

Denise Tomaskovic

From: mark kwiecienski <mkwiecienski@comcast.net>
Sent: Tuesday, October 20, 2015 12:11 PM
To: Susan Philp; Mike Scanlon; James Lindt; Denise Tomaskovic
Subject: Master Plan Ammendments Suggested Prior to Adoption

Dear Mike, Susan, James, and Denise, Please include the following correspondence in the P&Z package for tonight, forward a copy to council and also post to the ourtownplanning.org website with the heading: "Master Plan Ammendments Suggested Prior To Adoption"

SUBJECT: Required Amendments to the Proposed Master Plan

Dear Planning and Zoning Member,

Previously Planning and Zoning Members had been instructed to make a recommendation for Master Plan and or Density Zoning & Allowed Uses without making accommodations and adjustments to the master planning language to set the stage for exploration of the strong desires of the public for a largely open river park and the required open space requirements, that a revenue generating community/events center needs. Residential and an events/community center uses are thought to be incompatible uses if located directly next to each other.

Furthermore:

The beauty of the River Park opened up for the first time in the Spring of 2015, after it being hidden by the mobile home park for the prior 50 years. Since then the public's imagination being activated and the desire for a mostly open river park has been "off the charts" as is demonstrated by the quantifiable support listed as A-D below.

- A) The November 2014 ETC survey that was the only survey that offered an open park as an option. The most popular choice was an open park on the developable portion of the land that borders Two Rivers Road. This was even before the river was fully visible and the park was still a mess.
- B) Public letters to council and the editor in the local newspapers, that have run since May have at least 3 to 1 in favor of keeping an open river park.
- C) A petition begun on September 25, 2015 has been signed by 250 citizens thought to be Basalt Voters, asking for development be limited to 33,000 of "no residential allowed" development to be placed between Midland Spur and the RMI center.
- D) A Facebook group started in May called "Friends of the Basalt River Park" with over 335 members, 90% who are different, and in addition to those who have yet to sign the petition noted in "C" above, state as their mission: *"We believe Basalt has an extraordinary opportunity in the Pan & Fork parcel that must be thoughtfully considered as a legacy for the town for generations. We want to insure any development on the remaining riverfront parcel enhances it as a Recreation and Community-Oriented Public Amenity. Together petition signers and "Friends of the River Park" already together have over 600 members/supporters.*

Furthermore: The DAC report states that "toward the end of the process, Lowe Enterprises – a large, local resort developer – announced it had taken an interest in eventually owning the Community Development Corporation (CDC) property on the Roaring Fork site with Plan to build a "boutique hotel" and associated residences. With Free market involvement, the committee's roles suddenly shifted from theory to actuality. Rather than mire in minutia of design details the committee agreed to step back and offer broad brush strokes" The report does state:

- 1) The CSC Zoning should be reviewed and "if it could be modified and implement some of the findings in this report". It should be noted in the master plan amendment to avert extreme negotiation positions by developer applicants that:

"this reference by DAC to considering modifying CSC zoning does not endorse any levels or types of development on the CDC site."

This would reiterate what is stated on the ourtownplanning.org website where it states: **"It's important to know that the Our Town Master Plan Amendment is separate from the work being done to analyze the square footage, building massing, and specific uses that could occur on the Riverfront, Lions Park and Merino Park (former recycle center) parcels, which is ongoing"**

- 2) In the DAC report under the heading "Improve Lions Park" it reads "This could achieved in a land swap between the developer and the Town as a way of maximizing.....".

This too, should be noted in the master plan amendment in order to avert extreme negotiation positions by developer applicants, that "the reference does not infer that the town has committed to any specific level of development on the CDC parcel that would obligate it to such a land swap."

Furthermore: "Public Oriented Options" have not been reviewed or formally considered by Planning and Zoning. Ordinance #49 passed by Basalt Council reaffirmed that public options would be considered for the site and so far none have received the same level of review and consideration that the options created by the Developer/Town architect has. "Public Option A" has been submitted to you but has not received a formal public airing and discussion. That option contains specific recommendations and possibilities with a maximum of 33,000 square feet of improvements, specifically excluding residential, that would be permitted on what is known as the CDC site. A revenue generating events/community center because of noise issues has proven in other communities to be incompatible with residential development located directly adjacent to it.

With all the above noted into public record, if the P&Z is still intent of moving forward with a Master Plan amendment at this time with all of these unanswered ambiguities, then the master plan amendment draft in the very least should be revised to: 1) Reflect the clarifications needed on the DAC report noted above, and 2) That the Master Plan amendment will be revised to accommodate the town reserving the right to choose zoning that would allow for an events/community center, and no residential, without burdening the public with the liabilities that otherwise have the potential of being incurred if zoning follows. You can always add more density or uses to a master plan later, but if masterplan for and the zone for a valuable use like residential, and the town later decides it does not want to allow residential on the CDC site, then any option holder of that then entitled property very well would have a strong claim against the town for the value lost.

Before approving a master plan amendment, it would be much cleaner to take the time and care to complete the process as noted and requested above.

Thank you.

Mark Kwiecienski
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Basalt