



RIVER VALLEY RANCH

Driving Range Rezone Update - August 24, 2018

As most RVR property owners know by now, RVR Golf has requested financial assistance from the RVR Homeowners Association. RVR Golf says operating the golf course is a money-losing operation, and it will shut down the course at the end of this season if it doesn't receive HOA assistance in at least one of these forms:

- Purchasing the golf course from RVR Golf
- Subsidizing RVR Golf's golf course operations
- Supporting RVR Golf's efforts to have the driving range rezoned to allow high-density, multi-family housing

In the recent RVR community survey addressing these issues, by far the strongest response was on the question of rezoning the driving range. Seventy-six percent (76%) of those responding said they strongly oppose a rezone of the driving range. Less than four percent (4%) said they strongly support the rezone concept.

Here's why that's significant: the Town of Carbondale has taken the position that for the Town to accept an application for rezoning, at least 50 percent of all RVR lot owners would have to support the application.

With that in mind, here's some context and the latest developments regarding RVR Golf's efforts to pursue a rezone of the driving range.

RVR Golf, through its attorney, submitted a letter to the Town of Carbondale on July 19, 2018, asking for an interpretation of the Town's Unified Development Code. RVR Golf wants to remove the driving range property from the RVR Planned Unit Development (PUD), in essence, "seceding from the union."

In its letter, RVR Golf asked the Town of Carbondale if they could separate out the driving range from the PUD, which RVR Golf believed would free them from the requirement of having 50 percent of all RVR lot owners approve of the rezone.

In response, our RVR Homeowners Association Board submitted a letter on Aug. 2, 2018, to the Town of Carbondale, describing the legal reasons why the Board felt the driving range property must remain a part of the PUD.

On Aug. 9, the Town of Carbondale issued its interpretation of the relevant parts of the Unified Development Code (UDC). The Town's position is that the significance of potentially rezoning the driving range parcel for high density residential development is so impactful to the entirety of the RVR PUD, that the Town will require 50 percent of all owners of private property in the RVR PUD to sign/consent to the rezone application.

The RVR Board is encouraged by this interpretation, as it seems to support the vast majority of RVR lot owners who are strongly opposed to having the driving range be anything but a driving range.

Still, the issue is not dead; on Aug. 15, RVR Golf submitted a formal appeal of the Town's interpretation of the Unified Development Code.

The RVR Board will continue to vigorously oppose any efforts to rezone the driving range, as the Board believes a rezone would not be in the best interests of our community – and RVR homeowners seem to overwhelmingly agree.

The Board wants to assure the RVR community that its number one priority regarding the golf course is to ensure the long-term sustainability and well being of the community, and to preserve RVR property values.

We are committed to sharing additional details as they become available.