



Planning and Community  
Development Department  
2880 International Circle  
Colorado Springs, Colorado 80910  
Phone: 719.520.6300  
Fax: 719.520.6695  
Website www.elpasoco.com

## DEVIATION REQUEST AND DECISION FORM

Updated: 6/26/2019

### PROJECT INFORMATION

Project Name : Solace Apartments  
Schedule No.(s) : 5407200052  
Legal Description : THAT PORTION OF SECTION 7, TOWNSHIP 14 SOUTH, RANGE 65 WEST OF THE 6<sup>TH</sup> P.M., EL PASO COUNTY, COLORADO, DESCRIBED IN BOOK 5046 AT PAGE 748; AND POWERS AND GALLEY PLAZA FILING NO. 1 AS RECORDED IN PLAT BOOK 1-4 AT PAGE 30 OF THE RECORDS OF SAID COUNTY.

### APPLICANT INFORMATION

Company : Jackson Dearborn Partners  
Name : Dane Olmstead  
☒ Owner ☐ Consultant ☐ Contractor  
Mailing Address : 404 S. Wells Street, Suite 400  
Chicago, IL 60607  
  
Phone Number : 734-216-2577  
FAX Number :  
Email Address : dolmstead@jacksondearborn.com

### ENGINEER INFORMATION

Company : JR ENGINEERING  
Name : MIKE BRAMLETT  
Colorado P.E. Number : 32314  
Mailing Address : 5475 TECH CENTER DRIVE, SUITE 235, COLORADO SPRINGS, COLORADO, 80919  
Phone Number : 719-593-2593  
FAX Number : N/A  
Email Address : MBRAMLETT@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.

Signature of owner (or authorized representative)

Date

7/15/2020

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 for Turn Lane Design** of the Engineering Criteria Manual (ECM) is requested.

Identify the specific ECM standard which a deviation is requested:

Required deceleration and taper length ECM criteria for a 155' lane length and a 160' taper from Table 2-26 for a 40 MPH design speed.

State the reason for the requested deviation:

The reason for the requested deviation of a smaller left turn lane is to prevent restricting turn movements in and out of the surrounding businesses along Galley Road. Accesses for an existing parcel located at 6020 Galley Road and a parcel located at 6035 Galley Road would be directly impacted by the proposed turn lane. The deviation for the proposed design will provide adequate capacity for westbound traffic turning left onto Paonia Street while still providing full movement access to the businesses on the north and south side of galley Road. Per page 2-53, the taper shall also meet the minimum 8:1 ratio. This removes the likelihood of any potential traffic conflicts through this corridor.

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

The proposed alternative is for the westbound left turn lane located on Galley Road at the intersection of Paonia Street to have a 100' left turn lane and a 100' taper for a total length of 200'. Typical turn lanes, per Chapter 2, Section 2.3.7.E of the ECM for a 40 MPH design speed, require a total length of 415'. Thus, the proposed alternative is 215'shorter than the standard.

## 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 ECM standard is inapplicable to the particular situation due to the fact that existing developments to the north and south of Galley Road have access drives that would be impaired by the addition of a 415' left turn lane and this development should not restrict existing parcel access. The proposed shortened left turn lane would still supply adequate volume for westbound traffic turning left onto Paonia Street, while still allowing the existing access drives to the businesses along Galley Road to retain their full movement.

## 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.

This deviation will prevent any negative impacts to the surrounding properties. A 415' left turn lane would block the accesses to existing businesses on both the north and south side of Galley Road. By shortening the left turn lane's deceleration lengths, any negative impacts to the existing businesses will be resolved while also removing conflict points at these access locations that will improve public safety.

The deviation will not adversely affect safety or operations.

The deviation will not adversely affect safety or operations. The existing roadway does not have a protected left turn lane at the intersection of Galley Road and Paonia Street. The proposed deviation will improve on the existing condition by adding a protected left turn lane, while still allowing the existing businesses along Galley Road to have full movement accesses. The shorter left turn lane will remove conflict points at these access locations reducing the chances of a collision.

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

Maintenance of the roadways will be not be adversely impacted. The pavement section of the existing Galley Road will remain unchanged. Only striping shall be utilized to make the proposed changes at the intersection of Galley Road and Paonia Street.

The deviation will not adversely affect aesthetic appearance.

The deviation has no bearing on the aesthetic appearance.

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

Yes, the deviation meets the design intent and purpose of the ECM standards. There will not be an appreciable increase in the amount of traffic on Galley Road to necessitate the full left turn lane section. Per page 2-53, the taper shall meet the minimum 8:1 ratio. The existing access locations along Galley Road shall also not be impacted by the addition of the shortened left turn lane. They shall retain their full movement capabilities in order to prevent any adverse impacts to the local businesses.

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.

Yes, the deviation meets the control measure requirements of Part I.E.3 and Part I.E.4 of the County's MS4 permit. No additional runoff will be generated as the Galley Road pavement section shall remain unchanged.

**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:**

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## **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**

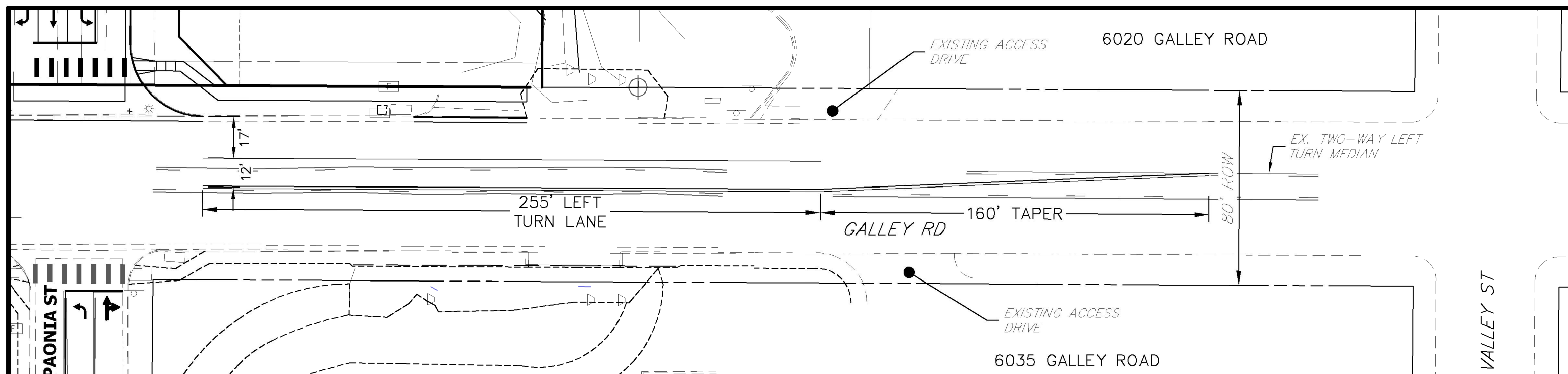
The review shall ensure all criteria for approval are adequately considered and that justification for the deviation is properly documented.

## **1.6. LIMITS OF APPROVAL**

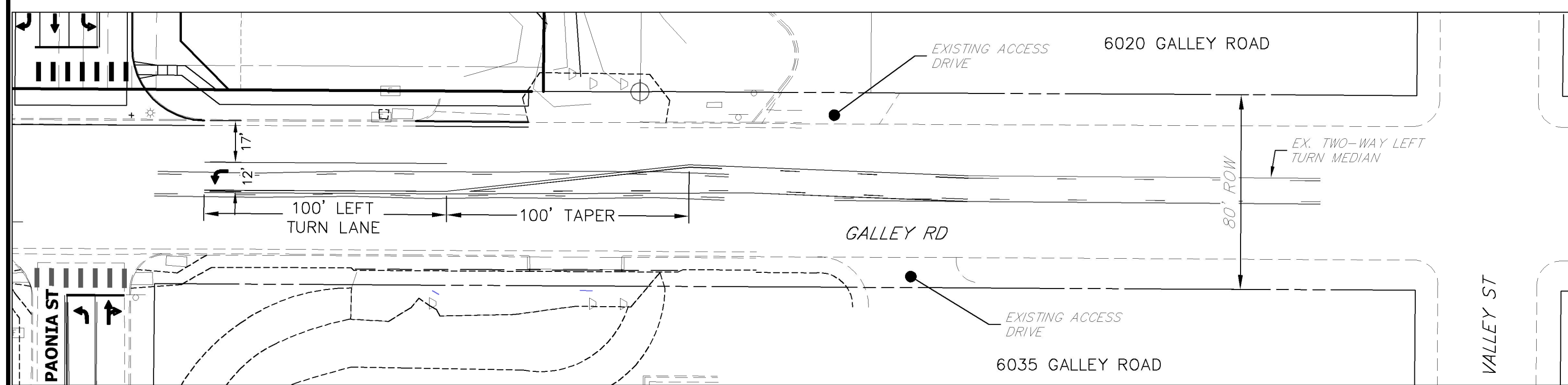
Whether a request for deviation is approved as proposed or with conditions, the approval is for project-specific use and shall not constitute a precedent or general deviation from these Standards.

## **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.



**LEFT TURN LANE (PER CRITERIA)**  
SCALE: 1"=40'



**LEFT TURN LANE (PROPOSED)**  
SCALE: 1"=40'



**LEFT TURN LANE DEVIATION**  
**SOLACE APARTMENTS**  
 JOB NO. 25174.00  
 7/14/20  
 SHEET 1 OF 1