



# MEMORANDUM

**To:** Town Council

**From:** Theo Holtwijk, Director of Long-Range Planning

**Date:** September 20, 2012

**Re:** **Zoning Amendment to Extend the West Falmouth Crossing Master Plan Time Limits**

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On August 27, 2012 the Council asked several questions of staff regarding the proposed amendment:

- 1. What accounted for the delay in the development of this vacant lot, how actively was it marketed, and what is being proposed for it at this time?***

To answer this question, the owner's representative Malone Commercial Brokers submitted the additional information in a separate letter. As staff understands it a 6,000 sf, single-story office building is proposed.

- 2. What was the Council's reasoning in 1998 when it included an expiration date of 10 years after approval of the West Falmouth Crossing Master Plan?***

Staff did research in the Council minutes of 1997 and 1998 and contacted the Town Planner at that time (George Theborge). The January 20, 1998 minutes state that the Town Planner said that "the building program envisions a 10 to 15 year build-out and the TIF allows for up to 25 years to build-out. With uncertainty as to what will be built, the town should provide the developer with some flexibility to meet market conditions." There was no discussion in the minutes related to a 10-year time limit at that time.

When recently contacted, George Theborge stated that the inclusion of a 10 year expiration date was meant so the Town had a reversion clause in place in case the development did not go forward. As the (majority of the) development did go forward, George felt this section of the ordinance should not apply at this time.

- 3. What zoning applies to the subject site if the Council does not extend the Master Plan?***

Please see the staff memo from the Community Development Department on this issue.