



**Planning and Community
Development Department**
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DEVIATION REQUEST AND DECISION FORM

Updated: 6/26/2019

PROJECT INFORMATION

Project Name :	FLYING HORSE NORTH FILING NO. 4
Schedule No.(s) :	6136000005, 6136004037, 6136003004, 6136000003
Legal Description :	TWO TRACTS OF LAND WITHIN SECTIONS 30 & 31, TOWNSHIP 11 SOUTH, RANGE 65 WEST OF THE 6 TH PM

APPLICANT INFORMATION

Company :	PRI #2, LLC.
Name :	DREW BALSICK
	<input checked="" type="checkbox"/> Owner <input type="checkbox"/> Consultant <input type="checkbox"/> Contractor
Mailing Address :	6835 CORPORATE DRIVE, STE. 200 COLORADO SPRINGS, COLORADO 80919
Phone Number :	719-592-9333
FAX Number :	-
Email Address :	DBALSICK@CLASSICHOMES.COM

ENGINEER INFORMATION

Company :	HR GREEN DEVELOPMENT, LLC.	Colorado P.E. Number :	53921
Name :	RICHARD LYON, PE		
Mailing Address :	1975 RESEARCH PARKWAY, STE. 160 COLORADO SPRINGS, COLORADO 80920		
Phone Number :	719-318-0871		
FAX Number :	-		
Email Address :	RICHIE.LYON@HRGREEN.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]
Signature of owner (or authorized representative)

01/02/2025
Date

Engineer's Seal, Signature
And Date of Signature



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

A deviation from the standards of or in Section 2.3.2 of the Engineering Criteria Manual (ECM) is requested.

Identify the specific ECM standard which a deviation is requested:

2.3.2 Design Standards by Function Classification, Table 2-4
Requested is a reduction in the intersection spacing between the proposed local rural residential roadway of Rubble Drive where it connects to and intersects the existing roadway of Black Forest Road which is classified as a minor arterial roadway. The intersection spacing in Table 2-5 is listed as a quarter of a mile (1,320 ft).

State the reason for the requested deviation:

A secondary access for Filing No. 4 is required and the previous approved PUDPP (SP17012) showed the same alignment and intersection location. The deviation is required due to the intersection spacing being less than 1,320 ft. The proposed intersection would have a spacing from the intersection of Terra Ridge Circle and Black Forest Road to the north of approximately 735 feet and a spacing from Country Estates Lane and Black Forest Road to the south of approximately 890 feet. An exhibit of the overall filing site layout is attached showing the roadways.

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

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

The alternative is to have a roadway termination point and no intersection. This has been discouraged by the County as the roadway is approximately 4,300 linear feet and connects to about 28 lots.

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:

A secondary access for Filing No. 4 is required and the previous approved PUDPP (SP17012) showed the same alignment and intersection location. As described in the Traffic Impact Study for Filing No. 4, the average daily traffic volume is anticipated to be low at this intersection and will not pose a safety risk to have reduced intersection spacing along Black Forest Road. Public right-of-way improvements to Black Forest Road are required for this intersection per the Traffic Impact Report. The Construction Drawings plan set includes design of these improvements which consist of added lanes to Black Forest Road with new striping for acceleration and deceleration lanes. An attachment from the construction drawings plan set showing the roadway improvements for the intersection of Black Forest Road and Rubble Drive is included in this packet.

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 deviation will achieve the intended result with a comparable design by not reducing the level of service of Black Forest Road or nearby roadways and intersections.

The deviation will not adversely affect safety or operations.

The deviation will not adversely affect safety or operations. As described in the Traffic Impact Study for Filing No. 4, the average daily traffic volume is anticipated to be low at this intersection and will not pose a safety risk to have reduced intersection spacing along Black Forest Road. The level of service of Black Forest Road or nearby roadways and intersections is not reduced as a result.

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

The deviation will not adversely affect maintenance and its associated cost as it is one additional intersection within the right-of-way.

The deviation will not adversely affect aesthetic appearance.

The deviation will not adversely affect aesthetic appearance and the roadway sections will match that of typical County sections.

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

The deviation meets the design intent and purpose of the ECM standards by not adversely affecting roadway operations and level of service.

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.

The deviation will not be applicable regarding the County's MS4 permit. Stormwater drainage patterns and conveyance within this proposed modified roadway section is consistent with the standard section.

Water Quality and full spectrum detention ponds are provided for this filing to comply with the County's MS4.

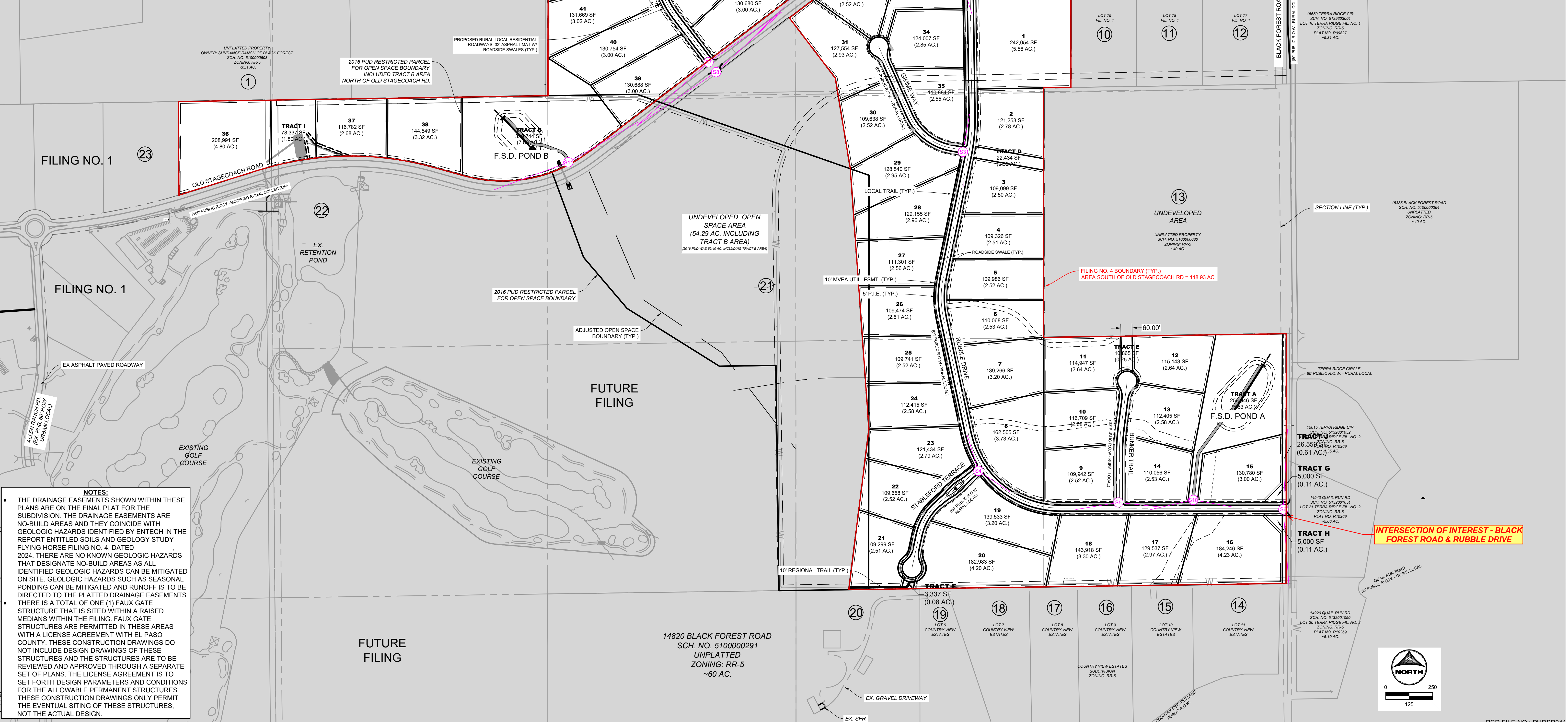
EXHIBITS

1. OVERALL SITE LAYOUT
2. PROPOSED BLACK FOREST ROAD PUBLIC
RIGHT-OF-WAY IMPROVEMENTS

INTERSECTION SIGHT DISTANCE TABLE				
LOCATION ID	MINOR STREET	MAJOR STREET	SIGHT DISTANCE LEFT (FT)	SIGHT DISTANCE RIGHT (FT)
S1	RURAL LOCAL	RURAL COLLECTOR	405	425
S2	RURAL COLLECTOR	RURAL LOCAL	-	425
S3	RURAL LOCAL	RURAL LOCAL	205	184
S4	RURAL LOCAL	RURAL LOCAL	200	200
S5	RURAL LOCAL	RURAL LOCAL	215	215
S6	RURAL LOCAL	RURAL COLLECTOR	425	425
S7	RURAL LOCAL	RURAL COLLECTOR	474	507
S8	RURAL LOCAL	RURAL COLLECTOR	474	507
S9	RURAL COLLECTOR	RURAL MINOR ARTERIAL	570	570
S10	MAINT. PATH	RURAL LOCAL	200	184
S11	MAINT. PATH	RURAL COLLECTOR	425	425
S12	MAINT. PATH	RURAL COLLECTOR	425	425

FLYING HORSE NORTH FILING NO. 4 - TRACT TABLE									
TRACT NAME	AREA (SF)	AREA (AC.)	PUBLIC IMPROVEMENTS	UTILITIES	PRIVATE UTILITY	SIGNAGE	MAINTENANCE	OWNERSHIP	
A	284,200	6.57			X		FHN METRO #3	FHN METRO #3	
B	340,476	7.82			X		FHN METRO #4	FHN METRO #4	
C	248,320	5.70			X		FHN METRO #4	FHN METRO #4	
D	22,431	0.52	X	X			FHN METRO #3	FHN METRO #3	
E	10,865	0.25	X	X			FHN METRO #3	FHN METRO #3	
F	3,337	0.08	X	X			FHN METRO #3	FHN METRO #3	
G	5,000	0.11				X	FHN METRO #3	FHN METRO #3	
H	5,000	0.11				X	FHN METRO #3	FHN METRO #3	
I	78,227	1.80			X		FHN METRO #4	FHN METRO #4	
J	26,559	0.61					FHN METRO #3	FHN METRO #3	

ADJACENT PROPERTY OWNERS:		
OWNER	LOCATION	
1. SUNDANCE RANCH OF BLACK FOREST LLC	5975 HODGEN RD., COLORADO SPRINGS, CO, 80908	
2. SUNDANCE RANCH OF BLACK FOREST LLC	5975 HODGEN RD., COLORADO SPRINGS, CO, 80908	
3. CHEROKEE METRO DISTRICT	8250 PALMER PARK BLVD., COLORADO SPRINGS, CO, 80915-1721	
4. ALAN GREAVES	3880 INSPIRATION DR., COLORADO SPRINGS, CO, 80917	
5. PRI #2 LLC	BLACK FOREST RD., COLORADO SPRINGS, CO	
6. AARON SMITH	6590 OLD STAGECOACH RD., COLORADO SPRINGS, CO, 80908-6159	
7. GEORGE D HARRIS	6670 OLD STAGECOACH RD., COLORADO SPRINGS, CO, 80908-6160	
8. DONALD & SYLVIA MCGRATH FAMILY	6750 OLD STAGECOACH RD., COLORADO SPRINGS, CO, 80908	
9. RODERICK BENNETT	6595 OLD STAGECOACH RD., COLORADO SPRINGS, CO, 80908	
10. MONACOST LIVING TRUST	6675 OLD STAGECOACH RD., COLORADO SPRINGS, CO, 80908	
11. LINH NGUYEN	6715 OLD STAGECOACH RD., COLORADO SPRINGS, CO, 80908	
12. DANIEL DERKSEN	6755 OLD STAGECOACH RD., COLORADO SPRINGS, CO, 80908	
13. LESLIE APODACA	15380 BLACK FOREST RD., COLORADO SPRINGS, CO, 80908-2119	
14. SEAN HOPSON	6770 COUNTRY ESTATES LN., COLORADO SPRINGS, CO, 80908-3000	
15. WAYNE SOMBRIC	6740 COUNTRY ESTATES LN., COLORADO SPRINGS, CO, 80908-3000	
16. JUAN MACEDO	6710 COUNTRY ESTATES LN., COLORADO SPRINGS, CO, 80908-3000	
17. AARON COPPOCK	6680 COUNTRY ESTATES LN., COLORADO SPRINGS, CO, 80908-3001	
18. PATRICK HERRON	6650 COUNTRY ESTATES LN., COLORADO SPRINGS, CO, 80908-3001	
19. ABELL LIVING TRUST	6620 COUNTRY ESTATES LN., COLORADO SPRINGS, CO, 80908-3001	
20. 14820 BFR LLC	14820 BLACK FOREST RD., COLORADO SPRINGS, CO	
21. PRI #2 LLC	5772 OLD STAGECOACH RD., COLORADO SPRINGS, CO, 80908	
22. FLYING HORSE COUNTRY CLUB LLC	5630 OLD STAGECOACH RD., COLORADO SPRINGS, CO, 80908	
23. RUSSELL LONG	5630 OLD STAGECOACH RD., COLORADO SPRINGS, CO, 80908	



NOTES:

- THE DRAINAGE EASEMENTS SHOWN WITHIN THESE PLANS ARE ON THE FINAL PLAT FOR THE SUBDIVISION. THE DRAINAGE EASEMENTS ARE NO-BUILD AREAS AND THEY COINCIDE WITH GEOLOGIC HAZARDS IDENTIFIED BY ENTECH IN THE REPORT ENTITLED SOILS AND GEOLOGY STUDY FLYING HORSE FILING NO. 4, DATED 2024. THERE ARE NO KNOWN GEOLOGIC HAZARDS THAT DESIGNATE NO-BUILD AREAS AS ALL IDENTIFIED GEOLOGIC HAZARDS CAN BE MITIGATED ON SITE. GEOLOGIC HAZARDS SUCH AS SEASONAL PONDS CAN BE MITIGATED AND RUNOFF IS TO BE DIRECTED TO THE PLATTED DRAINAGE EASEMENTS.
- THERE IS A TOTAL OF ONE (1) FAUX GATE STRUCTURE THAT IS SITED WITHIN A RAISED MEDIANS WITHIN THE FILING. FAUX GATE STRUCTURES ARE PERMITTED IN THESE AREAS WITH A LICENSE AGREEMENT WITH EL PASO COUNTY. THESE CONSTRUCTION DRAWINGS DO NOT INCLUDE DESIGN DRAWINGS OF THESE STRUCTURES AND THE STRUCTURES ARE TO BE REVIEWED AND APPROVED THROUGH A SEPARATE SET OF PLANS. THE LICENSE AGREEMENT IS TO SET FORTH DESIGN PARAMETERS AND CONDITIONS FOR THE ALLOWABLE PERMANENT STRUCTURES. THESE CONSTRUCTION DRAWINGS ONLY PERMIT THE EVENTUAL SITING OF THESE STRUCTURES, NOT THE ACTUAL DESIGN.

DRAWN BY: RDL JOB DATE: 12/10/2024 BAR IS ONE INCH ON OFFICIAL DRAWINGS.
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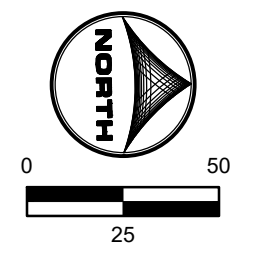
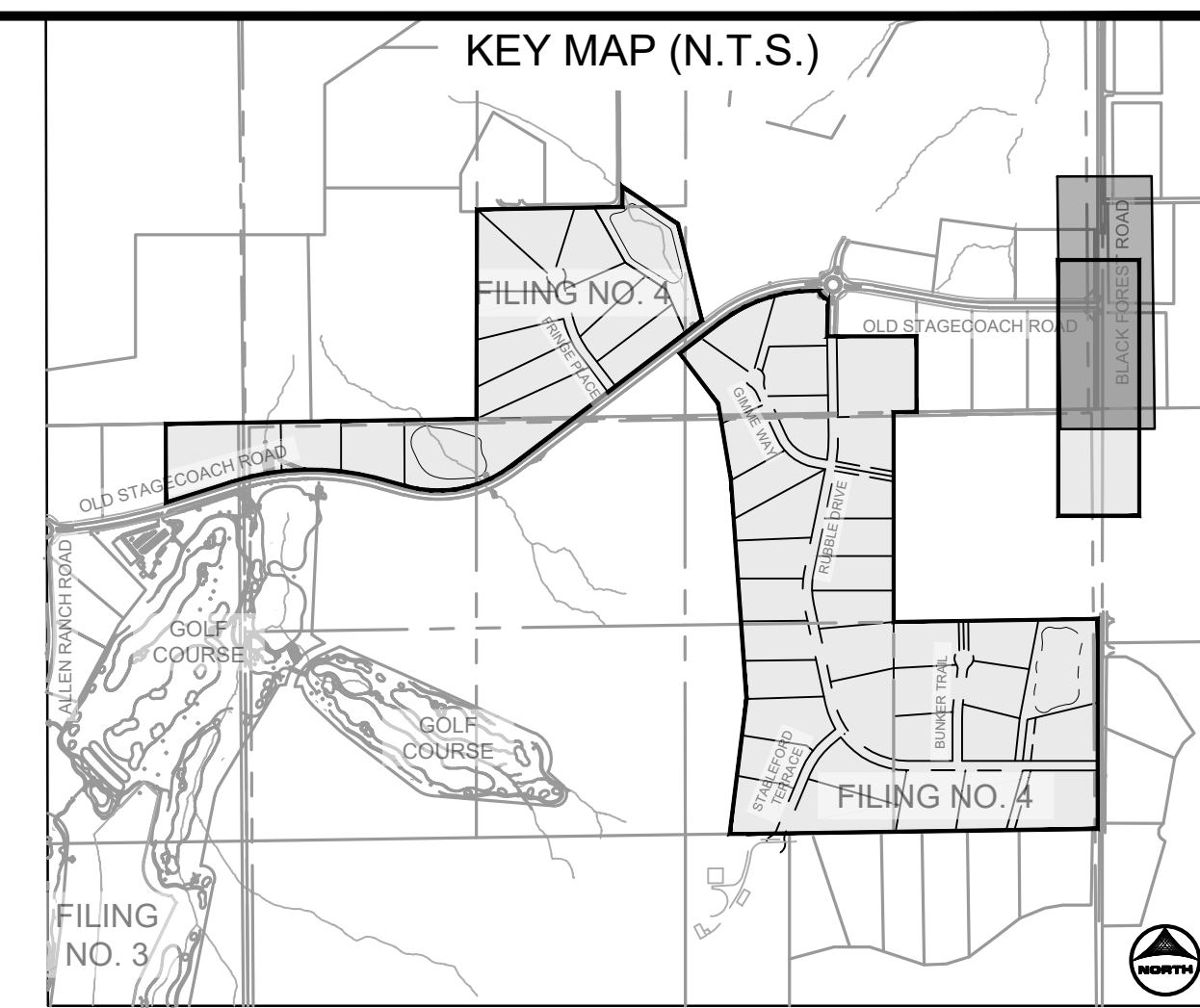
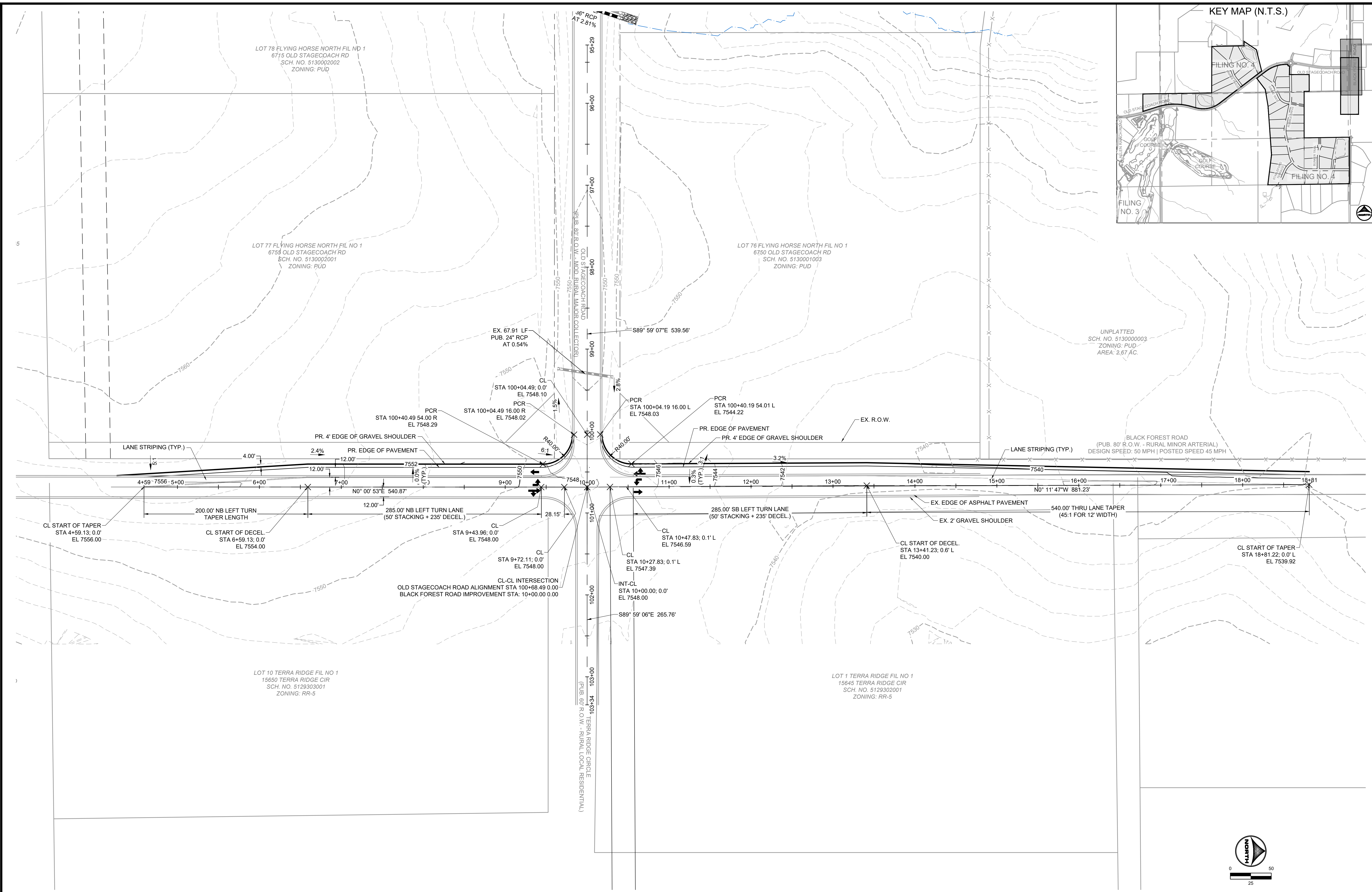
NO.	DATE	BY	REVISION DESCRIPTION

HR GREEN - COLORADO SPRINGS
 1975 RESEARCH PARKWAY SUITE 230
 COLORADO SPRINGS, CO 80920
 PHONE: 719.300.4140
 FAX: 713.965.0044

FLYING HORSE NORTH FILING NO. 4
 PUD PRELIMINARY PLAN MINOR AMENDMENT
 PRI #2, LLC.
 EL PASO COUNTY, CO

PUD PRELIMINARY PLAN MINOR AMENDMENT
 OVERALL SITE PLAN AND ADJACENT OWNERS

SHEET
 OSP
 5



DRAWN BY: RDL JOB DATE: 9/11/2024
 APPROVED: RDL JOB NUMBER: 211030.240
 CAD DATE: 12/5/2024
 CAD FILE: J:\2021\211030\CAD\DWG\C\Filing_No_4\BFR-OSR_Int

BAR IS ONE INCH ON OFFICIAL DRAWINGS.
 IF NOT ONE INCH, ADJUST SCALE ACCORDINGLY.

NO.	DATE	BY	REVISION DESCRIPTION

HRGreen
 HR GREEN - COLORADO SPRINGS
 1975 RESEARCH PARKWAY SUITE 160
 COLORADO SPRINGS, CO 80920
 PHONE: 719.300.4140
 FAX: 719.965.0044

**FLYING HORSE NORTH FILING 4
 PRI #2, LLC.**
 EL PASO COUNTY, CO

**PUBLIC ROADWAY IMPROVEMENTS
 BLACK FOREST ROAD & OLD STAGECOACH ROAD**

PCD FILE NO.: SF2422
 SHEET **ST** **13**

REVIEW AND RECOMMENDATION:

Approved by the ECM Administrator

This request has been determined to have met the criteria for approval. A deviation from Section 2.3.2 of the ECM is hereby granted based on the justification provided.

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L J

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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L J

ECM ADMINISTRATOR COMMENTS/CONDITIONS:

1.1. PURPOSE

The purpose of this resource is to provide a form for documenting the findings and decision by the ECM Administrator concerning a deviation request. The form is used to document the review and decision concerning a requested deviation. The request and decision concerning each deviation from a specific section of the ECM shall be recorded on a separate form.

1.2. BACKGROUND

A deviation is a critical aspect of the review process and needs to be documented to ensure that the deviations granted are applied to a specific development application in conformance with the criteria for approval and that the action is documented as such requests can point to potential needed revisions to the ECM.

1.3. APPLICABLE STATUTES AND REGULATIONS

Section 5.8 of the ECM establishes a mechanism whereby an engineering design standard can be modified when if strictly adhered to, would cause unnecessary hardship or unsafe design because of topographical or other conditions particular to the site, and that a departure may be made without destroying the intent of such provision.

1.4. APPLICABILITY

All provisions of the ECM are subject to deviation by the ECM Administrator provided that one of the following conditions is met:

- The ECM standard is inapplicable to a particular situation.
- Topography, right-of-way, or other geographical conditions or impediments impose an undue hardship on the applicant, 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.

1.5. TECHNICAL GUIDANCE

The review shall ensure all criteria for approval are adequately considered and that justification for the deviation is properly documented.

1.6. LIMITS OF APPROVAL

Whether a request for deviation is approved as proposed or with conditions, the approval is for project-specific use and shall not constitute a precedent or general deviation from these Standards.

1.7. REVIEW FEES

A Deviation Review Fee shall be paid in full at the time of submission of a request for deviation. The fee for Deviation Review shall be as determined by resolution of the BoCC.