



Development Services Department
2880 International Circle
Colorado Springs, Colorado 80910

Phone: 719.520.6300
Fax: 719.520.6695
Website www.elpasoco.com

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): Walden Way

Tax Schedule ID(s) #: 6123001023

Legal Description of Property: TRACT IN N2NW4 SEC 23-11-66 DESC AS FOLS: BEG AT NW COR SEC 23, TH SLY ALG WLY LN 1270.00 FT M/L, ELY 1550.00 FT M/L TO A PT ON WLY LN OF LOT 78 WALDEN PRESERVE FIL NO 1, N 37<12"01" W 11.00 FT M/L, N 00<39"14" W 501.12 FT, N 12<55"55" W 137.67 FT, N 24<41"02" W 278.06 FT, S 70<53"59" W 122.07 FT, N 70<36"25" W 173.85 FT, N 20<56"51" W 209.95 FT, N 52<04"58" W 168.72 FT, N 30<46"53" W ALG LOT 9 WALDEN PRESERVE FIL NO 1 140.00 FT M/L TO N LN OF SEC 23, TH WLY ALG N LN OF SEC 23 850.00 FT M/L TO POB TOG W/ LOTS 74-78 WALDEN PRESERVE FIL NO 1 TOG W/ S2NW4 OF SEC 23-11-66 EX APPROX 1.0 ACRE TRACT TO WALDEN CORP BY BK 2111-891, EX PT TO WALDEN PRESERVE FIL NO 1 BY REC #205122356, EX THAT PT TO COUNTY FOR R/W BY REC #209094443, EX PT TO WALDEN PRESERVE FIL NO 2 TOG W/ THAT UNPLATTED PORT OF SEC 14, 15 & 22-11-66 DESC AS FOLS: BEG AT NE COR OF SD SEC 22, TH SLY ON E LN OF SD SEC 22 TO INTSEC ELY LN OF WALDEN III, NLY ON ELY LN OF SD WALDEN III TO INTSEC N/S C/L OF SD SEC 15, NLY ON SD C/L TO SLY LN OF TR DESC IN BK 6440-230, ANG R 90< E 854.75 FT TO PT ON WLY LN OF WALDEN III FIL 2, SELY & NELY ON WLY LN OF SD WALDEN III FIL 2 TO NWLY COR OF WALDEN III FIL 3, SELY & NELY ON WLY & SLY LNS OF SD WALDEN III FIL 3 TO NWLY COR OF THOMAS SUB, SELY & NELY ON WLY & SLY LNS OF SD THOMAS SUB TO PT ON WLY LN OF WALDEN III FIL 4, SELY ON WLY & SLY LNS OF SD WALDEN III FIL 4 TO PT ON N LN OF TR DESC IN BK 2677-786, WLY & SLY ON N & W LNS OF SD TR TO PT ON S LN OF SD SEC 14, TH WLY ON SD S LN TO POB, EX PT TO WALDEN PRESERVE FIL NO 1 BY REC #205122356 & WALDEN PRESERVE 2 FIL NO 1 & 2

Subdivision or Project Name: Walden Preserve 2 Filing No. 4

Section of ECM from Which Deviation is Sought: Appendix B Transportation Impact Study Guidelines Section B.1.3 Revisions and Updates

Specific Criteria from Which a Deviation is Sought: If the original TIS is older than three years, an entirely new TIS shall be prepared.

Proposed Nature and Extent of Deviation: LSC prepared a traffic impact study (TIS) for the entire Walden Preserve 2 development dated September 14, 2014. A transportation memorandum has been prepared for Walden Preserve 2 Filing No. 4. It is proposed that a full TIS update be postponed until the next filing (Filing 5) is submitted.

Applicant Information:

Applicant: Matt Dunston

Email Address: mattdunston@hotmail.com

Applicant is: ☐ Owner ☒ Consultant ☐ Contractor

Mailing Address: 17145 Colonial Park Drive, Monument

State: CO

Postal Code: 80132

Telephone Number: 719-339-2410

Fax Number: _____

Engineer Information:

Engineer: Jeffrey C. Hodsdon, P.E.

Email Address: jeff@lsctrans.com

Company Name: LSC Transportation Consultants, Inc.

Mailing Address: 545 E. Pikes Peak Ave., Suite 210

State: CO

Postal Code: 80903

Colorado Springs

Registration Number: 31684

State of Registration: Colorado

Telephone Number: (719) 633-2868

Fax Number: (719) 633-5430

El Paso County Procedures Manual

Procedure # R-FM-051-07

Issue Date: 12/31/07

Revision Issued: 00/00/00

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

Section of ECM from Which Deviation is Sought: Appendix B Transportation Impact Study Guidelines Section B.1.3 Revisions and Updates

Specific Criteria from Which a Deviation is Sought: If the original TIS is older than three years, an entirely new TIS shall be prepared.

Proposed Nature and Extent of Deviation: LSC prepared a traffic impact study (TIS) for the entire Walden Preserve 2 development dated September 17, 2014. A transportation memorandum has been prepared for Walden Preserve 2 Filing No. 4. It is proposed that a full TIS update be postponed until the next filing (Filing 5) is submitted.

Reason for the Requested Deviation: The deviation is being requested to allow for time to coordinate the future connection to Walker Road with CDOT and Monument Academy, which is planned for the 70-acre parcel located southeast of the intersection of SH 83/Highway 105/Walker Road. This connection is not needed with the currently proposed filing.

Comparison of Proposed Deviation to ECM Standard: The original TIS was prepared about 4-½ years ago (September 2014). The ECM requires any TIS older than 3 years be updated.

Applicable Regional or National Standards used as Basis: _____

Application Consideration:

CHECK IF APPLICATION MEETS CRITERIA FOR CONSIDERATION

- ☒ 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.

JUSTIFICATION

- No significant changes have been made to the site plan since the original TIS was prepared in September 2014 (and addendum November 2014). The Preliminary Plan was approved with an "allowance"/limit of 66 lots prior to the requirement for the Pinehurst connection to the north. The cumulative total of platted lots, including the currently proposed 23 lots in Filing No. 4, would not exceed this allowance (limit) of 66 lots. Please refer to the attached exhibit.
- The TIS will be updated when the next filing (Filing No. 5) is submitted
- The Colorado Department of Transportation has tentatively agreed to defer a requirement to update the overall TIS until the next filing (Filing No. 5), provided a new access permit is submitted in conjunction with this Filing 4 development and their comments are addressed as part of the access permit process.
- Deferring the update will allow for time to coordinate the future connection to Walker Road with CDOT and Monument Academy, planned for the 70-acre parcel located

southeast of the intersection of SH 83/Highway 105/Walker Road. This connection is not needed with Filing No. 4.

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. Deferring the update will allow for time to coordinate the future connection to Walker Road with CDOT and Monument Academy, planned for the 70-acre parcel located southeast of the intersection of SH 83/Highway 105/Walker Road. This connection is not needed with Filing No. 4.

The deviation will achieve the intended result with a comparable or superior design and quality of improvement. Deferring the update will allow for time to coordinate the future connection to Walker Road with CDOT and Monument Academy. A new access permit will be submitted in conjunction with this Filing 4 development and CDOT's comments will be addressed as part of the access permit process. This connection is not needed with Filing No. 4.

The deviation will not adversely affect safety or operations. A new access permit application will be submitted in conjunction with this Filing 4 development and CDOT's comments will be addressed as part of this process. Any improvements needed on Highway 83 will be determined through the Colorado Department of Transportation access permit process.

The deviation will not adversely affect maintenance and its associated cost. This deviation relates to a study and not a road improvement.

The deviation will not adversely affect aesthetic appearance. This deviation relates to a study and not a road improvement.

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, 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)

5-23-19
Date

Signature of applicant (if different from owner)

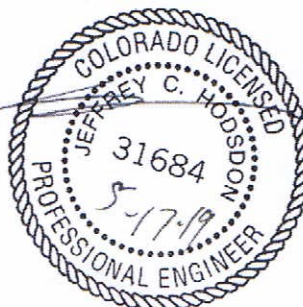
Date

Signature of Engineer

Date

Engineer's Seal

El Paso County Procedures Manual
Procedure # R-FM-051-07
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DSD File No. SF-18-034



Review and Recommendation:
APPROVED by the ECM Administrator

Approved

By: Elizabeth NijKamp

Date: 06/19/2019

El Paso County Planning & Community Development



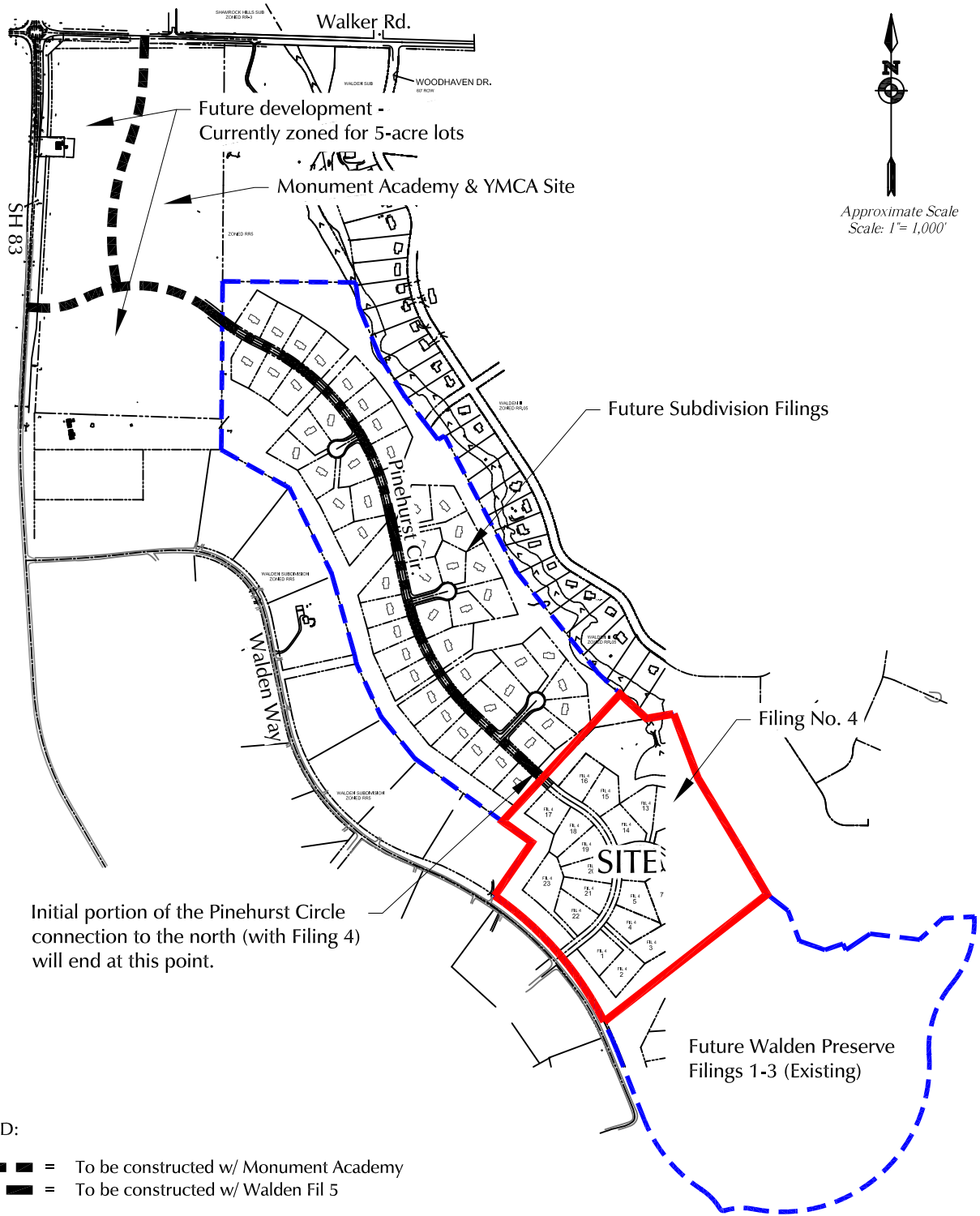
This request has been determined to have met the criteria for approval. A deviation from Section
B 1.3 of ECM is hereby granted based on the justification provided. Comments:

____ Additional comments or information are attached.

DENIED by the ECM Administrator

____ Date _____
 This request has been determined not to have met criteria for approval. A deviation from Section
 _____ of ECM is hereby denied. Comments:

____ Additional comments or information are attached.



**Deviation
Exhibit**

Figure 2
**Site
Plan**

Taken From : Walden Preserve Filing 4 - CDOT Access Permit Technical Menorandum (LSC #184810)