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DEVIATION REQUEST AND DECISION FORM

Updated: 6/26/2019

PROJECT INFORMATION

Project Name :	Crossroads Mixed-Use Preliminary Plan
Schedule No.(s) :	5408007005
Legal Description :	A portion of Tract B 24/94 Business Park Fil No. 1, as amended by affidavit of correction rec. #219097386

APPLICANT INFORMATION

Company :	Colorado Springs Equities, LLC		
Name :	Danny Mientka		
	<input checked="" type="checkbox"/> Owner	<input type="checkbox"/> Consultant	<input type="checkbox"/> Contractor
Mailing Address :	90 S. Cascade Avenue, Suite 1500, Colorado Springs, CO 80903-1639		
Phone Number :	719-475-7621		
FAX Number :			
Email Address :	danny@theequitygroup.net		

ENGINEER INFORMATION

Company :	M&S Civil Consultants, Inc.	Colorado P.E. Number :	37160
Name :	Virgil A. Sanchez		
Mailing Address :	PO Box 1360, Colorado Springs, CO 80901		
Phone Number :	719-491-0818		
FAX Number :	None		
Email Address :	virgils@mscivil.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.

Kelly Nelson _____ 8-16-2021
 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)

A deviation from the standards of or in Section **2.3.7.E.1 & E.3 and Table 2-25** of the Engineering Criteria Manual (ECM) is requested.

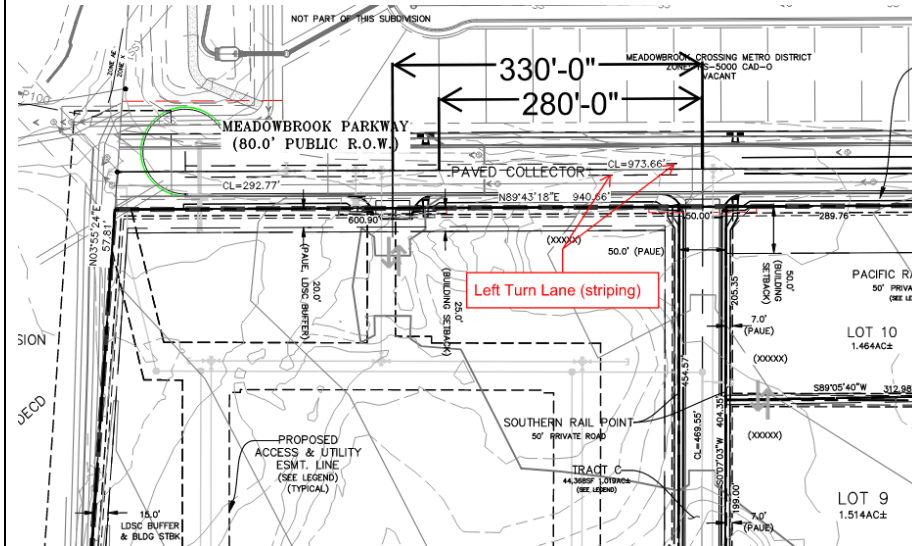
Identify the specific ECM standard which a deviation is requested:

205-foot left turn lane consisting of 155-foot turn lane and 50-foot stacking with a 160' taper is required per the ECM.

Update. Insufficient reason is provided. The "West" driveway can be shifted to the west so the left turn lane meets criteria.

State the reason for the requested deviation:

330-foot spacing exists between the "West" access (multifamily driveway) on Meadowbrook and the "Middle" access (Southern Rail Point). According to the TIS, there is approximately 280 feet of available space for a westbound left turn lane at the west access due to the proposed location of the middle access.



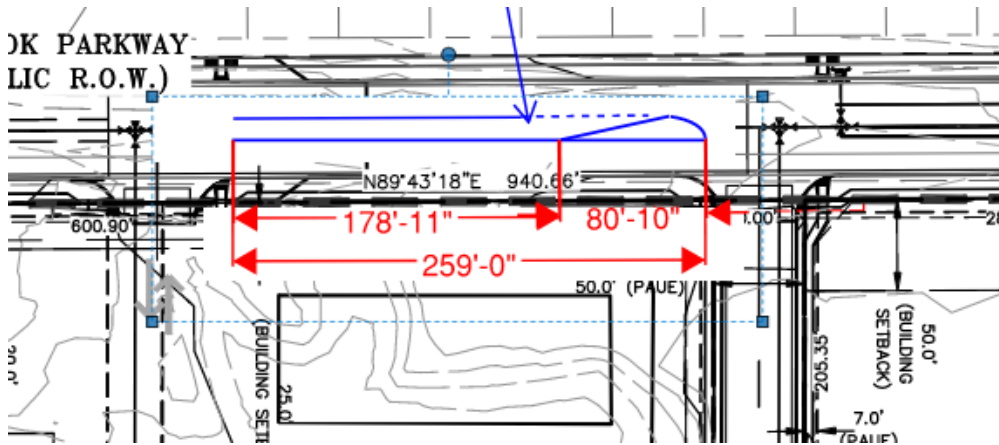
Separate the 180' lane to its individual components (storage & lane length)

ative and compare to the ECM standards (May provide applicable regional or national standards used to provide a 180-foot turn lane and 100-foot taper within the westbound left turn lane at the "west access" to accommodate spacing restrictions.

Based on the rough layout sketch below, the proposed turn lane striping would not fit without extending into the intersection which could conflict with the turn movements at the middle access location. Provide a larger exhibit (to scale) showing the proposed striping configuration.

Are there any regional or national standard such as CDOT Access Design Guide Section 9.17 or AASHTO that can be applied for the required turn lane?

Provide supporting analysis that there won't be any issues with deceleration length (lane length plus taper length).



Update.
 Insufficient justification is provided and an undue hardship has not been identified. The site is undeveloped so what is the specific design or construction problem that would create an undue hardship? The "west" driveway can be shifted to the west so the left turn lane meets criteria.

LIMITS OF CONSIDERATION

(At least one of the conditions listed below must be met)

- The ECM standard is inapplicable to the particular project.
- Topography, right-of-way, or other geographical conditions make the proposed alternative that can accomplish the same design objectives infeasible.
- 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:

With the recommended lane configurations and control of the three proposed accesses along Meadowbrook Parkway, all movements at these accesses are expected to operate acceptably with LOS B or better during the peak hours in 2026. With the expected future connection of Meadowbrook Parkway to Peterson Road, all movements at the project accesses along Meadowbrook Parkway are expected to continue to operate acceptably with LOS D or better during the peak hours in 2040. Table 5 from the TIS has been included below for reference.

Table 5 – Meadowbrook Parkway Project Accesses LOS Results

Scenario	2026 Total Traffic				2040 Total Traffic			
	AM Peak Hour		PM Peak Hour		AM Peak Hour		PM Peak Hour	
	Delay (sec/veh)	LOS	Delay (sec/veh)	LOS	Delay (sec/veh)	LOS	Delay (sec/veh)	LOS
Meadowbrook Parkway West Access (Residential)								
Northbound Approach	8.5	A	8.4	A	10.3	B	10.6	B
Westbound Left	7.2	A	7.3	A	7.7	A	8.0	A
Meadowbrook Parkway Middle Access								
Northbound Approach	9.3	A	8.9	A	32.5	D	19.5	C
Westbound Left	8.4	A	7.9	A	9.3	A	9.1	A
Meadowbrook Parkway East Access								
Northbound Right	11.8	B	10.2	B	13.5	B	13.0	B

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 alternate turn lane configuration is projected to perform at an 'LOS A' through the 2040 horizon which is an acceptable and comparable levels of service. Intersection spacing requirements have been analyzed in the TIS and have been found to meet ECM criteria. Required left turn lanes from Meadowbrook Parkway have been provided on the preliminary plan as recommended by the TIS. The Cimarron Hills Fire Protection District has reviewed and approved the access and circulation based on their criteria.

The deviation will not adversely affect safety or operations.

The proposed left turn lane is projected to operate at an 'LOS A' into the 2040 horizon. The impacted access meets required sight distances for motorists entering Meadowbrook Parkway. Intersection spacing requirements have been analyzed in the TIS and have been found to meet ECM criteria. Required left turn lanes from Meadowbrook Parkway have been provided on the preliminary plan as recommended by the TIS. The Cimarron Hills Fire Protection District has reviewed and approved the access and circulation based on their criteria.

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

The deviation is not anticipated to adversely affect maintenance of Meadowbrook Parkway and its associated costs.

The deviation will not adversely affect aesthetic appearance.

The deviation will not affect aesthetic appearance of the impacted roadway section. Roadway and Entry Feature landscaping will be provided to enhance the streetscape of the impacted roadway section.

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

Access location will meet all the ECM standards, not included in this deviation. The deviation meets the design intent and purpose of the Roadway Design Criteria that includes "Layout Road to Achieve Optimum Subdivision of Land", and related concern for the design which emphasizes: "The arrangement of roads should allow for economical and practical patterns, shapes, and sizes of adjacent lots. Roads as a function of land use must not unduly hinder the development of land."

The proposed left turn lane is projected to operate at an 'LOS A' into the 2040 horizon. The impacted access meets required sight distances for motorists entering Meadowbrook Parkway. Intersection spacing requirements have been analyzed in the TIS and have been found to meet ECM criteria. Required left turn lanes from Meadowbrook Parkway have been provided on the preliminary plan as recommended by the TIS. The Cimarron Hills Fire Protection District has reviewed and approved the access and circulation based on their criteria.

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.

Access and associated left turn lane design conforms with the overall storm water management plan, also, meets the applicable MS4 permit.

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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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:

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.