

HPP Response to Mullet Subdivision Referral Agency Comments

January 26, 2026

Town of Eagle Planning Department (Letter dated 11/12/25 from Kyle Brotherton)

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Minor Subdivision:

1. *Acknowledge: Ensure that the final plat meets the requirements of Section 4.17.130.G.6.*

Applicant Response:

The Applicant acknowledges this comment and believes that the final plat submitted with this application does, in fact, meet the requirements of Section 4.17.130.G.6.

2. *Acknowledge: Impact fees, including but not limited to, streets, police, fire, and school land dedication, will be applicable at the time of development.*

Applicant Response:

The Applicant acknowledges obligations to pay applicable impact fees at the time of future development.

3. *Acknowledge: Minor Subdivision Approval will be conditioned upon approval of the Variance Application by the Planning & Zoning Commission.*

Applicant Response:

The Applicant acknowledges that the minor subdivision approval for the Mullet Subdivision will be conditioned on the successful approval of a companion variance application.

Variance Application:

1. *Acknowledge: The Planning & Zoning Commission hearing date will be determined after resubmittal and review to ensure all comments from all agencies have been adequately addressed.*

Applicant Response:

The Applicant acknowledges that the Town will determine and set a date for the Planning and Zoning Commission hearing upon determination by Town Staff that referral review comments have been adequately addressed.

Town of Eagle Public Works Department (Letter dated 11/10/25 from Ryan Johnson, P.E.)

1. *Indicate on a plan or survey where the existing water and sewer service line to the duplex lots are located.*

Applicant Response:

Attached, the Applicant has provided an updated existing conditions aerial photo (Exhibit C) showing the estimated location of existing water and sewer service lines running through proposed Lot 1 and to the existing duplex units. This estimated location was provided by the Applicant, Bryan Mullet, based on prior utility locates performed on the subject property. The plat has been updated to show a blanket utility easement over/through/under Lot 1 and it is anticipated that any future development of Lot 1 will require re-routing of existing utilities that currently traverse and encumber the buildable portion of Lot 1.

2. *Public Works believe the water service is located somewhere in the middle of lot 1 (see image below). And it is likely to extend through proposed lot 1 to the existing duplex outside of the proposed utility easement. The alignment will need utility service line easement delineated through lot 1 on the plat.*

Applicant Response:

Thank you for this comment and observation. The Mullet Subdivision Plat has been updated to show a blanket “Utility and Drainage” easement covering a portion of Lot 1 where water and sanitary sewer lines currently exist; and where they likely will exist in the future when and if Lot 1 is developed. Additionally, a new general note (7c) has been added to the plat to detail the intent, purpose, and use of the blanket Utility and Drainage easement.

3. *Conceptually indicate on a plan how parking for the duplex lot works with an access drive to lot 1.*

Applicant Response:

A conceptual site plan has been provided using aerial photography, the superimposition of the draft plat (showing the location and proposed footprint/property boundaries of the existing duplex units), and graphics to indicate the location of parking stall dimensions relative to the building and the “Access, Utility, and Drainage Easement” (i.e., the existing driveway).

This conceptual plan clearly illustrates that the existing conditions provide ample room – approximately XX feet – from the face of the existing one car garages in front of the existing units, to the location of the eastern boundary of the access easement. This permits a typical 9 foot by 18 foot parking stall as well as additional space for maneuvering without compromising or impeding the movement of a typical passenger vehicle using the access easement to access Lot 4.

4. *Conceptually indicate on a plan how Lots 1 and 4 will be serviced for water and sewer.*

Applicant Response:

A conceptual site plan has been provided using aerial photography and showing potential routing for water and sewer lines.

Kipp Land Surveying, LLC. (Letter dated 09/23/25 from Randy Kipp, P.L.S.)

Kipp Land Surveying has reviewed the Final Plat dated 3-11-25 and I offer the following comments:

Sheet 1 of 2

1. *Bryan D. Mullet is not the only owner. Tommie C. Belz and FBR Townhomes Association Inc. are also owners according to the Title Commitment provided. These names need to be added to separate Certificate of Dedication Cert's for their signatures.*
2. *You have a Lender Consent Certificate shown but nothing shows up in the Title Commitment?*
3. *Title Commitment provided from 3-07-25 should be updated.*
4. *The date of your survey is from 2023, has anything changed with boundary evidence/ improvements etc. within the last two years?*
5. *The exceptions labeled in your surveyor notes that don't affect the parcel should be removed from the title commitment and your surveyor notes.*
6. *Any exceptions in the title commitment not shown on your sheet 2 of 2, should be noted in the surveyor notes if they affect the property but can't be plotted.*
7. *Consider putting the "Town of Eagle, County of Eagle, State of Colorado" at the end of your title.*
8. *The Planning Certificate date should be updated.*
9. *The Surveyor Certification date should be updated.*

Sheet 2 of 2

10. *Per state statute, both field measured/ calculated and platted bearings and distances need to be shown for the boundary if you are accepting the monuments for this plat.*
11. *Recording information for the west adjoiners should be added.*
12. *You might consider making the vacated lot lines lighter.*

Applicant Response:

Please see attached written responses from Slagle Survey Services which addresses a majority of Kipp Land Surveying, LLC., comments. The Applicant questions the intent of updating the title commitment post application. If required, the Applicant will provide an updated title commitment.

Eagle County Government (Letter dated 10/06/25 from David McWilliams)

Engineering Comments:

1. *No Comment.*

Applicant Response:

Noted.

Environmental Health Comments:

1. *No comments.*

Applicant Response:

Noted.

Assessor's Office Comments:

1. Lot D ownership is F.B.R. Townhomes Association according to QCD recorded in book 719 page 586 on 2-27-1997. It was not part of the 201302154 SWD in which Mullet took ownership of Lots A, B & C. It's understood that Mullet is the successor declarant / current association, but a deed is needed to change ownership for Lot D. Suggest conveyance deed (QCD) with Bryan and Tommie signing on behalf of F.B.R. Townhome Association as successor declarants, prior to plat approval/recording. Otherwise, ownership of new lots 1-4 will also include FBR Townhouse Association.

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Applicant Response:

See attached quit claim deed(s).

2. Lot B ownership is Bryan D. Mullet and Tommie C. Belz, as joint tenants. Add Tommie C. Belz as owner of Lot B and signature line.

Applicant Response:

See attached quit claim deed(s).

3. Does there need to be a front setback shown along Whiting Rd?

Applicant Response:

Matt Slagle has addressed this comment. The Applicant does not believe that setbacks should be shown on a plat, as setback requirements may change in the future if the Town amends the Town Code. Further, the Applicant is not aware of a Town requirement to show setbacks on a subdivision plat. However, the Applicant defers to the Town for direction on this comment.

4. Does there need to be monuments between the interior lots? (I don't know the statute on this, just curious as an adjacent property owner).

Applicant Response:

Matt Slagle has addressed this comment.

5. The plat shows that monuments were set / found at the four corners. I found the set monument in the SW corner but not in the NE or SE corners. Will those be set prior to plat approval / recording?

Applicant Response:

Matt Slagle has addressed this comment.

6. The found survey monument in the NW corner has a cap with LS No. 11204. Does that need to be revisited?

Applicant Response:

Matt Slagle has addressed this comment.

GIS Department Comments:

1. From an address perspective, we do not use A,B,C's any longer and give lots unique addresses. This plat uses the A,B,C concept and I would suggest that they use 481, 483, 485, 487. The 481 address being closest to the road and 487 being furthest from the road. Staff suggests contacting the GIS department for other addressing.

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Applicant Response:

The plat has been updated to show addresses commensurate with this comment, where Lot 1 is addressed as 481 Whiting Road; Lot 2 as 483 Whiting Road; Lot 3 as 485 Whiting Road; and Lot 4 as 487 Whiting Road.

State of Colorado Water Resources Division (Email dated 09/12/25 from Wenli Dickinson)

The application materials indicate that there is stormwater drainage planned. If stormwater will be re-routed, the historical timing and amounts of water flows should be maintained. Stormwater may not be stored or put to beneficial use except in-priority (e.g., under a water right that is in-priority or under free river conditions under the direction of the Water Commissioner). Otherwise, stormwater may only be detained in a qualifying "storm water detention and infiltration facility" as defined in section 37-92-602(8), C.R.S., otherwise the storage structure may be subject to administration by this office.

Applicant Response:

Acknowledged. The Applicant is not proposing any development at this time. Recommendations from CWRD related to future development of the subject property and specific to stormwater management will be addressed via the Town of Eagle permitting process at the time that any grading and/or building permits are applied for.

State of Colorado Geological Survey (Letter dated 11/11/25 from Amy Crandall, P.E.)

*The Colorado Geological Survey (CGS) has **no objection** to the proposed subdivision and variance. While the site is free of landslides, undermining, and 100-year flood hazards, the following risks and requirements apply:*

Primary Hazard: Evaporite Sinkholes:

The property is underlain by Eagle Valley Evaporite, a water-soluble bedrock prone to sinkhole formation and ground subsidence.

- Water Sensitivity: Increased subsurface water—from irrigation, ditch leakage, or drainage—can trigger or accelerate sinkhole activity.
- Hidden Risks: Past ground disturbance may have obscured existing sinkholes.

Applicant Response:

Acknowledged.

Recommendations & Requirements

- Geotechnical Investigation: For future improvements, a site-specific study is required to evaluate soil density, strength, and "swell/collapse" potential, as well as high corrosion risks to steel.
- Construction Monitoring: If subsidence or voids are discovered during construction, the applicant must evaluate mitigation or relocate the building site.
- Owner Awareness: Property owners should be notified of sinkhole risks, as early detection of structural distress is critical for minimizing repair costs.

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Applicant Response:

Acknowledged. The Applicant is not proposing any development at this time. Recommendations from CGS related to future development of the subject property will be addressed via the Town of Eagle permitting process at the time that any grading and/or building permits are applied for.

Slagle Survey Services
- P.O. Box 751 - Eagle, CO 81631
970.471.1499 matthew@slaglesurvey.com

01-06-25

To:

Town of Eagle

RE: Final Plat of Mullet Subdivision,
481 Whiting Road, Town of Eagle, Eagle County, Colorado.

- Thank you for the opportunity to offer response to Comments received from entities addressed below.

Town of Eagle Planning:

- No comment as surveyor does not recognize any request for edit.

Town of Eagle Public Works:

- 1) Not perceived as Survey / Platting related comment.
- 2) Please notice revised plat dated 12-12-25 as it now depicts location of found water shutoff and sewer Cleanouts and we have now also added a Blanket Utility and Drainage Easement on Lots 1 as defined in Surveyor's Note 7c on sheet 1 of said Plat.
- 3) Not perceived as Survey / Platting related comment.
- 4) and again, Not perceived as Survey / Platting related comment.

Eagle County Assessor's Comments:

- 1) Thank you, please notice edit on attached Plat to C.O.D. along with signature Blocks.
- 2) see comment for note 1.
- 3) Setbacks are Not ALWAYS depicted on Plats but if Town of Eagle prefers they be added please do officially inform as to these particular restrictions and they can be added.
- 4) Perimeter of Boundary are the only monumentation required by statute.
- 5) Monuments missing will be set prior to the 12 month statutory requirement (from recording date of the Plat).
- 6) Edit made per older survey evidence found.

Eagle County GIS:

- 1) Edit made per comment.