

**TOWN OF MINTURN, COLORADO
RESOLUTION NO. 31 – SERIES 2023**

**A RESOLUTION AUTHORIZING THE MAYOR OF THE TOWN OF
MINTURN TO SIGN THE PLANNED UNIT DEVELOPMENT
AGREEMENT FOR MINTURN NORTH PLANNED UNIT
DEVELOPMENT.**

WHEREAS, the Minturn Crossing, LLC (“Developer”) is the owner of certain real property located in the Town of Minturn, Colorado known as Minturn North Planned Unit Development attached and incorporated by this reference (the "Property"); and

WHEREAS, on June 28, 2023, after a duly noticed public hearing and pursuant to Minturn Municipal Code §§ 17-5-40 and 16-21-200, the Town of Minturn Planning Commission recommended to rezone the Property as Game Creek Character Area Minturn North PUD Zone and to approve a Preliminary Development Plan for the Minturn North Planned Unit Development; and

WHEREAS, on July 5, 2023, and July 19, 2023, the Town Council of the Town of Minturn, after holding all necessary public hearings, approved Ordinance No. 9, Series 2023 rezoning the Property as Game Creek Character Area Minturn North PUD Zone; and

WHEREAS, on July 5, 2023, the Town Council of the Town of Minturn, after holding all necessary public hearings, approved Resolution No. 19, Series 2023 approving a Preliminary Development Plan for the Minturn North Planned Unit Development; and

WHEREAS, on October 11, 2023, after a duly noticed public hearing and pursuant to Minturn Municipal Code §§ 17-6-20 and 16-21-200, the Town of Minturn Planning Commission recommended to approve a Final Subdivision Plat for the Minturn North Planned Unit Development; and

WHEREAS, on November 1, 2023 and November 15, 2023, after duly noticed public hearing(s) and pursuant to Minturn Municipal Code §§ 17-6-30 and 16-21-200, the Town Council by appropriate ordinance approved a Final Development Plan and a final subdivision plat for Minturn North PUD creating thirty-nine (39) lots; and

WHEREAS, Minturn Municipal Code § 16-15-220 requires “Concurrent with the approval of a final development plan for the PUD, the applicant and the Town Council shall enter into a PUD agreement binding the Planned Unit Development to any conditions placed in the agreement.”

WHEREAS, the Town and Developer mutually acknowledge and agree that the matters set forth in the Planned Unit Development Agreement For Minturn North Planned Unit Development, attached as **Exhibit A**, are reasonable conditions and requirements to be imposed by the Town in connection with its approval, execution, and acceptance for

recording of the Final Development Plan, and that such matters are necessary to protect, promote, and enhance the public welfare; and

NOW THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF MINTURN, COLORADO:

1. The Minturn Town Council approves the Planned Unit Development Agreement for Minturn North Planned Unit Development attached as **Exhibit A** and authorizes the Mayor or his designee to sign on behalf of the Town of Minturn any and all documents required to reasonably ensure completion, subject to the following conditions:
 - A. Satisfactory resolution of all items contained in the November 8, 2023 letter from Inter-Mountain Engineering.

INTRODUCED, READ, APPROVED, ADOPTED AND RESOLVED this _____ day of November, 2023.

TOWN OF MINTURN

By: _____
Earle Bidez, Mayor

ATTEST:

Jay Brunvand, Town Clerk