

AGENDA ITEM SUMMARY

City Council



STAFF

Clay Frickey, Planning Manager
Ryan Mounce, City Planner

SUBJECT

Resolution 2024-067 Adopting Findings of Fact in Support of the City Council's Decision on Appeal to Uphold the Planning and Zoning Commission Approval of the Union Park Project Development Plan PDP230005.

EXECUTIVE SUMMARY

The purpose of this item is to make findings of fact and conclusions regarding Council's decision at the April 16, 2024, Union Park Project Development Plan appeal hearing that the Planning and Zoning Commission held a fair hearing and properly interpreted the Land Use Code and Larimer County Urban Area Street Standards and upholding the Planning and Zoning Commissions' approval of the Union Park Project Development Plan.

STAFF RECOMMENDATION

Staff recommends adoption of the Resolution.

BACKGROUND / DISCUSSION

On February 15, 2024, the Planning and Zoning Commission considered an application for the Union Park Project Development Plan #PDP230005. The Commission approved the application which proposed to meet Land Use Code connectivity standards by constructing a street to the project's northern boundary that will be capable of connecting to Paddington Road in The English Ranch neighborhood in the future when adjacent property develops. On February 29, 2024, a Notice of Appeal was filed, with the following allegations:

1. The Planning and Zoning Commission failed to conduct a fair hearing by considering evidence relevant to its findings which was substantially false or grossly misleading.
2. The Planning and Zoning Commission failed to properly interpret and apply Land Use Code Division 1.2.2(M) and Section 3.6.4(A), as well as Larimer County Urban Area Street Standards Table 7-1 and Section 4.4.2.

On April 16, 2024, Council considered the appeal allegations, the record on appeal, information presented at the hearing, and testimony from parties-in-interest and their representatives. After discussing the appeal allegations, Council voted to deny the appeal, finding the Planning and Zoning Commission conducted a fair hearing and properly interpreted and applied applicable section of the Land Use Code and Larimer County Urban Area Street Standards.

CITY FINANCIAL IMPACTS

None.

BOARD / COMMISSION / COMMITTEE RECOMMENDATION

None.

PUBLIC OUTREACH

None.

ATTACHMENTS

1. Resolution for Consideration