



**Planning and Community  
Development Department**  
2880 International Circle  
Colorado Springs, Colorado 80910  
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Website [www.elpasoco.com](http://www.elpasoco.com)

**DEVIATION REQUEST  
AND DECISION FORM**

Updated: 6/26/2019

**PROJECT INFORMATION**

Project Name : Hay Creek Valley Subdivision  
 Schedule No.(s) : 7133007014, 7133000001, 7100000270, 7100000267, 7100000268, 7100000269  
 Legal Description : See attached

**APPLICANT INFORMATION**

Company : Matrix Design Group  
 Name : Jason Alwine  
 Owner  Consultant  Contractor  
 Mailing Address : 2345 Research Parkway, Suite 300, Colorado Springs, Colorado 80920  
  
 Phone Number : (719) 575-0100  
 FAX Number :  
 Email Address : [Jason.alwine@matrixdesigngroup.com](mailto:Jason.alwine@matrixdesigngroup.com)

**ENGINEER INFORMATION**

Company : Matrix Design Group  
 Name : Jeff Odor Colorado P.E. Number : 39265  
 Mailing Address : 2345 Research Parkway, Suite 300, Colorado Springs, Colorado 80920  
  
 Phone Number : (719) 575-0100  
 FAX Number :  
 Email Address : [Jeff.odor@matrixdesigngroup.com](mailto:Jeff.odor@matrixdesigngroup.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.

*Jason Alwine* Signature of owner (or authorized representative) 8/15/23 Date

Engineer's Seal, Signature  
And Date of Signature



**DEVIATION REQUEST** (Attach diagrams, figures, and other documentation to clarify the 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:

Cul-de-sacs shall be used only where absolutely necessary. Cul-de-sacs shall have a minimum radius of 45 feet and a maximum length of 750 feet for urban conditions and a minimum radius of 50 feet and a **maximum length of 1,600 feet for rural conditions**, be designed in conformance with Figure 2-31.

State the reason for the requested deviation:

The nature of the topography in this site does not allow for access from multiple points to the main roadway, therefore the single access road will need to terminate in a cul-de-sac with a maximum length greater than 1,600 feet in a rural setting. The existing roadway is to be improved by widening, paving, and the addition of a cul-de-sac with a 50 ft radius to accommodate large emergency vehicles.

A letter provided by the Monument Fire District dated April 10, 2023 with one point of access and one cul-de-sac was agreed to by the Division Chief/ Fire Marshall.

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

The proposed alternative to the ECM standard is requested because site topography and surrounding private properties prohibit the ability to create more than one access point to the site resulting in the roadway terminating at a cul-de-sac greater than 1,600 ft in length. The proposed site is comprised of 20 large single-family lots (5-17 acres each) spread out along a single access point private road. The current roadway is dirt and narrow with no turn-around points or cul-de-sac. The proposal for this site will include a wider paved road per ECM standard 60' ROW for a rural residential road. This road will terminate in a cul-de-sac with a 50ft radius to accommodate emergency vehicles. No mid-way turnaround will be provided however the fire department may utilize the individual driveways as additional turnaround points.

The ECM Table 2-3 for Roadway Design Criteria states that roads should be designed to complement local character to minimize the space devoted to road use. In this case, the proposed single-access roadway with a cul-de-sac will be the best option for complementing the local rural character of the site and surrounding area by minimizing the amount of roadway that runs through the open meadows and meandering forests on the site. This will allow for the natural setting of the site to be conserved for the residents and local wildlife that inhabit the area.

**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 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:

Topography and large private properties surrounding the site prohibit access points to existing roadways such as Hay Creek Road. The fire department will utilize the individual driveways as additional turnaround points as well as the proposed cul-de-sac. (See attached follow-up letter from the Monument Fire Department for additional information)

**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 design proposed will allow accessibility throughout the site through the provision of driveways as turn-around locations and will offset the longer-than-desired road length by allowing multiple opportunities for traffic to turn around and exit the subdivision. A large radii cul-de-sac will be designed at the termination of the road allowing for emergency vehicles to have full access to the site and ample room to maneuver. (See attached follow-up letter from the Monument Fire Department for additional information)

The deviation will not adversely affect safety or operations.

The design proposed will achieve the same results for public safety and accessibility as similar two-access point roadways for single-family rural residential dwellings through the provision of driveways as turn-around locations and a large radii cul-de-sac for emergency vehicles. (See attached follow-up letter from the Monument Fire Department for additional information)

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

The roadway proposed will be designed per EPC Standards for private residential roads and will be owned and maintained by the governing HOA for the subdivision.

The deviation will not adversely affect aesthetic appearance.

The proposed roadway will improve the aesthetic appearance of the subdivision by providing a smooth and wide paved surface for traffic that also reduces dust and dirt clouds from local traffic compared to the current dirt road through the site.

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

The deviation will meet the design intent and purpose of the ECM standards by providing access to dwellings with a wide road, turn-around points, and a large radius cul-de-sac for emergency vehicle access. Traffic will be limited to residents of the HOA as the proposed project is gated limiting access.


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.

Water quality requirements will be met regardless of the road length.

**REVIEW AND RECOMMENDATION:**

**Approved by the ECM Administrator**

This request has been determined to have met the criteria for approval. A deviation from Section 2.3.8.A of the ECM is hereby granted based on the justification provided.

<b>Approved</b>	
By: Gilbert LaForce, P.E. Engineering Manager	
Date: 08/30/2023 2:44:55 PM El Paso County Department of Public Works	

**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.


**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.

**MONUMENT FIRE DISTRICT**  
16055 Old Forest Point, Suite #102  
Monument, CO 80132  
(719) 484-0911  
www.monumentfire.org  
*Proudly serving the Tri-Lakes Region*



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Jamey Bumgarner, Division Chief

April 10, 2023

To Whom it may Concern:

The Monument Fire District provides fire protection and emergency medical services to 70 square miles of northern El Paso County. Our current ISO rating is 3/3Y. The Hay Creek Valley Subdivision is located within our current district boundaries, and we will continue providing services to the area.

This is a follow to our letter dated January 4, 2023.

We have met with the developer and agreed to the following items for the Hay Creek Valley community.

- The road into the community will be private & gated with Fire Department-approved KnoxBox
- The Rural Local Street Section proposed for this road has 24' of asphalt with 4' shoulders on each side
- The road will be approximately 1 mile long and is required to provide a 100' diameter cul-de-sac at the end of the road. (No second point of access or mid-way turn-around is required)
- At the end of the cul-de-sac, we will install a 33,000-gallon cistern within a community tract, including a submersible pump and hydrant. (a second cistern is not required)

Please let me know if you have additional questions.

Jamey Bumgarner

Division Chief / Fire Marshal



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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.

*Tri Burka* \_\_\_\_\_ Date 8/15/23

Engineer's Seal, Signature  
And Date of Signature





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

A deviation from the standards of or in **2.3.2** of the Engineering Criteria Manual (ECM) is requested.

Identify the specific ECM standard which a deviation is requested:

Design Standards by Functional Classification. Section 2.2.4 of these standards identifies the Roadway Functional Classifications recognized and used by the County. Table 2-4 through Table 2-7 summarize many of the minimum roadway design standards by category and functional classification. Detailed road Standard Drawings are provided in Appendix F. Table 2.5 states that the minimum centerline radius for a rural local roadway shall be 300'.

State the reason for the requested deviation:

The portion of the existing dirt access road that runs between the Hay Creek Valley property and Hay Creek Road is existing and not owned by the Hay Creek Valley Subdivision. The property owner has not been willing to grant any additional access easement and therefore the intersection of the existing roadway with Hay Creek Road is proposed to remain in its current location. Improvements will be made to that portion of the roadway including adjusting the intersection angle to within 10 degrees of 90, widening and paving; however the road alignment must remain within the existing ingress-egress ROW. Due to the confines of the existing 60' ingress-egress ROW, a 300' centerline radius can not be achieved.

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

The property boundary being subdivided does not include land that borders the intersection. As part of the general criteria for horizontal roadway alignments, "proposed road layouts shall have a logical relationship to existing or platted roads". This proposal keeps the existing ingress-egress ROW intact to maintain the current relationship of Hay Creek Road to the existing roadway. The largest radii possible is proposed within this portion of the road alignment to remain as the existing property owner of this portion is unwilling to grant additional access easements. The proposed roadway is to be owned and maintained by the HOA for the subdivision.

**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:

In this situation, the ingress-egress ROW meeting with Hay Creek Road is not being modified or adjusted and the property owner is unwilling to grant additional access easement. The roadway is proposed to be improved by paving up to the intersection with Hay Creek Road but must remain within the confines of the existing ingress-egress ROW because the developer does not own the land adjacent to the intersection. The property line begins approximately a quarter mile from the intersection. The road alignment in this area will propose the largest radii possible within the confines of the existing ingress-egress ROW. The private road will be owned and maintained by the governing HOA for the subdivision.

**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 of improving access to the subdivision by providing the largest radii possible within the existing ingress-egress ROW. The design proposed will improve the existing roadway intersection with Hay Creek Road by paving the existing road, widening, and adjusting the intersection angle to within 10 degrees of 90 allowing for a smoother transition for those entering and exiting that private driveway onto Hay Creek Road.

The deviation will not adversely affect safety or operations.

The deviation will not affect safety or operations as the existing intersection will remain operational and will be improved from its existing condition given the limited amount of use this access will provide.

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

The deviation will not affect maintenance and maintenance costs as it will be owned and maintained by the governing HOA for the subdivision, not the county.

The deviation will not adversely affect aesthetic appearance.

The proposed roadway will improve the aesthetic appearance of the subdivision by providing a smooth and wide paved surface for traffic that also reduces dust and dirt clouds from local traffic compared to the current dirt road through the site.

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

The deviation will meet the design intent and purpose of the ECM standards by providing access to dwellings via a paved private road from Hay Creek Road to the termination of the private road. Traffic will be limited to residents of the HOA.

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.

Water quality requirements will be met regardless of the minimum centerline radii 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 2.3.2 Table 2-5 of the ECM is hereby granted based on the justification provided.



**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.



**ECM ADMINISTRATOR COMMENTS/CONDITIONS:**

Approved deviation only applies to curves C56, C57, C59 which are located in an existing easement offsite as described above.

Roadway alignment at curve C54 must be revised with the subsequent final plat application to meet criteria.

Additional analysis shall be provided with the subsequent traffic study associated with the final plat application to include additional mitigation due to the design centerline radius:

- \* Analyze/recommend the appropriate speed limit at these bends. In other words should the posted speed limit at this section of the private road be lower than the standard 30 mph?
- \* Identify/recommend any additional advisory sign that may be required at these bends.

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Jamey Bumgarner, Division Chief

April 10, 2023

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Please let me know if you have additional questions.

Jamey Bumgarner

Division Chief / Fire Marshal

# HAY CREEK VALLEY

EL PASO COUNTY, COLORADO

## PRELIMINARY PLAN

SOUTHEAST QUARTER OF SECTION 33 AND THE SOUTHWEST QUARTER OF SECTION 34, TOWNSHIP 11 SOUTH, RANGE 67 WEST OF THE 6TH PRINCIPAL MERIDIAN, EL PASO COUNTY, COLORADO.

CONSULTANTS:

PLANNER/ LANDSCAPE ARCHITECT/ CIVIL ENGINEER:



2435 RESEARCH PARKWAY, SUITE 300  
 COLORADO SPRINGS, CO 80920  
 PHONE: (719) 575-0100  
 FAX: (719) 575-0208

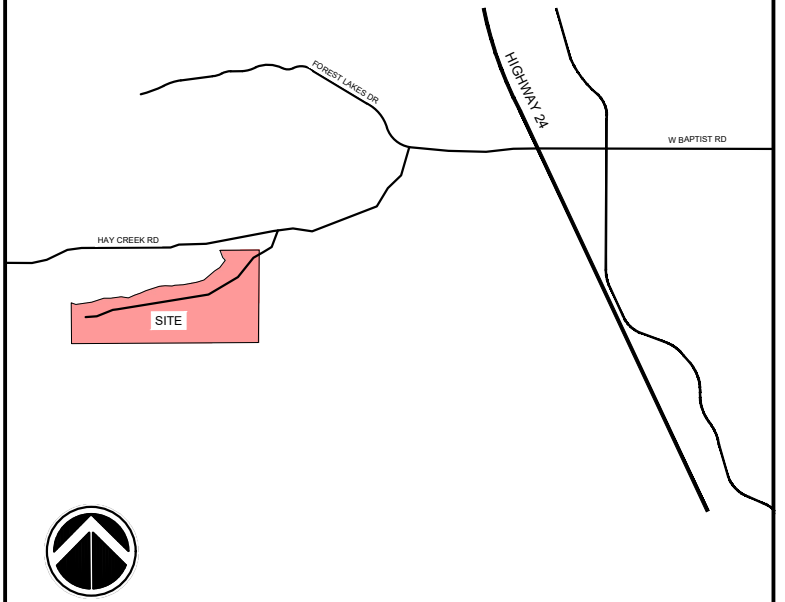
OWNER/DEVELOPER:

VIEW HOMES, INC

555 MIDDLE CREEK PARKWAY SUITE 500  
 COLORADO SPRINGS, CO 80921  
 CLIENT PHONE (719) 382-9433

APPROVAL:

VICINITY MAP:



PROJECT:

HAY CREEK VALLEY SUBDIVISION  
 PRELIMINARY PLAN

EL PASO COUNTY, CO  
 JULY 2023

REVISION HISTORY:

NO.	DATE	DESCRIPTION	BY
1	04/27/2023	REVISED PER EPC COMMENTS	BP
2	07/17/2023	REVISED PER EPC COMMENTS	BP

DRAWING INFORMATION:

PROJECT NO: 22.886.076

DRAWN BY: BTP

CHECKED BY: RAF

APPROVED BY: JRA

SHEET TITLE:

# PRELIMINARY PLAN

## SP03

SHEET 06 OF 06

FILE NO.: SP-23-01

### LEGEND

NO BUILD ZONE  
 (SLOPE GREATER  
 THAN 29.99 %)

### PARCEL LINE CURVE DATA

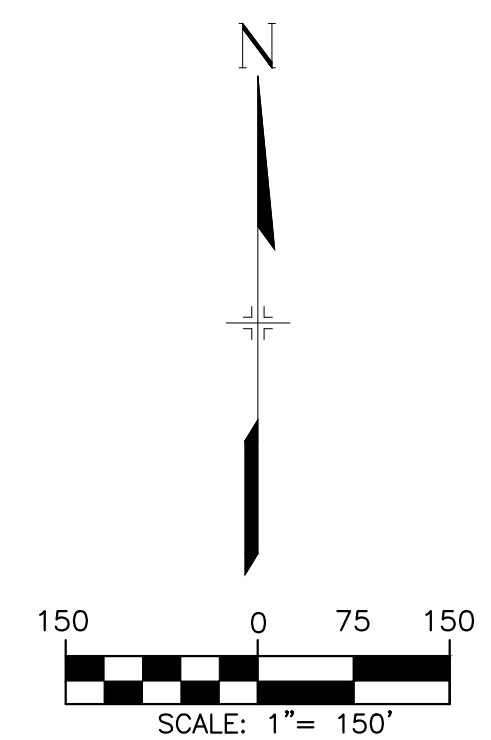
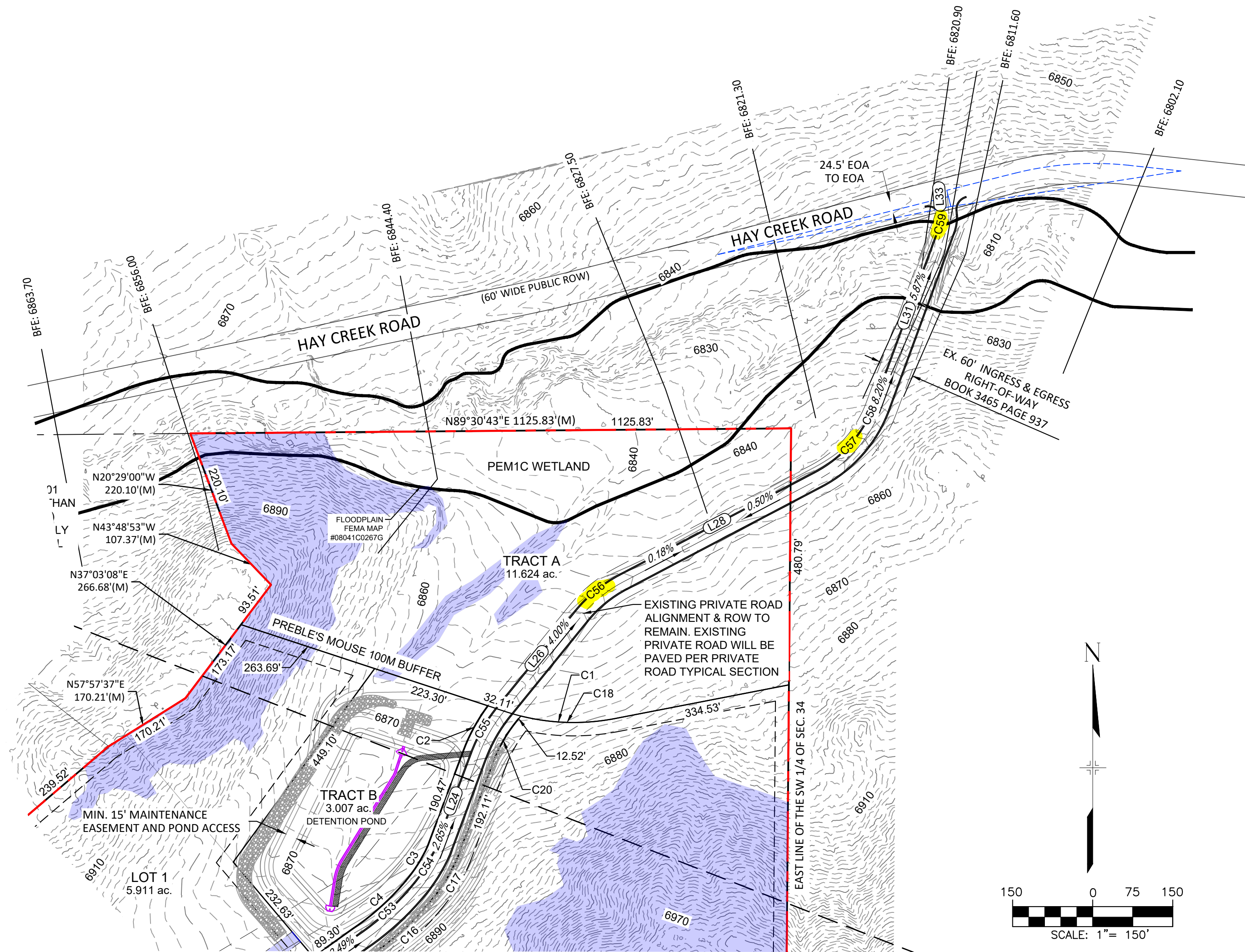
CURVE #	ARC LENGTH	RADIUS	DELTA ANGLE	CHORD BEARING	CHORD LENGTH
C1	207.98	408.15'	29°11'44"	N85°59'53"W	205.73'
C2	95.62	339.92'	16°07'00"	S28°41'10"W	95.30'
C3	71.50	270.00'	15°10'23"	S31°22'59"W	71.29'
C4	142.78	476.78'	17°09'29"	S47°32'55"W	142.25'
C5	44.73	270.00'	9°29'30"	S59°10'05"W	44.68'
C6	24.35	270.00'	5°10'05"	S66°29'52"W	24.35'
C7	52.62	270.00'	11°09'57"	S74°39'53"W	52.53'
C9	56.30	330.00'	9°46'31"	S75°21'36"W	56.23'
C10	48.30	56.27'	49°11'00"	N68°46'31"W	46.84'
C11	58.02	66.00'	50°22'21"	N71°02'57"W	56.17'
C12	48.88	56.64'	49°27'05"	N68°04'04"E	47.38'
C13	45.55	330.00'	7°54'28"	N85°47'01"E	45.51'
C14	46.07	270.00'	9°46'31"	N75°21'36"E	46.01'
C15	148.65	330.00'	25°48'31"	N67°19'35"E	147.39'
C16	159.83	536.78'	17°03'35"	N47°29'58"E	159.24'
C17	89.20	330.00'	15°29'14"	N31°13'34"E	88.93'
C18	175.43	407.85'	24°38'43"	S88°17'04"E	174.08'
C19	90.79	270.00'	19°15'55"	S80°06'17"W	90.36'
C20	87.66	270.00'	18°36'06"	N29°48'26"E	87.27'
C22	101.51	66.00'	88°07'23"	S39°42'11"W	91.80'
C23	101.59	66.00'	88°11'26"	N89°51'10"E	91.85'
C25	65.41	330.00'	11°21'27"	N76°09'04"E	65.31'

### CENTERLINE CURVE AND LINE DATA

LINE#	CURVE#	LENGTH	DIRECTION/ DELTA	RADIUS
C50		100.866	019.1391	301.958
C51		51.184	009.7754	300.000
C52		135.221	025.8254	300.000
C53		151.112	013.7981	627.486
C54		80.445	018.6506	247.132
C55		97.486	018.6184	300.000
C56		101.090	023.1681	250.000
C57		138.883	031.6175	251.678
C58		44.991	008.0763	319.178
C59		27.914	024.2325	66.000
L15		42.279	N89°40'27.90"E	
L17		134.817	N70°28'20.09"E	
L19		2480.933	N80°14'51.44"E	
L21		903.753	N54°25'19.42"E	
L24		191.308	N20°30'23.37"E	
L26		229.742	N39°06'29.30"E	
L28		413.590	N62°16'34.30"E	
L31		354.451	N20°08'46.30"E	
L33		40.291	N04°05'10.69"W	

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→ Roadway alignment at curve C54 must be revised with the subsequent final plat application to meet criteria.



FILE LOCATION: S:\22.886.076 HAY CREEK FOREST MANOR\076 HAY CREEK FOREST MANOR\076 HAY CREEK FOREST MANOR\076 PRELIMINARY PLANS\SP01.DWG