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## DEVIATION REQUEST AND DECISION FORM

Updated: 6/26/2019

### PROJECT INFORMATION

Project Name :	FLYING HORSE NORTH – PHASE 2 (SP234)
Schedule No.(s) :	6136000005, 6136004037, 6136003004, 6136000003
Legal Description :	A PORTION OF SECTIONS 34 (NE 1/4), 35 (NW 1/4 & NE 1/4), AND 36, TOWNSHIP 11 SOUTH, RANGE 66 WEST AND A PORTION OF SECTIONS 30 (SW 1/4, SE 1/4, & NE 1/4) AND 31 (SW 1/4, NW 1/4, & NE 1/4), TOWNSHIP 11 SOUTH, RANGE 65 WEST OF THE 6 <sup>TH</sup> PM

### APPLICANT INFORMATION

Company :	PRI #2, LLC.
Name :	DREW BALSICK
	<input checked="" type="checkbox"/> Owner <input type="checkbox"/> Consultant <input type="checkbox"/> Contractor
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### ENGINEER INFORMATION

Company :	HR GREEN DEVELOPMENT, LLC.	Colorado P.E. Number :	54022
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PUDSP234

**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 \_\_\_\_\_

Engineer's Seal, Signature  
And Date of Signature

revise to 2.2.4.A.3  
and 2.3.2 Design  
Standards by  
functional  
Classification.

copying this section  
of the criteria  
is not  
needed. Simply  
stating the criteria  
section and that  
Stagecoach is  
indicated as an  
arterial roadway will  
suffice.

**DEVIATION REQUEST** (Attach diagrams, figures, and other documentation to clarify request)

A deviation from the standards of or in Section 2.3.8.A of the Engineering Criteria Manual (ECM) is requested:

Identify the specific ECM standard which a deviation is requested:

**2.2.4.3 Roadway Functional Classifications and Urban/Rural Designations – Minor Arterial**

Roadway functional classification is one parameter used to determine appropriate road design. The function of a road is determined by the volume of traffic, length of vehicle trips, and whether the road provides service primarily for vehicular movement or access to abutting land uses. For example, arterial roadways generally carry significantly greater traffic volumes and variety of traffic types at higher speeds than collector roads. Similarly, collector roads will carry greater traffic volumes at higher speeds than local roads.

Roadway functional classifications for regional based facilities are established by the most recently adopted MTCP. Other roadways are classified by the BOCC based on whether the adjoining land uses are rural or urban in nature (i.e. developments with lots greater than or equal to 2.5 acres), along with the existing and projected objectives of the roadway.

The County recognizes six roadway functional classifications within the rural designation: expressways, principal arterials, minor arterials, major collectors, minor collectors, and locals. The County recognizes seven roadway functional classifications within the urban roadway designation: expressways, principal arterials, minor arterials, nonresidential collectors, residential major collectors, residential minor collectors, and locals.

These Standards have been developed in support of the County roadway functional classification system.

Minor arterials serve high-speed and high-volume traffic over medium distances, or are anticipated to serve this kind of traffic within a twenty-year period. Access is restricted through prescribed distances between intersections, use of medians, and no full movement parcel access (See Figure 2-5). Minor arterial status is assigned to rural roadways where the probability of significant travel demand in the future is high. Rights-of-way, easements, setbacks, and access limitations shall be pursued through the land development process on properties adjacent to minor arterials.

State the reason for the requested deviation: \_\_\_\_\_

this section should be placed below as your are comparing the standard cross section with what is proposed.

please also identify the proposed paved travel width (i.e. 24')

ed deviation:

ired to have an

m its existing rural collector roadway section

ion as development within the Flying Horse North subdivision yields larger ADT's. Due ht-of-way along the existing roadway, an alternative typical section is proposed to 0' ROW available along the roadway through Flying Horse North while still meeting the ADT counts for the ultimate build out of the subdivision as shown in the PUD plans.

The typical Rural Minor Collector Roadway (SD 2-12) is an 80' ROW with 24' width asphalt pavement and 4' paved shoulders on each side, a 2' gravel shoulder, roadside ditches at 5:1 grade to the ditch flowline and 3:1 max daylight slope. The ditch section totals 22' of width inside the ROW with 2.5' depth. **shoulder**

The Rural Minor Arterial Roadway section (SD 2-14) is a total of 100' ROW with a 24' width asphalt pavement and 8' paved shoulders on each side, a 2' gravel shoulder, and roadside ditches of 6:1 slope to the ditch flowline and allowable 6:1 max daylight slope. The ditch section totals 28' of width inside the ROW with 2.33' depth.

The proposed section of the modified rural minor arterial roadway for Old Stagecoach Road is a total of 80' ROW (to accommodate current available ROW), with 8' paved shoulders on each side, 2' gravel shoulders, and roadside ditches of 6:1 grade to the ditch flowline and 4:1 max daylight slope. The existing roadway is a Rural Minor Collector that will require an additional 4' of paved shoulder to meet the proposed section. The proposed section matches the Rural Minor Arterial Roadway section pavement width, paved should width, and gravel shoulder width. The remaining total width within the 80' ROW for ditch sections is 36' total. The proposed ditch section deviates from the County typical sections with a 4:1 slope to the flowline with 2.5' depth yielding a 10' width, and the remaining 8' as daylight slope within the ROW which is under 3:1 grade (31.25% to be exact). This proposed ditch section is more similar to the existing Rural Minor Collector Roadway section. Ditch section daylight slopes do not have to fit within ROW sections throughout the entire roadway where grading may take place within the Flying Horse North subdivision property. However, daylight slopes do have to be within the 80' ROW where the roadway is adjacent to other property owners where disturbance may not take place on private residences/properties.

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

The proposed alternative meets the pavement and shoulder sections of the ECM Standard Detail 2-14 for a Rural Minor Arterial Roadway. The exception to the typical section is the ditch section which are often engineered by assessing stormwater conditions and providing evidence that ditch sections do not surcharge with the new section compared to that of the existing sections that are wider with lower slopes. A simple comparison of a typical channel section would prove that an alternative ditch section is acceptable and does not surcharge, or, does not decrease the capacity of the existing ditch section if current conditions do involve overtopping in some ditch sections.

Please discuss design/posted speed as well as other roadway characteristics. I assume that the intent is to keep the existing rural minor collector characteristics such as centerline radius, vertical curve, design/posted speed, etc. These should be included in the request and justification provided for keeping these as opposed to redoing the entirety of the roadway.

**LIMITS OF CONSIDERATION**

Please make clear that there are multiple different adjacent owners

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

- 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 Old Stagecoach Road upgrades would require a 20' ROW dedication (10' on each side) that is not feasible given the adjacent ownership throughout the roadway alignment from Black Forest Road to County Highway 83. The proposed section would meet traffic criteria by providing the appropriate pavement section. The alternative ditch sections do not result in negative impacts nor compromise public safety or accessibility.

Please also discuss what will be done to meet the appropriate pavement thickness for the additional traffic to be added. Also indicate if this will be done with the first plat filing or once ADT exceeds the minor collector classification.

**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 deviation will achieve the intended result with a comparable design by meeting the roadway's traffic criteria and keeping a consistent pavement width and ROW width. Disturbances and construction to upgrade the roadway would be minimal by keeping to the existing outer edges of pavement outward for new pavement and reconstructed ditch sections.

such as pavement cross section thickness, roadway characteristics per the proposed design speed/posted speed

The deviation will not adversely affect safety or operations.

The deviation will not adversely affect safety or operations as it meets traffic criteria and provides the necessary infrastructure for vehicular access, pedestrian access, and stormwater drainage.

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

The deviation will not adversely affect maintenance and its associated cost as it is not a significantly different section design from the standard. Maintenance and cost will not differ in any significant way. The only alternative design is the ditch sections which are to be designed for stability by not exceeding 3:1 slope and not having any relatively high slope sections, as Old Stagecoach Road does not have high grade longitudinal roadway sections.

The deviation will not adversely affect aesthetic appearance.

The deviation will not adversely affect aesthetic appearance as it will closely match the typical section.

This deviation is applicable to the MS4 permit as it will be creating disturbance greater than 1 acre. Any increase in flows and water quality will be required to be mitigated due to the upgrade of the roadway. You may indicate any exclusions if they apply (see I.7.1.B.2) for water quality and/or identify that the existing ponds will treat the increased imperviousness

The deviation meets the design intent and purpose of

The deviation meets the design intent and purpose of the ECM standards by meeting traffic criteria, stormwater drainage criteria, and allows for vehicular and pedestrian use.

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.

The deviation will not be applicable regarding the County's MS4 permit. Stormwater drainage patterns and conveyance within this proposed modified roadway section is consistent with the standard section. The ratio of added pavement shoulder to the roadside ditch sections results in 100% water quality runoff reduction for the roadway.

Provide an exhibit of the proposed roadway cross section and location where this applies.

Please also provide a deviation request and proposal for the upgrade of the existing Stagecoach Road.

No. \_\_\_\_\_

**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.