

Procedures Manual

Subject: DEVIATION REVIEW AND DECISION FORM

Date Issued: 12/31/07
Revision Issued: N/A
Rescinded: N/A

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.

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 5.9 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. RELATED PROCEDURES

1.6.1. Governing Procedures

P-AR-063-07 Deviation

1.6.2. Other Related Procedures

P-AR-012-07 Administrative Relief

1.7. RESOURCE

Attached is the Deviation Review and Decision Form that is used by the applicant/engineer for requesting and justifying a deviation. The form is reviewed by the ECM Administrator and approved or denied. 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.



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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):
 Tax Schedule ID(s) #:5200-00-0364, 5232-40-0002, 5232-40-0001, 5233-00-0008, 5200-00-0231
 Legal Description of Property: ___ N/A Sterling Ranch _____

Subdivision or Project Name: Copper Chase at Sterling Ranch

Section of ECM from Which Deviation is Sought: _ECM 2.2.4 Roadway Functional Classifications.....
 Specific Criteria from Which a Deviation is Sought: _____ Private Street Cross Section _____

Proposed Nature and Extent of Deviation: _____ Private v.s. Public Street Cross Section - See attached Exhibits _

Applicant Information:

Applicant: ___ Challenger Homes _____ Email Address: ___ jim@mychallengerhomes.com _____
 Applicant is: _X_ Owner _____ Consultant _____ Contractor
 Mailing Address: ___ 8605 Explorer Drive, Suite 250 _____ State: ___ CO_ Postal Code: _80920_
 Telephone Number: ___ 719-598-5192 _____ Fax Number: _____

Engineer Information:

Engineer: ___ Virgil A. Sanchez _____ Email Address: ___ virgils@mscivil.com _____
 Company Name: ___ M&S Civil Consultants, Inc. _____
 Mailing Address: ___ PO Box 1360 _____ State: ___ CO_ Postal Code: _80901_
 Registration Number: ___ CO 37160 _____ State of Registration: ___ Colorado _____
 Telephone Number: ___ 719-955-5485 _____ Fax Number: ___ N/A _____

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

Section of ECM from Which Deviation is Sought: ___ ECM 2.2.4 Roadway Functional Classifications _____
 Specific Criteria from Which a Deviation is Sought: ___ Private Street Cross Section _____

Proposed Nature and Extent of Deviation: ___ Private vs. Public Street Cross Section - See attached Exhibits _

Reason for the Requested Deviation: ___ See attached bullet point justification _____

Comparison of Proposed Deviation to ECM Standard: ___ There is no ECM Standard for Private Streets in Townhome Developments _____

Applicable Regional or National Standards used as Basis: __Regional and National townhome developments are __
__typically owned, maintained and operated by Home Owners Associations. Therefore, Private streets are more
normal than public streets within the development. _____

Application Consideration:

CHECK IF APPLICATION MEETS CRITERIA FOR CONSIDERATION

JUSTIFICATION

The ECM standard is inapplicable to a particular situation.

__There is no ECM Standard for Private Streets for
Townhome developments _____

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.

__See attached bullet point justification _____

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.

__Not based on financial consideration. Request is appropriate for the design of the development _____

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

The approved deviation will serve the property to be developed as a "typical" townhome development with private streets and a Home Owners Association _____

The deviation will not adversely affect safety or operations.

The proposed cross section provides 24' of travel way which is adequate/typical for residential development. _____

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

The streets will be owned and maintained by an HOA. Therefore, less burden to EPC. _____

The deviation will not adversely affect aesthetic appearance.

The deviation improves the aesthetics of the development and creates more functional access for the development itself. _____

How?

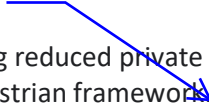
See comment letter.

Deviation Sterling Ranch Patio Homes

Due to the following considerations Challenger Homes Inc. respectfully request a deviation to the El Paso County Engineering Criteria Manual, *Chapter 2 Transportation Facilities Section 2.2.4 Typical Urban Local (low volume) Cross Section*.

Justification:

This doesn't make sense based on the plan.



Copper Chase is framed around the idea of a walkable community providing reduced private street speeds and access throughout the development to an interconnected pedestrian framework. This framework is intended to encourage and promote the idea of the walkable community and encourage the safe interaction with automobiles.

Access to the community is provided in two manners and largely supported from the proposed cross section. First creating a network of connections that allow the pedestrian to safely navigate the community within the private roadways to further the idea walkability through reduced speeds, zero height curbs, surface paving treatments and convenient connections to a central spine of walkways. Second, creating an accessible central spine of interconnected pedestrian links providing connections between the site amenities across the development and access to the larger Sterling Ranch Community.

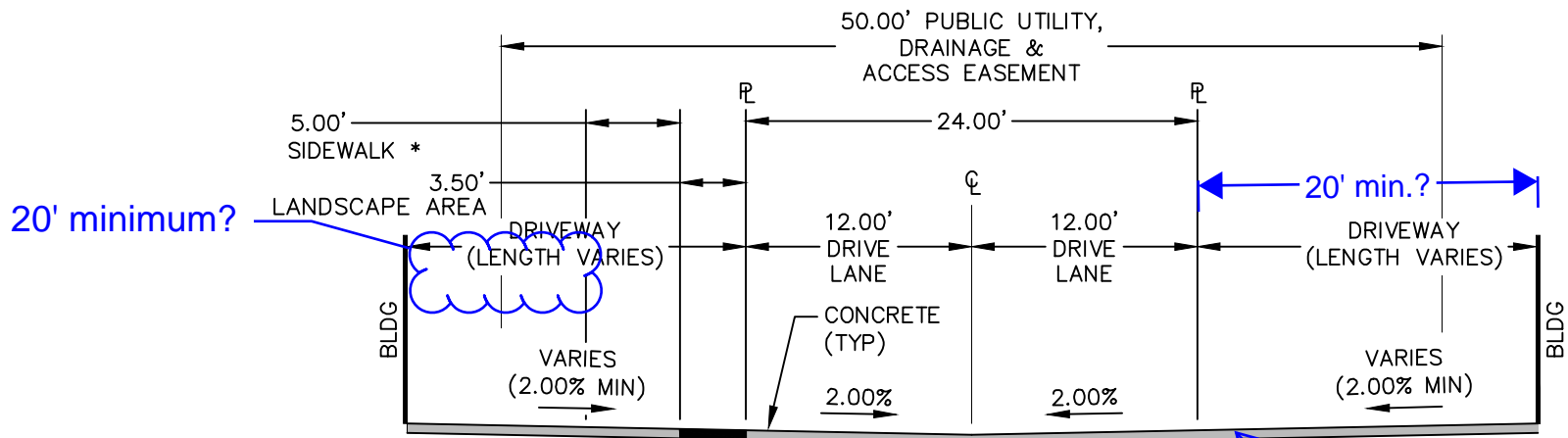
The intention of the development is to encourage a community framework that strengthens the idea of safe access for the pedestrian typically seen in neighborhoods and the idea of community allowed from the support of the pedestrian component.

In addition, Patio Home developments are unique in their requirement to include an HOA that delivers funding for exterior maintenance and landscaping provided through an association fee. For the typical Challenger Homes patio home development roadway maintenance is included in this funding.

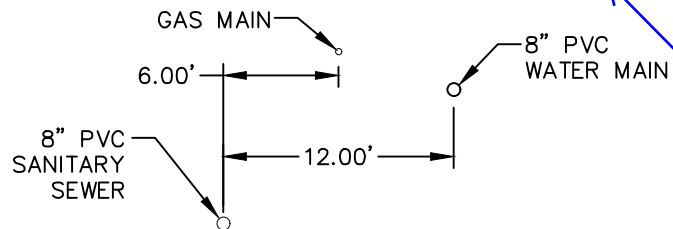
The following are items support our request for approval of deviation:

- The “Private” roadway will be owned and maintained by the HOA, releasing El Paso County from maintenance responsibilities.
- Roadway design utilizes an inverted crown without curb and gutter, this design provides a benefit by reducing damage consistent with typical crowned street design.
- Roadways shall be constructed with concrete to provide increased durability.
- The proposed private roadways restrict the amount of public traffic and reduce future maintenance cost.
- No on street parking is allowed within patio home development which provides ease in accessing unit driveways.
- Additional parking shall be provided with parking areas distributed throughout the development at a rate of ¼ space per unit.
- Utilities can be located within roadway to provide for better front yard landscaping
- Driveways and Foundation height can be reduced for ease of access for elderly residents
- Elderly population expects more privacy
- Reduced Traffic flow allows for safer environment for residents

Thank you for your consideration in this deviation request, respectfully submitted.



* REFER TO PLAN FOR SPECIFIC SIDEWALK LOCATIONS

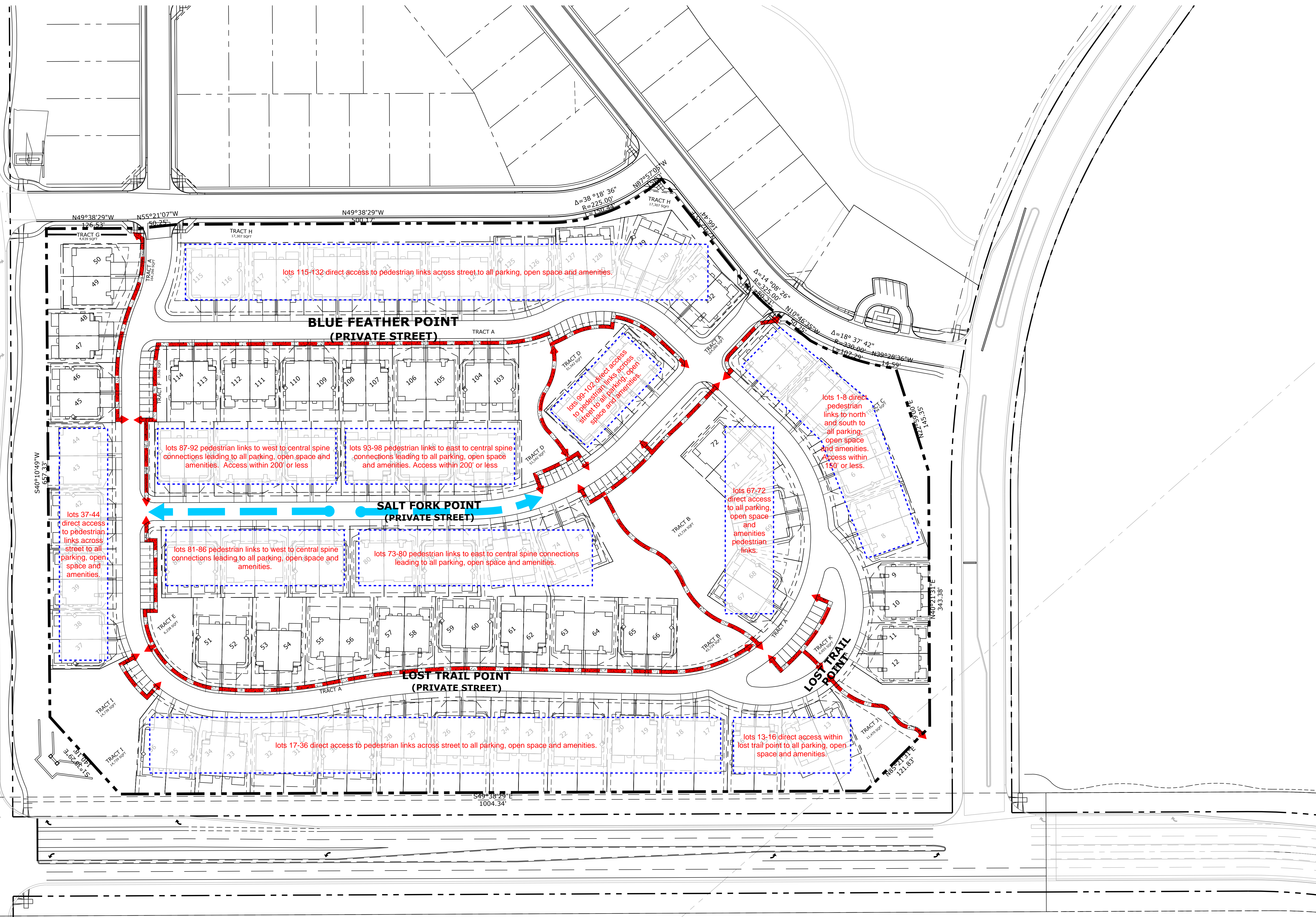


TYPICAL SECTION – INTERNAL ACCESS ROAD [PRIVATE]

SCALE: N.T.S.

Staff has concerns with the sight triangles and interference with buildings...Address setbacks show sight triangles. Provide detailed letter from Fire District.

If applicant is proposing for another developer to install landscaping required as is adjacent to this that is a pud modification. I do not think it is likely that it would be supported as there is no grantee other development will happen prior to this one. Same goes with construction of roads. The past has proven that to be true.



Markup Summary

dsdrice (6)



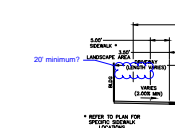
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See comment letter.



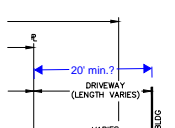
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This doesn't make sense based on the plan.



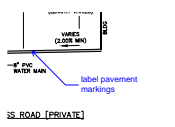
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20' minimum?



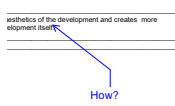
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20' min.?



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Date: 4/11/2019 12:52:27 PM
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label pavement markings



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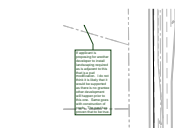
How?

dsdparsons (2)



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Author: dsdparsons
Date: 4/11/2019 2:16:22 PM
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Staff has concerns with the sight triangles and interference with buildings...Address setbacks show sight tri-angles. Provide detailed letter from Fire District.



Subject: Callout
Page Label: [1] SITE PLAN
Author: dsdparsons
Date: 4/11/2019 2:18:31 PM
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If applicant is proposing for another developer to install landscaping required as is adjacent to this that is a pud modification. I do not think it is likely that it would be supported as there is no grantee other development will happen prior to this one. Same goes with construction of roads. The past has proven that to be true.