



**Planning and Community
Development Department**
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DEVIATION REQUEST

The deviation request has been provided to the ECM administrator for review and a decision. The deviation requests for the intersection spacing would not be a part of this rezone as the actual design layout for the roadways have not been submitted and so that a decision on the deviation does not hold up the rezone project. You will be informed once a decision has been made.

PROJECT INFORMATION

Project Name : Meadow Lake Industrial Park

Schedule No.(s) : 4300000553; 4300000552; 4300000548; 4300000551

Legal Description : A PORT OF THE E2 OF SEC 09-13-64; BEG AT NE COR OF SEC 9-13-64, TH S 00<43'37" W ALG THE E LN OF SD SEC 9 1491.36 FT, N 89<40'19" W 2638.19 FT, N 00<48'03" E 1400 FT M/L TO THE N4 COR OF SD SEC 9, TH S 89<40'19" E 2636.27 FT TO POB, EX THAT PT CONV BY REC # 205103778

A PORT OF THE E2 OF SEC 09-13-64 DESC AS FOLS: BEG AT THE NE COR OF SD SEC 9; TH S 00<43'37" W ALG THE E LN OF SD SEC 9 1491.36 FT FOR POB; TH CONTINUE CONT S 00<43'37" W ALG SD E LN 1808.88 FT, N 89<45'08" W 2406.04 FT, N 19<30'09" W 675.81 FT TO A PT ON THE W LN OF SD E2, N 00<48'03" E ALG SD W LN 1176.51 FT, TH S 89<40'19" E PARA WITH THE LN OF SD E2 2638.19 FT TO POB

TR IN SE4 SEC 09-13-64 DESC AS FOLS: COM AT S4 COR SD SEC 9, TH S 89<55'52" E ALG THE S LN OF SD SEC 1050.14 FT FOR POB, TH N 32<07'38" W 373.95 FT, N 19<35'42" W 1766.29 FT, S 89<50'41" E 1196.78 FT TO THE C/L OF AN UNNAMED CREEK, TH ALG SD CREEK C/L S 09<17'32" E 46.27 FT, S 16<07'27" W 189.07 FT, S 23<29'33" E 125.51 FT, S 10<27'21" E 127.58 FT, S 37<14'31" E 149.67 FT, S 02<42'06" E 86.62 FT, S 12<41'10" W 80.47 FT, S 40<29'22" E 112.23 FT, S 05<28'59" W 188.95 FT, S 12<10'23" W 99.25 FT, S 29<44'12" E 60.69 FT, S 06<58'02" E 163.83 FT, S 24<32'28" E 54.44 FT, S 01<34'53" W 63.60 FT, S 34<30'01" E 46.78 FT, S 16<45'07" E 243.57 FT, S 01<07'26" W 226.17 FT, S 04<03'16" W 29.44 FT TO A PT ON S LN OF SEC 9, TH N 89<55'52" W ALG SD S LN 705.61 FT TO POB

TR IN S2 SEC 9-13-64 DESC AS FOLS: BEG AT SE COR OF SD SEC 9, TH N 89<50'19" W 2643.14 FT TO S4 COR OF SD SEC 9, TH CONT N 89<50'19" W 1320.84 FT, TH N 00<52'11" E 2644.16 FT TO A PT ON N LN OF SW4 OF SD SEC 9, TH S 89<45'08" E 1317.64 FT TO THE CENTER OF SD SEC 9, TH S 00<48'03" W 662.14 FT, S 89<45'08" E 2610.77 FT TO E LN OF SD SEC 9, TH S 00<43'37" W 1975.98 FT TO POB, EX THAT PT CONV BY REC #204036388 AKA TRS B,C & D, EX PART CONV TO COUNTY BY REC #206118930

APPLICANT INFORMATION

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Owner Consultant Contractor

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ENGINEER INFORMATION

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Email Address : Jeff@LSCtrans.com

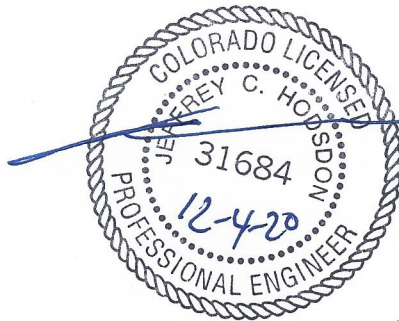
OWNER, APPLICANT, AND ENGINEER DECLARATION

To the best of my knowledge, the information on this application and all additional or supplemental documentation is true, factual and complete. I am fully aware that any misrepresentation of any information on this application may be grounds for denial. I have familiarized myself with the rules, regulations and procedures with respect to preparing and filing this application. I also understand that an incorrect submittal will be cause to have the project removed from the agenda of the Planning Commission, Board of County Commissioners and/or Board of Adjustment or delay review until corrections are made, and that any approval of this application is based on the representations made in the application and may be revoked on any breach of representation or condition(s) of approval.

Signature of owner (or authorized representative)

Date

Engineer's Seal, Signature
And Date of Signature



DEVIATION REQUEST (Attach diagrams, figures, and other documentation to clarify request)

The applicant is requesting approval of a planned public street connection to the west side of Curtis Road ¼ mile north of Falcon Highway. The request is for an interim full movement intersection with Falcon Highway, but the intersection would likely need to be converted to three-quarter movement (or possibly right-in/right-out or right-in only) configuration in the longer term future when Curtis Road becomes a four-lane Principal Arterial as indicated on the MTCP Corridor Preservation Plan. The TIS indicates potential use of a channelized T configuration with the interim full-movement. Please refer to the attached exhibit (Figure 2 from the TIS report).

A deviation from the standards of or in Section 2.2.5.B.1 of the Engineering Criteria Manual (ECM) is requested.

Identify the specific ECM standard which a deviation is requested:

Spacing of roads accessing a Principal Arterial – one-half mile spacing
Spacing of roads accessing a principal arterial or rural minor arterial that will result in a full movement intersection shall be planned at one-half mile (one-quarter mile for rural minor arterials).

State the reason for the requested deviation:

The deviation is requested to support the plan and the land uses proposed. The deviation would allow for a more practical and viable access plan for the development given site specific conditions, street frontage and limited access to Falcon Highway, and limited other roadway connections. The request for interim full-movement intersection with Curtis Road is based on the MTCP 2040 classification of Curtis as a **two-lane** Principal Arterial (versus a four-lane Principal). The rationale is that the Curtis Road two-lane Principal Arterial would more closely resemble a Rural Minor Arterial (which allows 1/4 mile spacing) than a Four-Lane Principal Arterial (which requires 1/2 mile spacing).

Explain the proposed alternative and compare to the ECM standards (May provide applicable regional or national standards used as basis):

The proposed alternative is for an interim full movement access to the west side of Curtis Road ¼ mile north of Falcon Highway. The access would likely need to be converted to three-quarter movement (or possibly right-in/right-out) in the distant future when Curtis Road becomes a four-lane Principal Arterial as indicated on the MTCP Corridor Preservation Plan.

The spacing would be 1,300 feet shorter than the ECM standard for Principal Arterials. The ECM only shows criteria for a four lane Principal Arterial. The proposed ¼ mile spacing would be consistent with the spacing of intersections for a Rural Minor Arterial. The rationale is that the Curtis Road two-lane Principal Arterial would more closely resemble a Rural Minor Arterial. Note: this intersection spacing was approved as part of the 2013 ZCP Plan.

LIMITS OF CONSIDERATION

(At least one of the conditions listed below must be met for this deviation request to be considered.)

- The ECM standard is inapplicable to the particular situation.
- Topography, right-of-way, or other geographical conditions or impediments impose an undue hardship and an equivalent alternative that can accomplish the same design objective is available and does not compromise public safety or accessibility.
- A change to a standard is required to address a specific design or construction problem, and if not modified, the standard will impose an undue hardship on the applicant with little or no material benefit to the public.

Provide justification:

Given the shape of the development site, the "long side" of the site is adjacent to Curtis Road, the Principal Arterial, which has stricter access spacing of one-half mile. The proposed use is commercial/industrial along this section of Curtis Road. It is most likely that commercial uses most in need of good access would locate on the corner of Falcon Highway and Curtis Road. The access to Falcon Highway is shown as a three-quarter movement, due to the limited site frontage, and it would not be practical for commercial uses to have the first access on Curtis Road north of Falcon Highway a half-mile to the north. Additional access is needed.

Regarding the interim request for full movement, the ECM only shows criteria for a four lane Principal Arterial. The proposed ¼ mile spacing would be consistent with the spacing of intersections for a Rural Minor Arterial. The rationale is that the Curtis Road two-lane Principal Arterial would more closely resemble a Rural Minor Arterial.

The access would likely need to be converted to three-quarter movement (or possibly right-in/right-out or right in only) in the distant future when Curtis Road becomes a four-lane Principal Arterial as indicated on the MTCP Corridor Preservation Plan.

CRITERIA FOR APPROVAL

Per ECM section 5.8.7 the request for a deviation may be considered if the request is **not based exclusively on financial considerations**. The deviation must not be detrimental to public safety or surrounding property. The applicant must include supporting information demonstrating compliance with **all of the following criteria**:

The deviation will achieve the intended result with a comparable or superior design and quality of improvement.

The requested access would provide superior circulation for the site, reduce turning movements at the proposed north (full-movement) intersection on Curtis Road. Traffic generated by land uses in the southeast corner of the site could reasonably exit by turning right out of this access on Curtis as there is no option for turning left out of the access on Falcon Highway to travel east or south of the site. This would benefit operations at the north (permanent) full-movement access on Falcon Highway.

Regarding the requested interim allowance of full-movement, the proposed ¼ mile spacing would be consistent with the spacing of intersections for a Rural Minor Arterial. The rationale is that the Curtis Road two-lane Principal Arterial would more closely resemble a Rural Minor Arterial.

Restrictions/conditions could be placed on the access in the interest of corridor preservation – such as “left turn movements may be restricted at a future time” and “this intersection would be turn-movement-restricted rather than signalized.” Also, at the subdivision/plat stage, the long-term access configuration could be further defined based on the updated version of the MTCP plan for Curtis Road and future turn movement restrictions could be placed as conditions.

The deviation will not adversely affect safety or operations.

This deviation is for an interim full movement intersection– until such time that Curtis is upgraded to a four-lane Principal Arterial. The TIS report shows auxiliary turn lanes associated with this access and acceptable levels of service with a channelized T configuration. Also, at the subdivision/plat stage, the long-term access configuration could be further defined based on the updated version of the MTCP plan for Curtis Road and future turn movement restrictions could be placed as conditions. Southbound right turn lanes would likely be constructed in the form of continuous acceleration/deceleration lanes between the north access and this right-in/right-out and this access and Falcon Highway.

The deviation will not adversely affect maintenance and its associated cost.

A channelized T intersection for the interim full movement intersection would not likely add maintenance cost above what would be associated with a similar intersection on a Minor Arterial with ¼ mile spacing.

The deviation will not adversely affect aesthetic appearance.

The access could be constructed using standard materials and design techniques, so aesthetic appearance would not be affected. The ¼ mile spacing would not detract from the aesthetics of the Curtis Road corridor.

The deviation meets the design intent and purpose of the ECM standards.

This deviation meets the intent to discourage full-movement, potentially signalized intersections at less than half mile spacing on corridor identified for preservation as a four-lane Principal Arterial.

The deviation meets the control measure requirements of Part I.E.3 and Part I.E.4 of the County's MS4 permit, as applicable.

REVIEW AND RECOMMENDATION:

Approved by the ECM Administrator

This request has been determined to have met the criteria for approval. A deviation from Section _____ of the ECM is hereby granted based on the justification provided.

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L _____ 7

Denied by the ECM Administrator

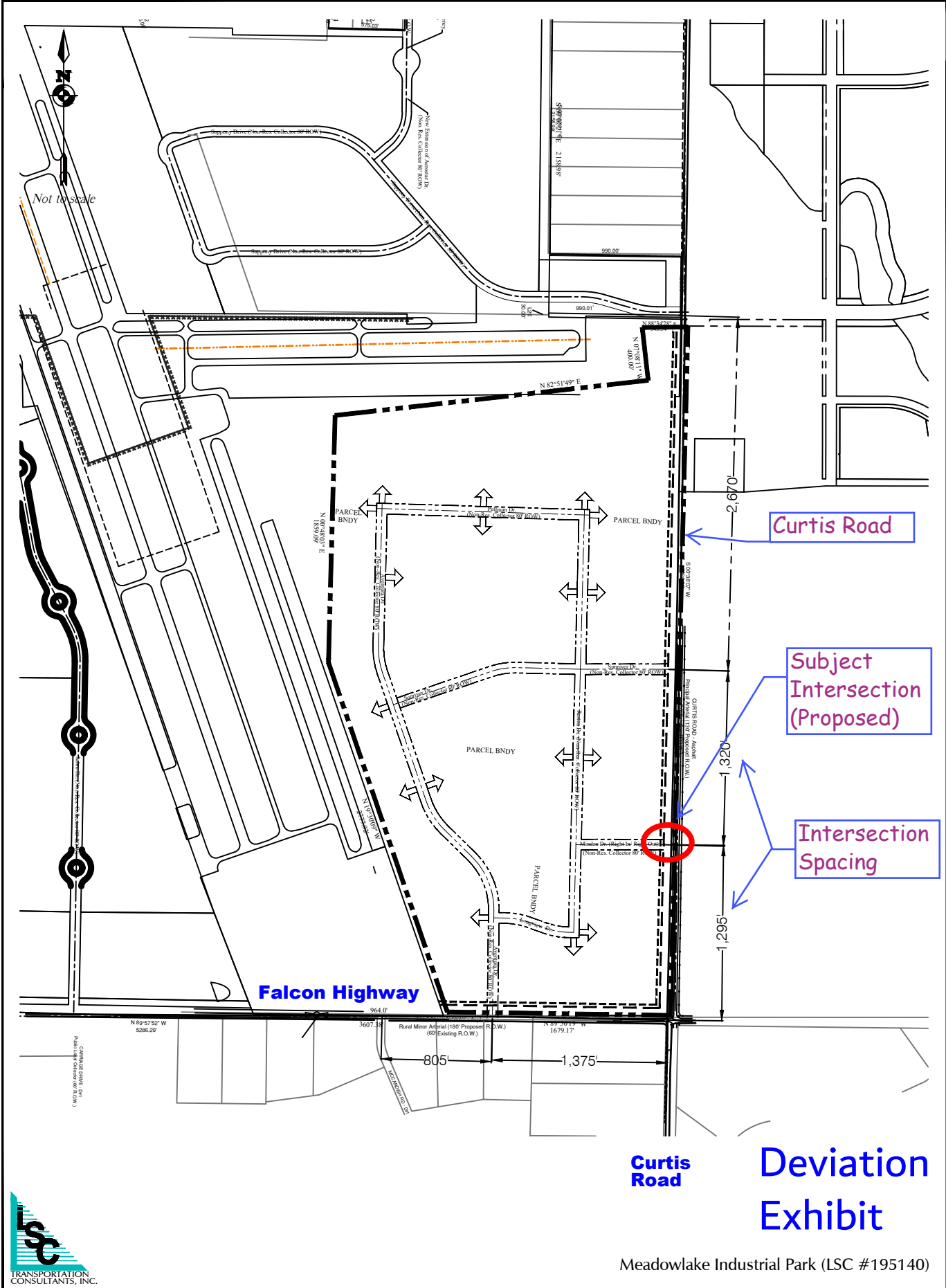
This request has been determined not to have met criteria for approval. A deviation from Section _____ of the ECM is hereby denied.

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ECM ADMINISTRATOR COMMENTS/CONDITIONS:

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Curtis Road

Deviation Exhibit