

**RESOLUTION OF THE TOWN COUNCIL OF BASALT, COLORADO, EXTENDING
THE PLANNED UNIT DEVELOPMENT SKETCH PLAN APPROVAL FOR THE
PROPERTY KNOWN AS THE ARBANEY/KITTLE ADDITION TO THE ROARING
FORK CLUB**

**Town of Basalt, Colorado
Resolution No. 44
Series of 2013**

RECITALS

1. The Roaring Fork Club, LLC ("Applicant"), obtained approval on July 10, 2012, of the Second Amendment to its Revised Sketch Plan approval. Said application was approved pursuant to Resolution No. 11, Series of 2012 for the properties known as the Arbaney/Kittle Addition to the Roaring Fork Club, which are more particularly described in **Exhibit A** (The "Property").

2. On July 9, 2013, Scott Russell, RGE Group, representing the Applicant requested an extension of time for the sketch plan approval beyond its July 10, 2013 expiration established by Resolution No. 11, Series of 2012.

3. The Basalt Town Council considered the application at a public meeting on August 13, 2013. Throughout the meeting, evidence and testimony was offered by the Applicant, staff and members of the public.

4. The Basalt Town Council finds that the Applicant's request is consistent with the applicable provisions of the Town Code, provided the Applicant adheres to the conditions identified in this Resolution.

NOW, THEREFORE, BE IT RESOLVED by the Basalt Town Council of Basalt, Colorado, as follows:

The Basalt Town Council incorporates the above recitals and all exhibits as references and as findings and determinations, and conclusively makes all of the findings of fact, determinations and conclusions contained herein.

FINDINGS

1. Based on the evidence, testimony, exhibits, and comments from the public, Applicant and Town staff, the Basalt Town Council finds and determines as follows in accordance with Town Code §16-63(b) for the purposes of amending a previous Sketch Plan approval:

- a. The amended PUD Plan conforms with the provisions of Article 16 of the Town Code provided that the conditions contained in this resolution are satisfied.
- b. The amended PUD development will not have an adverse environmental impact, such as excessively increasing traffic hazards or congestion, overloading utilities or otherwise being detrimental to the general welfare of the community.
- c. The amended PUD development will complement and be integrated with the existing and approved but not yet existing development in the area.
- d. The amended PUD development will provide numerous community benefits.
- e. The variations from the strict requirements of the Town Code are designed to improve the efficiency of the development pattern and accomplish a more desirable residential or commercial environment.
- f. The variances from strict compliance with the Code requirements are justified because the PUD Plan exceeds certain design standards or contains certain exceptional and desirable features that enhance the overall PUD Plan.
- g. The amended PUD Plan satisfies one or more of the purposes set forth in § 24-67-102(1), C.R.S.

CONCLUSIONS

Based on the evidence, testimony, exhibits, and comments from the public, Applicant and Town Staff, the Basalt Town Council hereby grants an extension for the Sketch Plan Planned Unit Development for the Arbaney/Kittle Addition to the Roaring Fork Club subject

to the conditions contained herein.

1. All provisions of the sketch plan approval granted pursuant to Town Council Resolution No. 11, Series of 2012, shall be applicable with the exception that the Sketch Plan approval shall now expire on February 10, 2014, unless a complete Preliminary Plan application is submitted to the Town prior to the expiration date. The Town Planner shall have the authority to extend the sketch plan approval for another six months upon demonstration of the Applicant that they are making progress on satisfying the conditions in the approval and submitting the Preliminary Plan application.

2. This Resolution shall be recorded with the Offices of the Clerk and Recorder of Pitkin County.

3. Pursuant to § 16-65(b)(2), Town Code, this approval shall not form the basis for any actionable reliance for the Applicant and shall not create any obligation for the Town Council to provide later approvals on the property.

READ AND ADOPTED by a vote of 5 to 0 on August 27, 2013.



TOWN OF BASALT, COLORADO

By: _____

Jacque R. Whitsitt, Mayor

ATTEST:

By: _____

Pamela Schilling, Clerk

EXHIBIT A

PROPERTY DESCRIPTIONS

ROARING FORK CLUB PUD

LOTS 4 AND 4A, BLOCK 1, ROARING FORK CLUB PUD ACCORDING TO THE PLATS RECORDED AUGUST 29, 1997 IN PLAT BOOK 43 AT PAGE 55 UNDER RECEPTION NO. 407911 AND PLAT RECORDED JULY 28, 2000 IN PLAT BOOK 54 AT PAGE 27 UNDER RECEPTION NO. 445570 AND PLAT RECORDED JANUARY 29, 2001 UNDER RECEPTION NO. 450990.

AND

ARBANEY/KITTLE PARCEL

LOT 1, BLOCK 1, ROARING FORK CLUB PUD AS SHOWN ON THE PLAT RECORDED AUGUST 29, 1997 IN PLAT BOOK 43 AT PAGE 55.

COUNTY OF PITKIN, STATE OF COLORADO.