



Planning and Community
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DEVIATION REQUEST AND DECISION FORM

Updated: 6/26/2019

PROJECT INFORMATION

Project Name : Urban Collection at Palmer Village
 Schedule No.(s) : 5405100041, 5405100042, 5405100043, and 5405100044
 Legal Description : See Attachment #1

APPLICANT INFORMATION

Company : MDC Holdings – Richmond American Homes
 Name : Matt Childers
 Owner Consultant Contractor
 Mailing Address : 4350 S Monaco Street
 Denver, CO 80237
 Phone Number : 720-977-3827
 FAX Number : 720-482-8587
 Email Address : matt.childers@mdch.com

ENGINEER INFORMATION

Company : JR Engineering
 Name : Glenn Ellis
 Colorado P.E. Number : 38861
 Mailing Address : 5475 Tech Center Drive, Suite 235
 Colorado Springs, CO 80919
 Phone Number : 303-267-6241
 FAX Number : 303-721-9019
 Email Address : gellis@jrengineering.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.

Glenn Ellis as Director of Entitlements
 Signature of owner (or authorized representative)

02/07/2020
 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 **Section 2.3.7.F.1 Curb Returns – Radii, Table 2-31** of the Engineering Criteria Manual (ECM) is requested.

Identify the specific ECM standard which a deviation is requested:

Table 2-31 states that the minimum curb return radii for a Local/Local intersection is 20'.

State the reason for the requested deviation:

This request is to utilize a minimum of 10' curb return radii throughout the development. The request is to better facilitate the site layout while allowing designated parking areas to meet requirements. See the Preliminary Plan in Attachment #2 for a layout of the development. The County criteria does not address alley/alley intersections, or any type of intersection with an alley.

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

The entrances to the alleys (private) and along the main road (private) will have curb return radii of 10' instead of 20'.

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:

The private roadway network of the development will function and be laid out as alleys off of Hannah Ridge Drive. The County criteria does not address alleys. The development requires parking for the units to be along the roadway, therefore the tighter radii will facilitate maximizing available parking areas.

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.

Access into the alleys (private), and through the intersections will not be impeded by the reduced curb return radii.

The deviation will not adversely affect safety or operations.

The reduced curb return radii will not adversely affect safety or operation. The reduced radii will facilitate slower speeds and require increased awareness by motorists entering or leaving an intersection (alley).

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

Maintenance of the roadway will not be affected.

The deviation will not adversely affect aesthetic appearance.

The reduced radii will not adversely affect the aesthetic appearance of the roadway or development. The reduce radii will be complementary to the character of the development with the narrow roads (alleys) and small lots.

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

Access into the alleys (private) is not adversely affected by the deviation, and the design intent is still met by providing access for the design vehicle.

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.

Utilizing the reduced curb return radii will not have an impact on meeting these requirements.

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.

Γ _____ 7

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.

Γ _____ 7

L _____ 7

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.

Attachment #1

West Parcel:

That portion of the Northeast Quarter of Section 5, Township 14 South, Range 65 West of the 6th P.M. of El Paso County, Colorado, more particularly described as follows;

(Bearings referred to herein are based on the north line of said Northeast Quarter of Section 5, assumed to bear N89°53'50"E.)

Beginning at the northwest corner of said Northeast Quarter, said corner being on the southerly line of Constitution Avenue as described in "Constitution Avenue / Peterson Road Right-of-way", recorded in Plat Book V-3 at Page 169 of the records of said County (the following three (3) courses are along said southerly line.);

- 1.) Thence S89°54'50"E, 107.89 feet;
- 2.) Thence along the arc of a curve to the right, said curve having a central angle of 6°04'26", a radius of 1,310.93 feet, for an arc distance of 138.97 feet;
- 3.) Thence S83°50'24"E, 364.67 feet to the westerly Right-of-way line of Hannah Ridge Drive, an 80 foot Right-of-way as shown on Jessica Heights Filing No. 1 as recorded under Reception No. 206712249 of the records of said County;

Thence S00°20'42"W, 370.62 feet along said westerly Right-of-way line to the northeast corner of Lot 26 of said Jessica Heights Filing No. 1;

Thence N89°39'18"W, 609.42 feet along the northerly lines of said Lot 26 and Lots 25, 24, 15, 14, and 13 of said Jessica Heights Filing No. 1 to the northwest corner of said Lot 13, said corner also being on the west line of said Northeast Quarter of Section 5;

Thence N00°20'42"E, 413.81 feet along said west line to the Point of Beginning.

For a total of 243,396 SF, or 5.588 acres, more or less.

County of El Paso
State of Colorado

Per the Commitment for Title Insurance, issued by Stewart Title Guaranty Company, Commitment No. 18000311012, dated December 17, 2018.

Attachment #1 - continued

East Parcel:

That portion of the Northeast Quarter of Section 5, Township 14 South, Range 65 West of the 6th P.M. of El Paso County, Colorado, more particularly described as follows;

(Bearings referred to herein are based on the north line of said Northeast Quarter of Section 5, assumed to bear N89°53'50"E.)

Commencing at the northwest corner of said Northeast Quarter, said corner being on the southerly line of Constitution Avenue as described in "Constitution Avenue / Peterson Road Right-of-way", recorded in Plat Book V-3 at Page 169 of the records of said County (the following six (6) courses are along said southerly line);

- 1.) Thence S89°54'50"E, 107.89 feet;
- 2.) Thence along the arc of a curve to the right, said curve having a central angle of 6°04'26", a radius of 1,310.93 feet, for an arc distance of 138.97 feet;
- 3.) Thence S83°50'24"E, 396.82;
- 4.) Thence along the arc of a curve to the left, said curve having a central angle of 1°55'47", a radius of 1,430.93 feet, for an arc distance of 48.19 feet to a point on the easterly Right-of-way line of Hannah Ridge Drive, an 80 foot Right-of-way as shown on Jessica Heights Filing No. 1 as recorded under Reception No. 206712249 of the records of said County, said point also being the Point of Beginning of the Tract of land herein described;
- 5.) Thence continuing along the arc of a curve to the left, said curve having a central angle of 4°19'59", a radius of 1,430.93 feet, for an arc distance of 108.22 feet to a line 60 feet south of and parallel to said north line of the Northeast Quarter of Section 5;
- 6.) Thence N89°32'50"E, 524.11 feet along said parallel line to its intersection with the west line of the northeast corner of said Northeast Quarter of Section 5;

Thence S00°17'12"W, 364.14 feet along said west line to the northeast corner of Lot 85 of said Jessica Heights Filing No. 1;

Thence N89°39'18"W, 632.60 feet along the northerly lines of said Lot 85 and Lots 86, 87, 96, 97, and 98 of said Jessica Heights Filing No. 1 to the northwest corner of said Lot 98, said corner also being on the said easterly Right-of-way line of Hannah Ridge Drive;

Thence N00°20'42"E, 363.29 feet along said easterly Right-of-way line to the Point of Beginning.

For a total of 228,886 SF, or 5.254 acres, more or less.

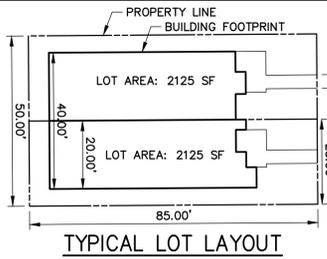
County of El Paso
State of Colorado

Per the Commitment for Title Insurance, issued by Stewart Title Guaranty Company, Commitment No. 18000311012, dated December 17, 2018.

PALMER VILLAGE

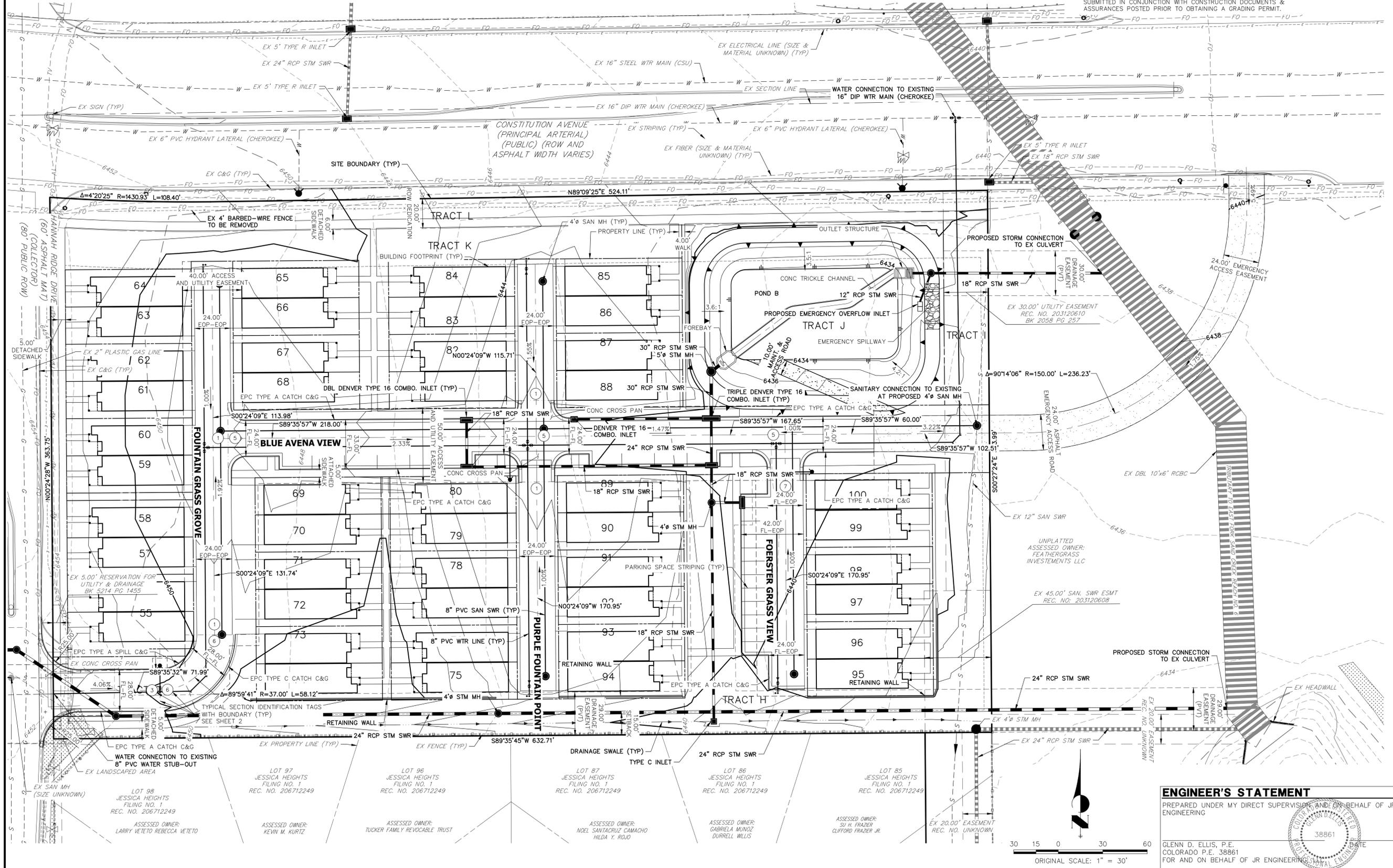
A PARCEL OF LAND LOCATED IN THE NORTHEAST QUARTER OF SECTION 5, TOWNSHIP 14 SOUTH, RANGE 65 WEST OF THE 6TH PRIME MERIDIAN EL PASO COUNTY, COLORADO

PUD DEVELOPMENT/PRELIMINARY PLAN



PRELIMINARY PLAN NOTES

1. ALL PROPOSED ROADS ARE CLASSIFIED AS PRIVATE URBAN LOCAL (LOW VOLUME) WITH A DESIGN AND POSTED SPEED OF 20 MPH.
2. ALL PROPOSED WATER AND SANITARY UTILITIES ARE PUBLIC.
3. ALL PROPOSED STORMWATER UTILITIES ARE PRIVATE.
4. ALL DEAD-END WATER LINES HAVE A 2-INCH BLOW OFF VALVE.
5. ALL PROPOSED WATER LINES AND SANITARY SEWER ARE 8" PVC.
6. ALL PROPOSED STORM INLETS ARE DOUBLE DENVER TYPE 16 COMBINATION INLETS UNLESS OTHERWISE NOTED.
7. THE 40-FOOT ACCESS & UTILITY EASEMENT SHALL COVER FOUNTAIN GRASS GROVE, SERVICEBERRY GROVE, AND VANHOUTTE VIEW. THE 50-FOOT ACCESS & UTILITY EASEMENT SHALL COVER FOUNTAIN GRASS GROVE (ENTRANCE).
8. THE STORM SEWER OUTFALL SYSTEM FOR POND B WILL BE CENTERED IN A 29-FOOT DRAINAGE EASEMENT. POND B OUTFALL SYSTEM WILL BE CENTERED IN A 30-FOOT DRAINAGE EASEMENT.
9. A PUBLIC IMPROVEMENT EASEMENT SHALL EXTEND 1 FOOT BEHIND THE SIDEWALKS ALONG CONSTITUTION AVENUE AND HANNAH RIDGE DRIVE TO THE RIGHT-OF-WAY TO COVER THE SIDEWALKS.
10. THE EROSION CONTROL PLAN AND COST ESTIMATE WILL BE SUBMITTED IN CONJUNCTION WITH CONSTRUCTION DOCUMENTS & ASSURANCES POSTED PRIOR TO OBTAINING A GRADING PERMIT.



UNTIL SUCH TIME AS THESE DRAWINGS ARE APPROVED BY THE APPROPRIATE REVIEWING AGENCIES, JR ENGINEERING APPROVES THEIR USE. THESE DRAWINGS ARE DESIGNATED BY WRITTEN AUTHORIZATION.

PREPARED FOR
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BY	DATE	NO.	REVISION

PALMER VILLAGE
PUD DEVELOPMENT/PRELIMINARY PLAN
GRADING & UTILITY

ENGINEER'S STATEMENT

PREPARED UNDER MY DIRECT SUPERVISION AND ON BEHALF OF JR ENGINEERING

GLENN D. ELLIS, P.E.
COLORADO P.E. 38861

FOR AND ON BEHALF OF JR ENGINEERING

