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## DEVIATION REVIEW AND DECISION FORM

Procedure # R-FM-051-07  
Issue Date: 12/31/07  
Revision Issued: 00/00/00

DSD FILE NO.:

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### General Property Information:

Address of Subject Property (Street Number/Name): Dines Blvd  
Tax Schedule ID(s): # 5233301002  
Legal Description of Property: TR K Sterling Ranch Fil 1

Subdivision or Project Name: Branding Iron at Sterling Ranch Filing No. 2

Section of ECM from Which Deviation is Sought: Section 2.3.8.A. Cul-de-Sacs

Specific Criteria from Which a Deviation is Sought: Maximum Length of Urban Cul-de-Sac

Proposed Nature and Extent of Deviation: Allow a non-through street with an effective length that would exceed the ECM allowable 750-foot length of an urban cul-de-sac as an interim condition until Sterling Ranch Road between Dines Boulevard and the future Marksheffel Road, and the section of Marksheffel Road between Sterling Ranch Road and Vollmer Road are constructed to provide full-use, secondary access.

### Applicant Information:

Applicant: SR Land LLC  
Applicant is: ☒ Owner ☐ Consultant ☐ Contractor  
Mailing Address: 20 Boulder Crescent St Ste 102, Colorado Springs  
Telephone Number: State: CO Postal Code: 80903  
Fax Number: \_\_\_\_\_

### Engineer Information:

Engineer: Jeffery C. Hodsdon, P.E.  
Company Name: LSC Transportation Consultants, Inc.  
Mailing Address: 545 E Pikes Peak Ave, Suite 210, Colorado Springs  
Registration Number: 31684  
Telephone Number: (719) 633-2868  
Email Address: jeff@LSCtrans.com  
State: CO Postal Code: 80903  
State of Registration: Colorado  
Fax Number: (719) 633-5430

### Explanation of Request (Attached diagrams, figures and other documentation to clarify request):

Section of ECM from Which Deviation is Sought: Section 2.3.8.A. Cul-de-Sacs  
Specific Criteria from Which a Deviation is Sought: Maximum Length of Urban Cul-de-Sac

Proposed Nature and Extent of Deviation: Allow a non-through street with an effective length that would exceed the ECM allowable 750-foot length of an urban cul-de-sac as an interim condition until Sterling Ranch Road between Dines Boulevard and the future Marksheffel Road, and the section of Marksheffel Road between Sterling Ranch Road and Vollmer Road are constructed to provide full-use, secondary access.

Dines Boulevard is planned to be constructed from Vollmer Road to the south side of this subdivision filing (actually to the location of the future intersection of Sterling Ranch Road/Dines Road) in order to provide access for Branding Iron at Sterling Ranch Filing Nos 1 and 2. The combined length of Dines Boulevard from the right-of-way for the south Wheatland Drive intersection to the center of the cul-de-sac of the southern-most local road within Branding Iron at Sterling Ranch Filing No. 1 (Klinta Ct.) is about 1,728 feet. This length would exceed the maximum cul-de-sac length of 750 feet specified for urban roads in the ECM. This would be an interim condition. Please refer to the attached exhibit.

As part of this interim condition, a temporary emergency only access would be constructed. These sections would be blocked with a stainless-steel cable and pad lock. This would essentially make Dines Boulevard south of the south Wheatland Drive intersection a cul-de-sac in the interim condition. Please refer to the attached exhibit.

Reason for the Requested Deviation: The deviation is needed to allow access for the lots within the Branding Iron at Sterling Ranch Filing Nos. 1 and 2 to develop in advance of the construction of the sections of Marksheffel Road east of Vollmer Road and Sterling Ranch Road between Dines Boulevard and the future Marksheffel Road. There are no other public streets or road that currently serve the site. This would allow the Branding Iron subdivision to proceed without the anticipated delay associated with the construction of the sections of Sterling Ranch Road and Marksheffel Road. This will be an interim condition and a temporary, emergency only access drive will be installed.

Comparison of Proposed Deviation to ECM Standard: The proposed maximum cul-de-sac length of 1,728 feet would exceed the 750-foot ECM standard by approximately 978 feet.

**Application Consideration:**

**CHECK IF APPLICATION MEETS CRITERIA FOR CONSIDERATION**

**JUSTIFICATION**

☐ The ECM standard is inapplicable to a particular situation.

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☒ 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.

There are no other public streets or road that currently serve the site. This would be a temporary condition until additional public street connections are established. A temporary emergency only access road will be constructed to the south and west. A plan showing this temporary road is attached. It is my understanding that chief of the Black Forest Fire District has accepted this plan.

☐ 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.

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**If at least one of the criteria listed above is not met, this application for deviation cannot be considered.**

**Criteria for Approval:**

**PLEASE EXPLAIN HOW EACH OF THE FOLLOWING CRITERIA HAVE BEEN SATISFIED BY THIS REQUEST**

The request for a deviation is not based exclusively on financial considerations.

The request is not based exclusively on financial considerations. The proposed length of non-through street/"cul-de-sac" is needed given the location of the site and lack of abutting public roadways.

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

The resulting interim ADT on Dines Boulevard just east of Vollmer Road would be about 2,320 trips per day. This ADT could be accommodated by the proposed Urban Residential Collector. All movements at the intersection of Vollmer/Dines are projected to operate at LOS B or better during the peak hours based on the short-term total traffic volume assuming the proposed interim access condition.

The deviation will not adversely affect safety or operations.

A temporary, emergency-only access road will be constructed to the south and west. A plan showing this temporary road is attached. It is my understanding that chief of the Black Forest Fire District has accepted this plan.

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

The proposed deviation is not anticipated to affect maintenance cost as the metro district will maintain the temporary emergency access road.

The deviation will not adversely affect aesthetic appearance.

The proposed deviation will not adversely affect aesthetic appearance as the subdivision streets will be constructed to county standards.

**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, 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.

James F. Morley 6/12/2019  
Signature of owner (or authorized representative) Date

\_\_\_\_\_  
Signature of applicant (if different from owner) Date

\_\_\_\_\_  
Signature of Engineer Date

Engineer's Seal



**Review and Recommendation:**  
**APPROVED by the ECM Administrator**

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

\_\_\_\_ Additional comments or information are attached.

**DENIED by the ECM Administrator**

\_\_\_\_\_  
Date  
This request has been determined not to have met criteria for approval. A deviation from Section \_\_\_\_\_ of ECM is hereby denied. Comments:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_ Additional comments or information are attached.

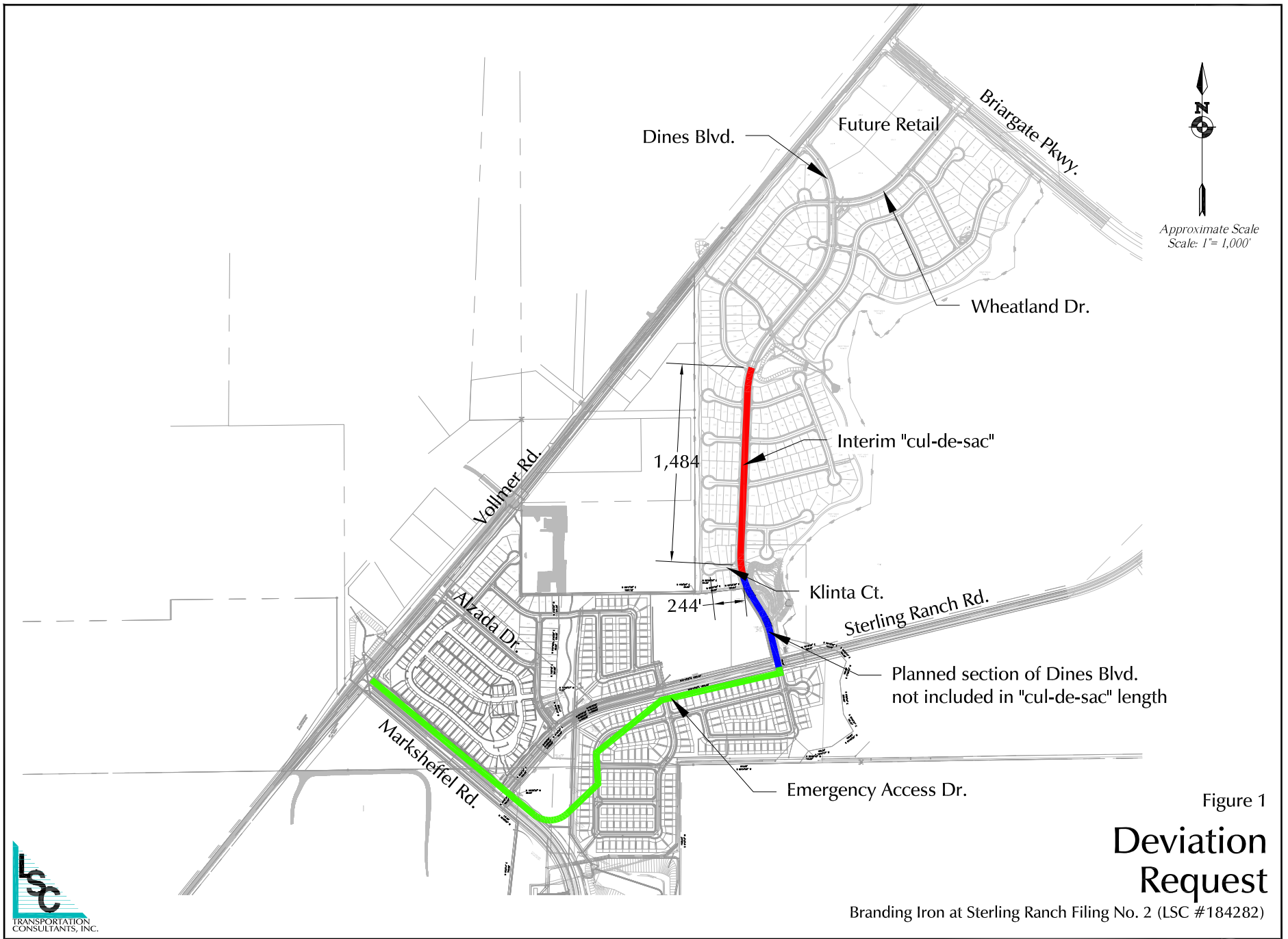


Figure 1  
**Deviation  
Request**

Branding Iron at Sterling Ranch Filing No. 2 (LSC #184282)