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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 TH 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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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

2.2.5.B.1 and 2.3.2

Simply stating the criteria section and the required 1/4 mile spacing is sufficient

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:

2.2.5.B.1 Roadway Access Criteria – Rural and Urban Principal and Rural Minor Arterial Access Criteria

All new or modified accesses to the County roadways shall meet the requirements of the ECM. Standards and technical criteria not specifically addressed in the ECM shall follow the provisions of the AASHTO, A Policy on Geometric Design of Highways and Roadways ("Green Book") and the Colorado State Highway Access Code. In addition, should any access request fall within the preview of the Major Thoroughfare Task Force (MTTF), per their adopted bylaws, then the request shall be brought before the MTTF for a recommendation.

Spacing of roads accessing a principal arterial or rural minor arterial that will result in a full movement intersection shall be planned at one-half mile (**one-quarter mile for rural minor arterials**). Should the one-half mile spacing not be "viable or practical" for providing access to the adjacent land, a deviation may be considered and approved by the ECM Administrator. If a deviation is granted, only one additional full movement intersection will be permitted by the ECM Administrator. The Applicant shall have the burden of proof that no other "viable or practical" access is available. A deviation request should be supported by a traffic study or memorandum that provides information to assist the ECM Administrator in determining the proposed deviation minimizes negative safety and other operational impacts. If the development is at the intersection of two major corridors, the full movement access should be located on the lower functional classification roadway. The intersection shall only be approved if the intersection and roadway are shown to operate safely and efficiently with buildout design hour/peak hour projected traffic volumes. The intersection must also show a public benefit. An arterial progression through bandwidth percentage of 35 percent or greater must be achieved or the inclusion of a signal at the access must not degrade the existing signal progression. The intersection must not create any queuing or blocking of lane entries or access points. The intersection must be in a location such that any necessary turn, acceleration and deceleration lanes can be accommodated to maintain safe operations and capacity. The analysis should consider all potential future additional requirements for left turn or other exclusive phasing at a signal for which the need is created by traffic generated by land uses on both sides of the roadway.

State the reason for the requested deviation:

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Old Stagecoach Road is required to have an upgrade in classification from its section to a rural minor arterial section as development within the Flying Horse calls for quarter-mile (1,320 ft.) spacing for full movement. The PUD/preliminary plan does not identify any modified urban local roadways revise accordingly. The following intersections are included in this deviation request with their listed intersection spacing linear footage:

justification for less than a 1/4 mile spacing was not provided in the TIS. The TIS does not mention any deviation requests. Please indicate the reason for the requested deviation.

1. Old Stagecoach Road (Modified Rural Minor Arterial Roadway) & Apron Loop (Modified Urban Local Residential) three-direction roundabout intersection – 880 LF spacing from – Old Stagecoach Road (Modified Rural Minor Arterial Roadway) & Reload Drive (Modified Urban Local Residential) four-direction roundabout intersection
2. Old Stagecoach Road (Modified Rural Minor Arterial Roadway) & Reload Drive (Modified Urban Local Residential) four-direction roundabout intersection – 1,100 LF spacing from – Old Stagecoach Road (Modified Rural Minor Arterial Roadway) & Rough Trail (Modified Urban Local Residential) three-direction roundabout intersection
3. Old Stagecoach Road (Modified Rural Minor Arterial Roadway) & Rough Trail (Modified Urban Local Residential) three-direction roundabout intersection – 1,150 LF spacing from – Old Stagecoach Road (Modified Rural Minor Arterial Roadway) & Holmes Road (Modified Urban Local Residential) four-direction roundabout intersection

Holmes is identified as a residential collector. Revise

Explain the proposed alternative and compare to the ECM standards (May provide as basis):

The proposed alternative meets the existing roadway classification for Old Stagecoach Road which is a rural collector roadway. The ultimate buildout of all lots proposed in the PUD requires this upgrade in classification, however, there is an ADT trigger that requires this that is not immediate within the first future filings of the PUD. The existing roadway section of Old Stagecoach Road is sufficient up to a certain lot number. The ultimate buildout of the full PUD which includes the Flats area and Hotel units results in a portion of the ultimate ADT as presented in the Traffic Impact Study. The intersection spacing below the ECM criteria of a quarter-mile along Rural Arterial Roadways is justified by the majority of the traffic that triggers the upgrade in roadway classification is west of the intersections of interest, in the area of the future commercial developments of the clubhouse, hotel and casitas, and the Flats. Additionally, the intersections are roundabouts which provide increased safety and the intersections with the spacing below a quarter-mile are three-direction to four-direction intersections as opposed to the higher traffic turning condition of a four-direction to four-direction set of intersections.

provide this in the section below and identify the difference in distance for each of the intersections

relocate this justification to the section below. Also the majority of the traffic that triggers the upgrade to a minor arterial is not to the west. Per the TIS, the distribution is split 55% west bound and 45% eastbound which is not a large disparity.

see additional comments below

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 allows for Traffic Impact Studies to justify proposed conditions including deviation requests when the roadway network does not or cannot meet ECM criteria. The TIS should be consulted for details for justification of this particular deviation for allowing intersection spacing of less than a quarter-mile along the future built-out condition of Old Stagecoach Road as a Rural Minor Arterial roadway.

The TIS does not provide justification for the proposed intersection spacing.
 Recommend discussing the proposed design speed of this roadway and that it more resembles a residential collector on the east side. The required intersection spacing for urban residential collectors is 660'. I assume that roundabouts were chosen for their safety, LOS, slows speed of traffic etc.
 Also you may discuss the need for multiple access points due to the amount of lots provided on the east side.

request is **not based exclusively on financial** 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 **required design requirements.** While the intersection spacing is below the ECM criteria for this classification of roadway, the TIS provides details as to how turning maneuvers through roundabouts and the traffic patterns and counts for these intersections do not pose a risk to safety due to decreased spacing between intersections.

This is not an accurate statement as the roadways design requirements are also being deviated from. Revise

The deviation will not adversely affect safety or operations.

The deviation will not adversely affect safety or operations as it implements safer intersection turning maneuvers with roundabouts and connects urban local roadways with relatively low traffic counts located toward the east area of the PUD which are the residential areas, as opposed to the commercial clubhouse, hotel, casitas, and Flats area.

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

The deviation will not adversely affect maintenance and its associated cost as intersections along this roadway would be sited no matter the spacing. The reduction in intersection spacing being requested adds a single roundabout which does not yield significant increased maintenance.

The deviation will not adversely affect aesthetic appearance.

The deviation will not adversely affect aesthetic appearance as it matches the existing subdivision and public roadways.

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

The deviation meets the design intent and purpose of the ECM standards by implementing safe intersection design. Intersection spacing is first and foremost a safety feature to allow appropriate sight distances and safe vehicle turning. The design intent of Old Stagecoach Road in the area of the requested deviation meets safety criteria.

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 is not applicable regarding the County's MS4 permit.

provide exhibits of the proposed deviation showing the intersection spacing proposed.

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

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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.

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.