

Dec. 9, 2025

Re: 629 Sawatch, Minor Development Permit

Kyle Brotherton
Town of Eagle Planning Staff

Applicant response to comments from staff and referral agencies received Nov 10, 2025 are listed below in the order contained in Town staff's comments dated Oct, 29, 2025.

Development Impact Checklist:

1. The impact checklist denoted that no wildlife would be impacted. According to CPW data, numerous species could be impacted (see included maps). Mitigation of wildlife habitats can be found in Section 4.14.040. Please revise and resubmit the checklist with applicable wildlife reports.

Response

A specific wildlife impact report is not required based on Chapter 4.14.040 B. 1. a and b.

CPW did not raise any concerns of impacts to wildlife and made no comments regarding the proposed development.

The mapping CPW provided showed no "Critical Wildlife Habitat" within 100' of the development that would create the need for additional buffering and screening.

All proposed plantings come from plant lists provided by CSU or the Town of Eagle.

The Impact Checklist has been revised to "could possibly" .

2. The impact checklist denoted that there would be no process which results in odor that may be objectionable or damaging. This impact could occur in the future depending on the use of future tenants. Please revise and resubmit the checklist.

The Impact Checklist has been revised to "could possibly" .

3. The impact checklist denoted that there would be no process which generates noise that may be offensive or damaging. This impact could occur in the future depending on the use of future tenants. Please revise and resubmit the checklist.

The Impact Checklist has been revised to "could possibly" .

Site Plans and LUDC:

1. General comment: The scale appears to be slightly off on the site plans. The dimensioned measurements printed/exported on the site plans do not reflect what is being measured by the review

software. Please ensure there wasn't a scaling issue when exporting the site plans, as the measurements taken are less than what is shown on the plan and scale. a. Parking spots are shown as 19 ft by 9 ft, but are measuring at approximately 18.5 ft by 8.75 ft. b. East landscaping buffer shown at 6 ft, but measured at 5 ft 10 inches.

Response

The Site Plan has been checked for accuracy in Autocad. I can not address any software discrepancies. During construction, contractors and subcontractors are directed to not scale drawings at any time. If discrepancies are found they should contact the person's who prepared the drawing in question for resolution to the issue.

2. Dimensional standards – setbacks, height, lot coverage, etc. – all appear to meet code; however, ensuring the site plans are scaled correctly will ensure these measurements meet code

No Response

3. Employee Dwelling Unit (EDU) exceeds the maximum size permitted per Section 4.09.100.L.5. A deed restriction will also need to be created to limit the occupancy as described in Section 4.09.100.L.3. The onus is on the application to create said deed restriction for review and acceptance by the Town and the Town Attorney.

Response

The section cited above (4.09.100.L.5.) relates to "Accessory Units" which by definition are associated only with development in residential zoning districts.

The Town's Land Use Code provides no specific standards for an "Employee Unit." The Employee Units is defined as:

"A dwelling unit that is located within or attached to a **nonresidential development**, but with a separate entrance from the nonresidential portion of the development; may also be located at an approved site location different than the site of the employment generation or detached from the nonresidential development but located on the same lot, parcel or subdivision; and is not accessed from any other residential dwelling."

When asked about standards for an EDU in the Preapp meeting we were advised to submit what we thought appropriate for our development and it would be reviewed by staff and the P&Z.

Finding and maintaining qualified employees is an ongoing issue for New Electric as well as other area business. Housing is the biggest impediment to maintaining adequate staffing levels. The ability to provide additional accommodations for employees is very important to the applicant and this project.

The owner/applicant understands that once an EDU is approved, a deed restriction will need to be created and filed.

4. General comment: site plans do not appear to be stamped by a licensed architect.

Response

The site plan and associated plans have been stamped by the architect.

5. Clear Vision Areas per Section 4.02.040.A do not appear on the site plan and trees and other landscaping appear to be located within those areas. Please revise or detail as necessary to comply with this section.

Response

The subject property does not sit at the corner of two streets and should not be subject to this provision of the code.

Section 4.02.040 DIMENSIONAL STANDARDS APPLICABLE TO ALL ZONE DISTRICTS

A. Clear Vision Areas

1. Description A clear vision area is a triangular area, two sides of which are **lot lines measured from the corner intersection** of the property lot lines for a distance of 30 feet

2. Applicability

a. Clear vision areas shall be maintained on the **corners of all property at the intersection of two streets**, a street and an alley, or a street and a railroad except in zone districts with a required build-to zone or line.

6. *Landscaping within right-of-way is not permitted to exceed 24 inches in height per Section 4.11.030.D.1. Please revise or detail as necessary to comply with this section.*

Response

The Landscape Plan has been revised to remove the taller trees within the right-of-way and provide spreading shrubs that are not expected to grow above 24" in height at maturity.

7. *The materials being proposed to screen the dumpster are not shown; please provide to ensure they are compatible with the main structure per Sections 4.11.060.B.3.b and C.1.*

Response

A detail of the dumpster screening wall has been added to the Landscape Plan, sheet A2.1. The dumpster enclosure screen will be faced with metal panels to match the building facade.

8. *Per Section 4.12.030.A., a parking plan is not provided it the materials. Please submit said plan.*

Response

A Parkin Plan is provided in this submittal on Sheet A2.2, for dimensional layout and E2.0 for EV charging locations.

9. *Per Section 4.12.040.I., and the locally amended 2020 National Electric Code, there appears to be no EV parking on site. Please include on the parking plan.*

Response.

EV charging has been addressed on Sheets E2.0.

10. Per Section 4.13.020.B.1., there does not appear to be a compliant lighting plan with this submission. Please revise and resubmit to meet code requirements.

Response

A lighting Plan has been prepared and is included on sheet E3.0

Miscellaneous:

1. Streets fee is \$12,420.60 2. Fire Fee is \$12,212.78 3. Public Safety Fee is \$4,767.75 4. There may be additional fees, including but not limited to, a school land dedication fee, PIF fees, or others.

Response

The applicant is aware of Street, Fire and PublicSafety Fees.

We would ask that the Fire Fee be applied to the cost of the fire hydrant being required by TOE Public Works. Additionally, we are unaware of any School Land Dedication or fee as those are generally part of a Subdivision process. If there are any Public Improvement Fees beyond the hydrant it is important that the applicant be advised as soon as possible.

State Stormwater Comments

The application materials indicate that there is a stormwater detention structure that will be utilized by this project. The applicant should be aware that the structure must meet the requirements of a "storm water detention and infiltration facility" as defined in section 37-92- 602(8), C.R.S., otherwise the structure may be subject to administration by this office. The applicant can review DWR's Administrative Statement Regarding the Management of Storm Water Detention Facilities and Post-Wildland Fire Facilities in Colorado to ensure that the notification, construction and operation of the proposed structure meets statutory and administrative requirements. The Applicant is also encouraged to use the Colorado Stormwater Detention and Infiltration Facility Notification Portal to meet the notification requirements if they have not already.

Response

The Civil Engineer is aware of these requirements.

Eagle County

Planning Division Comments:

1. Planning staff acknowledges this is parallel to the beliefs in Eagle County Comprehensive Plan
Part III: 3.3 Economic Development
 3.4 Housing

Engineering Division Comments:

1. No Comment

Response

The applicant appreciates the support of the County for the housing component of the project.

GEFPD Comments

- 1. The building will be required to have an NFPA 13 compliant fire suppression system installed.*
- 2. The building will be required to have an NFPA 70 and NFPA 72 compliant fire alarm system installed.*
- 3. Both life safety systems can be deferred submittals to the fire district for review, approval, inspection, and acceptance testing.*

Response

MEP Engineering is aware of these requirements and they will be addressed at the time of building permit, review and inspection.

TOE Public Works Comments.

Plan Comments

- 1. Submit the civil site plans including grading plan, and utility plan.*
- a. Utility plan should locate where the electrical service and communications service is being provided from and gas service if any.*

Response

These plans have been provided to Public Works

- 2. Provide the building area and anticipated/proposed building type for review of the International*

Fire Code Appendix B and C fire flow requirements and hydrant spacing respectively.

Response

This information has been provided to Public Works.

The building sf is 12,225 on the main level. Additionally New Electric will create a 4 bedroom, 2 bath employee unit and a 730 sf conference / training room.

The building will be submitted as a Type VB, sprinklered building, with one hour separation walls between occupancies.

- 3. One hydrant is required to be added in the ROW adjacent to this property. The hydrant spacing along this segment of Sawatch is approximately 1200 ft, which is greater than the max spacing of 500 ft. With the information provided from comment #2 the number of hydrants should be verified with the Fire Department. Approximate possible locations are shown below, coordinate with the Fire Department on final location.*

Response

The Civil Engineer and GEFD have coordinated the location of a new hydrant in the right-of-way near the northeast property corner.

CPW Comments

*CPW does not have any comments to provide at this time. Please
don't hesitate to reach out to me at (970) 948-9166 with any questions or concerns.*

No Response

Larry McKinzie

