritize employment uses within Mixed-Use Employment areas—such as the St. Vrain Creek Corridor and the Sugar Mill—while supporting their diversification and enhancing their economic vitality by: Encouraging a range of secondary uses that benefit employees, but do not hamper the ability of existing businesses to operate—such as public gathering spaces, parks, trails, and recreational facilities, retail and restaurants, and multifamily housing.

In-N-Out Burger is excited to provide a new restaurant option in Longmont that helps to support the economic vitality of Longmont.

### Zoning

- The proposed site is located within the Mixed-use regional center (MU-R). The purpose of the MU-R district is to establish and preserve distinct areas for large-scale mixed-use development and redevelopment with an emphasis on serving the commercial and retail needs of the city and the region. The MU-R district allows for pedestrian-friendly regional-scale employment, commercial activities, and multifamily residential uses with easy access to public amenities, including public transit.
  - Located between Costco to the west and the proposed multi-tenant commercial building to the east, In-N-Out Burger will add to this commercial development area by providing a



new restaurant option for the community which is consistent with the purpose of the zone district.

2. The application complies with applicable city standards, including for street and utility design and layout, and adequate utilities are available or will be provided for appropriate urban-level services.
  - The proposed site plan/conditional use have been designed in accordance with the applicable City standards, including street and utility design and layout. Adequate utilities are available adjacent to the site and will allow for services to be extended to serve the proposed building.
3. The application proposes development compatible with surrounding properties in terms of land use, site and building layout and design, and access.
  - The proposed In-N-Out site has been designed in coordination with the proposed multi-tenant building to the east to allow for cross-access and shared utilities as needed. The site is located within a pad that is surrounded by roadway and utility infrastructure. No changes to the adjacent roadways are proposed by the In-N-Out Burger site development. Access to the proposed site is provided from the south and through the adjacent site to the east. Consistent with the adjacent sites, the landscape buffer along the north has been provided along the Ken Pratt Blvd. (Hwy 119) frontage. Pedestrian/bike connections to the sidewalks along the north and south sides of the site have been provided to help create links to the ROWs and adjacent developments.
4. The application will not adversely affect surrounding properties, the natural environment, existing or planned city transportation, or utility services or facilities, or the adverse impacts of the use will be mitigated to the maximum extent feasible.
  - The site is designed to not adversely affect surrounding properties, the natural environment, utilities, or city planned transportation. Development is within a pad bound by existing roadway and utility improvements adjacent to the site. Utility infrastructure serving the site will be extended from adjacent existing facilities. Drainage from the site will connect to off-site drainage improvements that were designed to accommodate this site as well as the larger adjacent development area. The adjacent roadway improvements were completed as part of the overall master development and Costco, and support the development of the proposed site.
5. The application, where required, complies with the sustainability evaluation system requirements to mitigate impacts of development within the city's riparian areas, and as applicable to other projects as determined by separate agreement.
  - This site is not located adjacent to the City's defined riparian areas.
6. The application includes an appropriate transportation plan, including multi-modal transportation access, and is integrated and connected, where appropriate, with adjacent development through-street connections, sidewalks, trails, and similar features.
  - A Multimodal Transportation Plan has been included with this site plan/conditional use application and shows the various pedestrian/bike routes within and adjacent to the site.

#### **Sec. 15.04.030. - Secondary Use Compliance**

1. The secondary use as proposed is of a scale and design and in a location that is compatible with surrounding uses, and potential adverse impacts will be mitigated to the maximum extent feasible.



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- The drive-thru is designed to accommodate 29 vehicles, with a total queuing length of 490 feet, far exceeding the 180-foot queuing requirement. This ensures no spillover onto public roads, effectively mitigating potential adverse traffic impacts. Additionally, our traffic compliance letter confirms that the proposed project will generate fewer peak hour trips than originally estimated in the Mustang Development Traffic Impact Study, further minimizing traffic concerns.
  - 2. The secondary use as proposed is consistent with the comprehensive plan and the purpose and intent of the code and underlying zoning district.
    - This project aligns with the Envision Longmont comprehensive plan, supporting the economic vitality and mixed-use character of the MU-R district. It contributes to the area's diverse commercial activity while promoting sustainability and transportation diversity with features such as EV charging stations and bike racks, as detailed in the site plan.
  - 3. The secondary use as proposed will not substantially diminish the availability of land within the underlying zoning district for primary uses, or reduce the availability of land for primary uses below a minimum level necessary to meet the intent of the district.
    - The project occupies 1.64 acres, which accounts for 6.5% of the 25-acre MU-R district. This remains well within the acceptable limits for secondary uses, preserving sufficient land for primary developments and maintaining the district's intended balance of land use.
  - 4. The site plan includes an appropriate design, layout, and architectural consistency with surrounding properties.
    - The site plan demonstrates a thoughtful design that integrates seamlessly with the surrounding commercial developments. The architectural elements ensure visual consistency and compatibility with adjacent properties, enhancing the overall aesthetic and functional cohesion of the area.
  - 5. The proposed development complies with traffic and transportation requirements.
    - The project adheres to the city's transportation standards. As outlined in the traffic compliance letter, the anticipated traffic impact is less than previously studied projections, and the design includes features to promote safe and efficient traffic flow, minimizing any potential impact on public infrastructure.
  - 6. The secondary use promotes sustainability and multimodal transportation options.
    - The inclusion of EV charging stations and bike racks aligns with sustainability goals and encourages multimodal transportation. These features support the city's commitment to reducing environmental impacts and enhancing mobility options for residents and visitors alike.