

1 RESOLUTION R-2024-

2 A RESOLUTION OF THE LONGMONT CITY COUNCIL REMANDING THE DECISION
3 OF THE PLANNING AND ZONING COMMISSION DENYING THE MCDONALD'S AT
4 SANDSTONE MARKETPLACE CONDITIONAL USE SITE PLAN

5
6 THE COUNCIL OF THE CITY OF LONGMONT, COLORADO, RESOLVES:

7 Section 1

8 1.1 An application for the McDonald's at Sandstone Marketplace Conditional Use
9 Site Plan was reviewed by the City of Longmont Planning and Zoning
10 Commission ("the Commission") on June 26, 2024. The Commission denied the
11 application finding that the application did not meet the review criteria under
12 Longmont Municipal Code Sections 15.02.055 and 15.02.060.C.

13 1.2 On July 3, 2024, the Applicant, by and through their attorney, filed an appeal with
14 the Longmont City Clerk's Office appealing the Commission's decision to deny
15 the application.

16 1.3 Proper notice of this appeal hearing was given according to Section
17 15.02.040.K.11.a of the Longmont Municipal Code.

18 1.4 Applicant is a "party aggrieved" by the final decision of the Commission and they
19 filed a timely and proper notice of appeal pursuant to Section 15.02.040.K.6.

20 1.5 A properly noticed appeal hearing was held on August 27, 2024.

1 Section 2

On or before the scheduled appeal hearing, the Applicant-Appellant made a request for the Longmont City Council to consider evidence not presented at the Commission's hearing. The Applicant-Appellant and Planning and Development Services staff consent to this application being remanded to the Commission for them to consider this evidence.

6 Section 3

7 To ensure a proper record of proceeding and with the consent of the Applicant-Appellant,
8 pursuant to Longmont Municipal Code 15.02.040.k.11.e, the Longmont City Council REMANDS
9 the decision on the Conditional Use Site Plan to the Planning and Zoning Commission with
10 instructions to conduct a new public hearing to consider the additional evidence presented by the
11 Applicant-Appellant, along with any evidence from staff or members of the public concerning said
12 additional evidence, and to render a decision on this application.

13 Section 4

4 This resolution constitutes the final decision of the Longmont City Council concerning the
5 July 3, 2024 appeal. Nothing herein is intended to limit an aggrieved party's right to appeal any
6 subsequent final decision of the Commission concerning this land use application.

Passed and adopted this _____ day of _____, 2024.

21 MAYOR

24 ATTEST:

28 CITY CLERK

1 APPROVED AS TO FORM

2
3
4 _____
5 ASSISTANT CITY ATTORNEY

DATE

6
7
8 _____
9 PROOFREAD

DATE

10
11
12 APPROVED AS TO FORM AND SUBSTANCE:

13
14
15 _____
16 ORIGINATING DEPARTMENT

DATE

17
18 CA File: 24-003004