



FINAL PUD PRELIMINARY PLAN
FINAL PLAT APPLICATION
Town of Minturn, CO

Belden Place
Residential PUD/Subdivision

Final PUD Development Plan Application &
Final Plat Application

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Appendices

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SECTION 1: APPLICATION INFORMATION

Town of Minturn, Colorado

Application(s): *Submittal 1 - Combined PUD Concept*
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 Submittal 3 - PUD Final Plat, Final Plan, SIA and Construction Plans

Date of Submittal: 8/30/2021

Application Team:

Property Owner/
Applicant: Miners Base Camp, LLC
 Don and Beverly Barnes
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Applicant
Representative
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Please send all information and or questions
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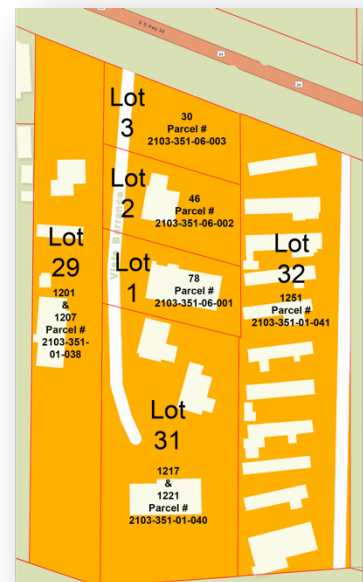
Lighting: Cullen Lighting Design
 Kate Cullen
 (817) 808-2108
 kate@cullenlighting.com

The Project is comprised of six (6) parcels. These parcels are all
currently under Title to Miners Base Camp, LLC

The six (6) parcels are identified as:

Parcel 210335101041 – 1251 Main Street
 Parcel 210335101040 – 1217 & 1221 Main Street
 Parcel 210335101038 – 1201 & 1207 Main Street
 (A.k.a. The “Christiansan Property”)
 Parcel 210335106001 – 0078 Vista Barranco
 Parcel 210335106002 – 0046 Vista Barranco
 Parcel 210335106003 – 0030 Vista Barranco

Please note that image shows the parcels and buildings present when
purchased.



SECTION 2: WRITTEN APPLICATION

On June 16th, 2021, Belden Place received Preliminary Plan, Plat, and Zone Map Amendment (PUD Overlay). That approval includes: 41 units (includes existing home on Lot 17), several variations regarding height, calculation thereof, and a height exception for staircases accessing rooftop decks, building coverage, impervious coverage, setbacks, encroachments into setbacks (building envelopes), and landscaping requirements; housing plan; open space dedication as presented; and commitments to participate in partnership with Town for regional drainage improvements.

Since the June 2021 approval, all technical concerns of the Town's consulting engineer and surveying team regarding the plat and drainage plan have been addressed. Other refinements to the approval include the updates to the housing plan upon working with the Eagle County Housing Authority, updates to the PUD Guide, Declarations and Covenants, per satisfaction of the Attorney, and updates to the phasing plan and other nuances as per the refined SIA agreement. Nothing substantial has been modified and the Belden Place development plan to render it significantly modified and it remains consistent with the Preliminary Plan approval.

BELDEN PLACE APPROVAL ILLUSTRATION



The proponents of this project are comprised of multi-decade valley locals. This group has acquired six (6) contiguous properties in South Minturn that were formally owned by long-time Minturn families. The site has been cleared of all existing homes except for the newer Christiansan home (on lot 17). Belden Place is in its entirety, is an infill development that when accomplished will be the first complete neighborhood featuring its own central park space that includes single-family, duplex, traditional townhomes, and stacked (one-level) flats. This neighborhood, with its focus on locals, will be the first of its kind built in Minturn in decades.

FINAL PLAN FOR PUD

Sec. 16-15-200. - Standards

A final development plan for the PUD shall be reviewed pursuant to the same standards applicable to a preliminary development plan for the PUD. The final development plan for the PUD shall be reviewed by the Town Council at a public hearing and shall be approved by ordinance. Submission of the final development plan application should occur no more than two (2) years after the approval of the preliminary plan. An extension can be granted requiring a clear statement explaining the reason for an extension. Failure to do so will result in the plan proceeding through the preliminary plan process again for explanation and approval. Approval of the final development plan PUD zone shall be considered as satisfying the final development plan requirements of the Town PUD regulations and subdivision regulations.

- (1) All single-phase final development plans for the PUD are valid for one (1) year from the date of approval. If no building permits have been issued within one (1) year of the date of final approval, the PUD shall be terminated and the zone change automatically repealed. Approval may be extended upon written request when reviewed by the Planning Commission and granted by the Town Council after a public hearing.
- (2) All multi-phase preliminary development plans for the PUD are valid for three (3) years from the date of approval. Permitted time frames do not change with successive owners. Approval may be extended upon written request when reviewed by the Planning Commission and granted by the Town Council after a public hearing.
- (3) Upon written request, an extension of the preliminary plan may be granted by the Town Council, not to exceed (2) two years, if the applicant demonstrates that:
 - a. Failure to proceed with development of the final plan for the PUD was beyond the applicant's control;
 - b. The final plan for the PUD is not speculative in nature;
 - c. The final plan for the PUD still complies with this Code and the Community Plan;
 - d. There is reasonable likelihood that the PUD will be developed in the next two (2) years.

APPLICANT RESPONSE:

Upon successful completion of the PUD Preliminary Plan, further discussions with the Town surrounding water service and drainage have resulted in minor modifications to the drainage and phasing plan.

Note: If the Town can generate additional water taps, we anticipate that two-three years will be adequate to finalize the Belden Place PUD, as is consistent with Code. Note that some elements of the phasing plan may overlap, however; the general phasing plan is as follows:

PHASING PLAN:

- | | |
|---------------|--|
| First phase: | Infrastructure installation including water, wastewater, and utilities; road construction and related improvements; open space areas; drainage improvements. |
| Second Phase: | Development of lots 7-16 with connections to installed water and wastewater systems; landscaping improvements. |
| Third Phase: | Development of lots 18-27 with connections to installed water and wastewater systems; final landscaping improvements. |

DRAINAGE PLAN:

Post Preliminary Plan approval, the Town was successful in obtaining the determination that the proponents of Belden Place, in participation with the Town, may proceed with the Regional Drainage Plan improvements including the installation of buried stormwater improvements across the Boneyard Open Space Easement. This is a major improvement that benefits not just Belden Place, but the Boneyard Open Space Conservation Easement, the US Forest Service (including the residential lot and the hillside drainage at the rear of the Belden Place property), as well as the immediate neighboring property owners to the west of Belden and those lots on Mountain Drive. Should further development occur on any properties within the drainage area outside of Belden Place, we understand those developments will need to participate monetarily (with a proportionate share of impact) as a reimbursement of the established system constructed by Belden Place. We request that all details, understandings, agreements, and nuances, be captured in a Development Agreement prior to the onset of improvements concurrent or following the Final Plat application, as currently, it is not being captured in the SIA.

HOUSING PLAN:

An appendix of the PUD Development Plan, the Belden Place team worked with Eagle County Housing to come to a consensus of a final plan. This plan is included in this application. To date, Belden Place has offered certain units as available for consideration by the Eagle County Housing Authority for purchase (and for potential deed restrictions) and has preliminarily assigned the four (4) 200% AMI units and the 50% RO housing units to the Belden units as well. This list has not been finalized and may change as discussions continue with Eagle County, as they evaluate their resources and need. Our hope is to further exceed our housing program as was presented at Preliminary Plan by through these negotiations (with Eagle County).

FINAL PLAT APPLICATION**Sec. 17-6-40. - Standards**

- (a) Twenty (20) copies of the final subdivision plat for all or a portion of an area within an approved preliminary plat to which it must conform shall be submitted to the Planning Director at least fifteen (15) days before the Planning Commission meeting at which it is to be reviewed, along with five (5) copies of any protective covenants.
- (b) The final plat shall be drafted in a legible form with black waterproof ink on a permanent reproducible material such as Mylar, on a sheet or sheets measuring twenty-four (24) by thirty-six (36) inches with clear margins measuring two (2) inches on the left-hand side and one-half (½) inch on the remaining sides. The plat shall show the name of the subdivision, date, date of survey, north arrow, graphic scale and a vicinity map to appropriate scale. Where multiple sheets are necessary to depict the total filing, the vicinity map, legal description of the tract boundary, a key map to sheet location and all certifications and dedications need to appear on the title or cover sheet. The final plat shall adhere to the format and include information as follows:
 - (1) Tract boundary lines and right-of-way lines or street lines in solid black lines; easements or other right-of-way lines in dashed lines; and lot boundaries in solid lines shall be shown with accurate dimensions to the nearest one-hundredth (0.01) foot. Bearings, deflection angles, arc lengths, chord bearings, chord lengths, tangent distances and central angles of all curves shall be shown. Curve tables shall be on each sheet and include only those curves shown on that sheet. Widths and dimensions of all easements, rights-of-way and streets

shall be indicated. In addition to requirements described herein, the final plat shall meet all requirements established under Section 38-51-101, et seq., C.R.S.

- (2) Names of all streets or roads, block letters or numbers and lot numbers shall be indicated for easy plat identification. Street addresses shall also be shown for each lot.
- (3) The location of all major drainage channels and areas showing the boundaries of land subject to inundation by a one-hundred-year flood.
- (4) All surveying data shall be tied to primary control points, the locations and descriptions of these control points being indicated. The location and description of all property monuments on the subdivision shall be indicated. Two (2) concrete monuments, at least thirty-six (36) inches in length and four (4) inches square with a suitable center point, shall be set at each street intersection on the street right-of-way line, or on offset lines therefrom, designated on the record plat. Iron monuments one-half ($\frac{1}{2}$) inch in diameter and eighteen (18) inches long shall be placed on all points on boundary lines where there is a change of direction.
- (5) A legal description of the property.
- (6) The name of the subdivision and the basis of bearings.
- (7) A vicinity map at a scale of 1" = 1,000 feet which includes section lines and township and range lines, where practical.
- (8) Certification and information as follows:
 - a. Names and addresses of owners of record;
 - b. Total acreage of the subdivision and total number of lots;
 - c. A reference to any protective covenants, declarations or other restrictions which shall be filed with the plat and an indication of the purpose for which sites other than residential lots are dedicated or reserved;
 - d. A certificate of dedication and ownership executed by the record owners and all other persons or entities having an interest in the subdivision, including any security interest;
 - e. The certificate of a title company or attorney showing marketable title in the owners, subject only to the liens or encumbrances of persons executing the certificate of dedication and ownership;
 - f. A surveyor's certificate, which shall be signed by a land surveyor licensed in the State responsible for the survey and final subdivision plat;
 - g. An approval block for the Town; and
 - h. A recorder's certificate which need not be completed until after final approval.
- (9) Supplemental documents required to be filed with the final plat shall be as follows:
 - a. Two (2) copies of all the protective covenants, declarations, party wall agreements or other restrictions placed on the subdivision, if any, one (1) copy of which shall be filed for record in the office of the County Clerk and Recorder at the time of recording of the final plat;
 - b. Complete engineering plans and specifications, time schedules and cost estimates for all public improvements, including erosion control and revegetation measures, "no discharge" measures to eliminate stormwater discharges, streets, access roads, drainage facilities, utility systems, bridges, landscaping and other improvements proposed or required to be installed by the developer, and a statement of proof that the subdivider has the ability to pay for such improvements. The above-referenced drawings shall be labeled as final public improvement drawings;
 - c. An executed subdivision public improvements agreement, off-site improvements agreement or other agreement required by the Town as a condition of final plat approval; and

- d. Adequate evidence of water in sufficient quantity for both domestic and irrigation use which shall be transferred to a legal entity which shall be established to operate a system to provide such quantity of water.

APPLICANT RESPONSE:

All copies necessary for review have been submitted with this application, including all legal documents. Please note, while the Declarations and Covenants along with the Bylaws, and the general party-wall agreements for the duplexes, townhomes, and 5-plex, will be recorded with this plat. The subsequent covenants and party-wall agreement for Lot 7 will be recorded with the condo plat for that lot (Lot 7 contains the stacked flat units).

We have been told that the Town of Minturn is in the process of creating standard plat certificates, which will be added to this plat. To date, they have not been provided to us by the Town attorneys. All other aspects of the plat have been updated from what was presented with the Preliminary Plat, and all engineering plans have been updated per previous comments obtained at Preliminary Plan.

The Town and Belden Place are in the process of creating an agreement for water service that establishes the understanding in how the Belden Water taps shall be allocated, and how many taps will be needed in the future. All fees have been calculated, and the Belden Place Subdivision Improvements Agreement will reflect this agreement and amount.

Based on the estimation of all infrastructure costs, collateralization will be provided by Belden Place, as is required by the Town. All fees will be paid prior to recording the Final Plat, and are reflected in the Belden Place Subdivision Improvements Agreement.

PRELIMINARY PLAN CONDITIONS

CONDITION 1: CIVIL SHEETS

"The Applicant shall update the Civil Sheets for Belden Place prior to or concurrent Final Plan/Plat application..."

APPLICANT RESPONSE:

All listed conditions (1.a-i) as found in the resolution for the Belden Place Preliminary Plan have been captured/addressed in this submittal. Many of these changes are in response to the outcome of the Preliminary approvals. Some of these changes were actually made prior to the final submittals to the Preliminary Plan itself. Changes that have occurred post-approval include further coordination with the Town (engineering, water tap administrator, attorneys) as well as the ERWSD for all matters related to the proposed wastewater systems. The SIA is in the process of being amended and should reflect assumed water service allotment discussions that have occurred post-preliminary plan. Note that all HOA documents have been updated accordingly including the Final Plat itself.

1.f.2.a.b. Belden Place will coordinate with CDOT upon completion of the Final Plat. This is a matter of timing for off-site drainage improvements and permitting with CDOT typically occurs as an immediate step post Final Plat approval.

1.f.i.2.c. We have received the go ahead from the Land Trust for the Regional Drainage Plan through the Boneyard, but an easement has not been obtained from the Eagle Valley Land Trust nor the Forest Service yet. Belden assumes this coordination will be ongoing through and beyond completion of the Final Plat.

1.f.ii Belden Place will continue to coordinate with the Town engineer for final designs related to the regional drainage system.

1.g.i As far as some of the Variations that were accepted with the Preliminary Plan all internal sidewalks shall remain consistent with the approval of the Preliminary Plan. All internal sidewalks shall be 4-feet wide, as was approved by Town Council. ADA ramps have been added to plans.

1.g.ii Garage ramp details and design for Lot 7 will be submitted with the building permit, as is typical.

1.g.iii The question of providing sidewalk improvements was broached with Town Council; however, it was not an absolute requirement (per Council). While no other property owner was required to contribute to highway improvements, Belden is committed to participating with the Town for certain public improvements. The most important of which, is the Regional Drainage design and implementation, as a priority need. Belden would be open to the possibility of contributing towards the sidewalk improvements instead of a bus shelter, as the existing and foreseeable bus service even after Belden is completed is extremely infrequent and limited, and would be used far less than a sidewalk).

1.h. A revised Cost Estimate has been submitted with this submittal.

1.i/ii. Construction requirements and specifications have been updated accordingly.

1.iii. The engineer for Belden Place is continually coordinating with the ERWSD and has designed all systems to their satisfaction (please note that this coordination will, likely occur pre- and post-Final Plat approval).

CONDITION 2: OPEN SPACE PLAN

“The Applicant shall update the Open Space Plan to remove all parking areas from the calculation or areas shown as dedicated open space...”

APPLICANT RESPONSE:

The Open Space plan has been revised and is incorporated with this submittal.

CONDITION 3: CIVIL ENGINEERING

“The Applicant shall update civil engineering plans and/or incorporate the following recommendations into final plat and Subdivision Improvements Agreement documents prior to or concurrent with any Final Plan/Plat application...”

APPLICANT RESPONSE:

Please see revised engineering designs and draft SIA.

CONDITION 4: CIVIL ENGINEERING/HOA DOCUMENTS

“The Applicant shall revise and update the civil engineering drawing package and/or HOA documents prior to or concurrent with any Final Plan/Plat application...”

APPLICANT RESPONSE:

4.a. HOA documents have been clarified in that maintenance and/or repair of detention ponds including cleanout and removal of silt will be the responsibility of the Homeowners Association.

CONDITION 5: HOA COVENANTS

“The Applicant shall update the HOA Covenants for Belden Place prior to or concurrent with any Final Plan/Plat application...”

APPLICANT RESPONSE:

5.a. A map exhibit has been incorporated into this document that clearly demonstrates the Belden Place PUD in relation with other properties.

5.b. Size limitations of work-trailers and one-ton trucks has been added to section 9.9(b).

5.c. Day Care Home limitations has been clarified in the HOA documents [section 9.3(e)] and PUD.

5.d. The PUD guide has been incorporated by reference, and private enforcement options have been added to the HOA Covenants (section 9.1).

5.e. A restrictive covenant has been added that limits the amount of timing of outdoor irrigation to coincide with whatever is required by the Town of Minturn [section 7.2(d)].

CONDITION 6: HOUSING PLAN

“The Applicant shall amend the Housing Plan to incorporate the following revisions...”

APPLICANT RESPONSE:

Please see submitted/revised Housing Plan that reflects this condition. This plan has been discussed with the Eagle County Housing Authority since the completion of the Preliminary Plan, and we are hoping additional units will be “adopted” by EC as well.

CONDITION 7: PUD GUIDE

“The Applicant shall update the Planned Unit Development Guide for Belden Place (the PUD Guide) prior to or concurrent with any Final Plan/Plat application...”

APPLICANT RESPONSE:

Please see revised PUD Guide. All suggested changes (7.a-c & 7.e-j) have been made, with the exception of 7.d.: the definition of building height. Town Council was indifferent to using the calculation method as proposed (with the exception of the dissenting vote) and did not require Belden Place to revert this definition to that of the Town of Minturn Municipal Code.

7.k. Landscaping minimums shall adhere to the submitted Landscaping Plan for the entire Belden Place project. This includes Lot 7; however, due to limited irrigation availability until the

Town updates its water supply, lot 7 will adhere to a temporary landscaping plan, which is attached to this application and will be included with the building permit for the stacked flat units.

CONDITION 8: TOPOGRAPHIC MAP

“The Applicant shall update the Topographic Map for Belden Place prior to or concurrent with any Final Plan/Plat application...”

APPLICANT RESPONSE:

All plans are using an updated topographic map, which was actually included as part of the Preliminary Plat and plans, post comment (the condition had been satisfied before Preliminary Plan approval).

CONDITION 9: EXTERNAL AGENCIES

“The Applicant shall work with Town staff and external agencies regarding permitting, construction and financing of off-site improvements...”

APPLICANT RESPONSE:

The Belden Place Design Team pledges to work with external agencies regarding offsite improvements, which may include a potential crosswalk, sidewalk, and for the Regional Drainage Improvements. Timing off these improvements is anticipated to be post-Final Plat application.

CONDITION 10: FINAL PLAT

“The Applicant shall update the Preliminary Plat for Belden Place prior to or concurrent with any Final Plan/Plat application...”

APPLICANT RESPONSE:

The Final Plat has been further reviewed post-preliminary Plan application upon receipt of a consolidated Title Commitment and has been updated according to all recommendations and requirements provided by Intermountain Engineering and the Town thus far. One exception: the Town Attorney has not provided the new certificate language. Once received, our surveyor will update the plat accordingly.

OTHER:

The Eagle River Fire Protection District has approved the emergency turnaround vacation, and we will be obtaining signatures very soon. A draft has been included in this application.

The Eagle River Water and Sanitation District does not want to vacate the old lines separately via a vacation agreement and will accept the line relocation, as is captured on the Final Plat.

We will be meeting with the Vail Valley Mountain Trails Alliance on September 1st to discuss any recommendations they have regarding access to neighboring open lands.

The SIA has not been included as part of this package but is ongoing between Belden and the Attorneys.

SUMMARY

All our plans are up to date and are at a level we feel is sufficient for Final Plat and Plan review. We look forward to continuing with this process, and moving forward with Belden Place.