



## Legislation Text

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**File #:** 23-191, **Version:** 1

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Request for postponement of items 12.A and 12.B, regarding an appeal of the Planning Commission decision to recommend approval of a zone change and concept plan at 2424 Garden of the Gods, to a date certain for good cause shown to and found by the City Council.

Related Files: PUDC-22-0003 and PUDZ-22-0005

**Presenter:**

Daniel Sexton, Planning Supervisor, Planning & Community Development  
Peter Wysocki, Director, Planning & Community Development

**Summary:**

On March 21, 2023, Applicant, 2424GOTG, LLC, submitted through its legal counsel a request for postponement of the hearing currently schedule for March 28, 2023 to August 8, 2023, for reasons set forth in the letter attached to this item.

Other interested parties include the Appellant, Mr. Bill Wysong, President of the Mountain Shadows Community Associations.

**Background:**

City Council may postpone a quasi-judicial hearing for good cause shown to and found by the City Council. The Applicant's request identifies multiple recommended reasons for postponement. City Council should determine in a public meeting if the Applicant's reasons constitute good cause and if additional reasons for postponement exists.

7.5.906(B)(3) Postponement Of Items On Appeal To The City Council: As a matter of course, any person may postpone the first scheduled Council hearing or consideration of an appeal from a decision of the Planning Commission, an FBZ Review Board or Historic Preservation Board, made in accord with this subsection, to the next following regular Council meeting. Request for any additional postponement shall be only for good cause shown to and found by the City Council. If new or additional evidence is set forth as the grounds for a request for a postponement, the appeal may be referred to the Planning Commission, an FBZ Review Board or Historic Preservation Board for further hearing and recommendations.

**Previous Council Action:**

City Council previously postponed the hearing from March 14th to March 28th.

**Financial Implications:**

N/A

**City Council Appointed Board/Commission/Committee Recommendation:**

N/A

**Stakeholder Process:**

The request for postponement was submitted by the applicant.

**Alternatives:**

City Council may choose to hold the hearing or to postpone to an alternate date.

**Proposed Motion:**

Motion to postpone items 12.A and 12.B to the August 8, 2023 meeting of City Council for good cause shown to and found by the City Council.

N/A