
NORTH BAY AT LAKE WOODMOOR

LETTER OF INTENT

NOVEMBER 2016, REVISED FEBRUARY 2020

OWNER/APPLICANT:

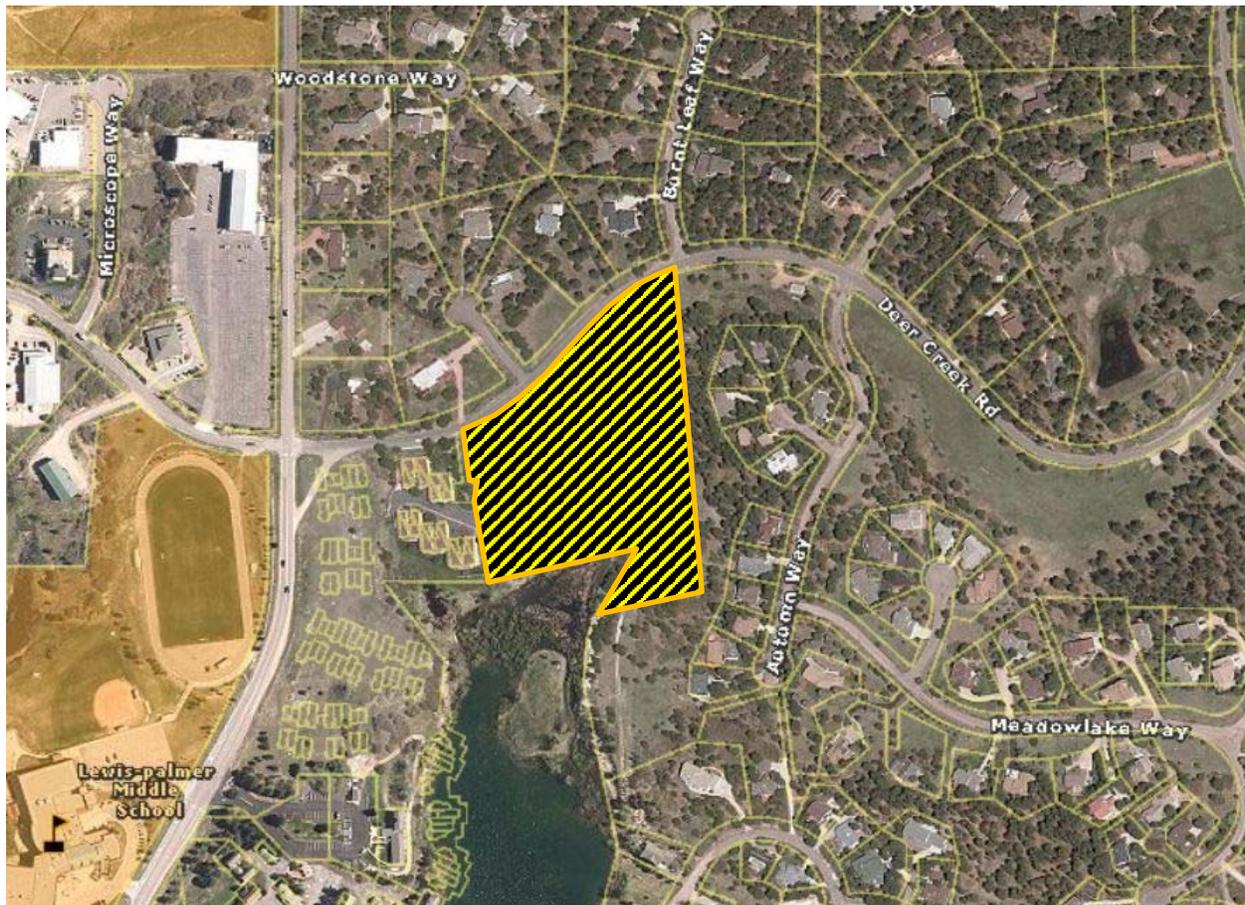
Lake Woodmoor Holdings LLC
1755 Telstar Drive, Suite 211
Colorado Springs CO 80920

CONSULTANT:

N.E.S. Inc.
619 North Cascade Avenue
Colorado Springs, Colorado 80903

LOCATION

North Bay at Lake Woodmoor is located southeast of the intersection of Woodmoor Drive and Deer Creek Road. Deer Creek Road forms the northern boundary of the property and Lake Woodmoor lies to the south. To the west is The Cove at Woodmoor condominium development and to the east is an open and forested common area owned by the Woodmoor Improvement Association (WIA), beyond which is Lake Woodmoor single-family residential neighborhood. The site comprises approximately 7.23 acres.



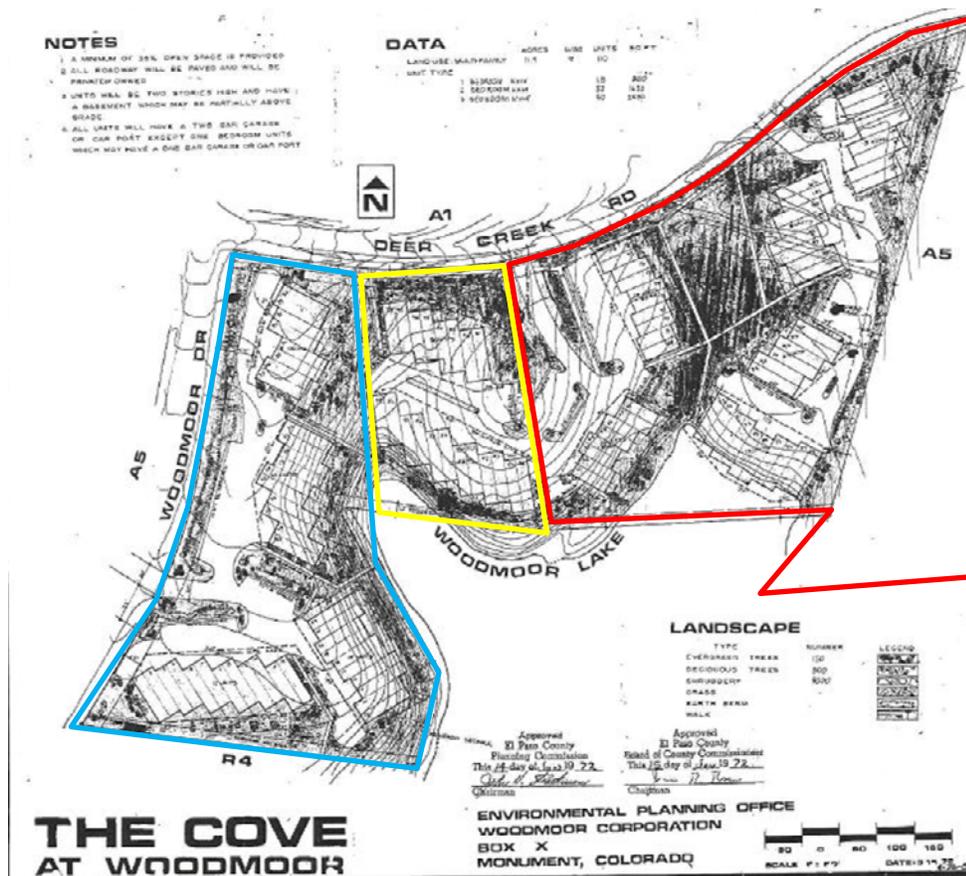
REQUEST

Lake Woodmoor Holdings LLC requests approval of the following applications:

1. A Rezone from R-4 (Planned Development District – Obsolete) to PUD (Planned Unit Development District);
2. A PUD Development/Preliminary Plan for North Bay at Lake Woodmoor for a 28-unit townhome development on 7.23 acres, at a gross density of 3.87 dwelling units per acre and a maximum height of 30 feet, including PUD modifications; and
3. A Final Plat for North Bay at Woodmoor for 28 lots and 5 tracts on 7.23 acres.

HISTORY

The property is part of a larger parcel for which a Development Plan was approved in 1972. The approved plan proposed 110 townhomes on 11.4 acres; a density of 9.6 dwelling units per acre. In 1974, two acres were platted for 20 Condominium units at The Cove at Woodmoor, which lies immediately west of the subject property (yellow). In 1979, four acres to the west of the Cove at Woodmoor were platted as the Waterside Condominiums (blue), which accounted for a further 40 units of the 110 units originally approved. The remaining 5.4 acres of the 1972 plan is part of the current PUD application site and would have accommodated the remaining 50 units approved by the 1972 Plan (red).



SITE DESCRIPTION

The site comprises undulating grassland with scattered trees and more substantial wooded areas along the eastern and southern boundaries.

The central part of the site is within the floodplain and there are wetland areas in the northeast corner of the property and adjacent to Lake Woodmoor.

A number of informal trails currently cross the site providing access to the lake.



There is an existing utility road off Deer Creek Road that provides access to the lift station in the southeast corner of the site.

The dense wooded tract along the eastern boundary of the site that is owned by the WIA provides a substantial buffer to the existing single-family residential neighborhood beyond.

Adjacent to the site's western boundary is The Cove at Woodmoor Condominium development. The western section of the site includes part of the access road and parking area for condominiums. The right to use this area for such purposes is provided by a non-exclusive access easement.



PROJECT JUSTIFICATION

The property and the wider area to the south, west, and east are zoned R-4, which is an obsolete zoning for Planned Development. Any new development proposal for the property requires a rezoning.

It is proposed to rezone the property to PUD as this is the current equivalent of the old R-4 zoning and is therefore compatible with the surrounding R-4 zoning. The PUD zoning also allows for flexibility in the dimensional and design standards needed to accommodate the proposed townhome product and enable the protection of the floodway and wetlands areas and other open space.

The PUD Development/Preliminary Plan proposes the construction of 28 townhomes in a combination of duplexes, triplexes and fourplexes at a gross density of 3.87 dwelling units per acre. This is significantly less dense than the approved 1972 plan. The maximum height of the buildings is 30 feet and each unit will have a two-car garage. An additional 27 parking spaces are provided within the development.

PUD Modifications are requested for the use of private roads and for the requirement that private roads be constructed and maintained to ECM standards. The requested PUD modifications meet the criteria in Chapter 4.2.6.F.2.h of the Land Development Code, as they will achieve the goal of preserving natural features and providing additional open space.

PUD Modifications and Deviations are requested as follows:

	LDC/ECM Section	Category	Standard	Modification	Justification
1	LDC Chapter 8.4.4(E)(2)	Private Roads Require Waiver	Use of private roads shall be limited.	Private roads proposed to serve only this subdivision.	Private roads provide more flexibility for the development to accommodate the physical constraints of the site and retain natural features. The private roads will be owned and maintained by the Home Owners Associations.
2	LDC Chapter 8.4.4(E)(3)	Private Roads to meet County standards.	Private roads shall be constructed and maintained to ECM standards.	Road width, centerline radius and roadway terminations (see 3, 4, and 5 below)	
3	ECM Section 2.2.4.B.7, Figure 2-17, and ECM Table 2-7	Typical Urban Local (Low Volume) Cross Section	24' Paved Width, 12' Lane Width	21'-8" Paved Width, 10'-10" Lane Width	A smaller road cross-section, compact road design, and the use of a hammerhead turnaround will achieve the goal of retaining natural features and open space. The Tri-Lakes Monument Fire Department has approved the hammerhead turnaround for emergency access. ECM standard does not take into account reduction in speed due to the T-intersection at SW end of Redbridge Point. Sight distance is
4	ECM Section 2.3, Table 2-7	Minimum centerline curve radius (urban local-low volume)	100' CL Radius	40' CL Radius on Redbridge Point	
5	ECM Section 2.3.4.A.2, Table 2-14	Sag Vertical Curve	K value = 26 for Design Speed = 25 MPH	K value = just over 8	

6	ECM Section 2.3.8	Roadway Terminations	Urban Cul-de-Sac - Permanent hammerhead turnarounds not permitted	Permanent hammerhead turnaround proposed on Shoreditch Heights	62.8 feet with distance to T-intersection of approx. 50 ft.
7	ECM Section 2.2.5.E	Intersection spacing on rural local roadway	330' separation	226' between Redbridge Point and Shoreditch Heights and 236' between Shoreditch Heights and Burnt Leaf Way	The site is divided by a floodway and two points of access are required to serve the east and west sides of the development. The floodway and existing utilities limit the options for access locations to this property.

Further justification for the proposed deviations from the ECM (#3-#7) are provided in **Appendix A**.

PUD Zoning Approval Criteria

Chapter 4.2.6.D of the LDC allows the combination of a preliminary plan with a PUD development plan, provided all review and approval standards for both the PUD development plan and preliminary plan are met.

The PUD Development/Preliminary Plan for North Bay at Lake Woodmoor is consistent with the PUD zoning approval criteria set forth in Chapter 4.2.6.D of the LDC as follows:

1. The application is in general conformity with the Master Plan;

The proposed residential subdivision satisfies the following policies of the County Policy Plan:

Policy 6.1.3: Encourage new development which is contiguous and compatible with previously developed areas in terms of factors such as density, land use and access.

Policy 6.1.11: Plan and implement land development so that it will be functionally and aesthetically integrated within the context of adjoining properties and uses.

The site lies within the Woodmoor Sub-Area of the Tri-Lakes Area Comprehensive Plan and almost the entirety of the sub-area is identified as medium density residential development on the Tri-Lakes Area Concept plan. This development is consistent with the intent of the Comprehensive Plan as it is lower in density than the adjacent townhome development to the west and the previously approved town home project on the property.

2. The proposed development is in compliance with the requirements of this Code and all applicable statutory provisions and will not otherwise be detrimental to the health, safety, or welfare of the present or future inhabitants of El Paso County;

The proposed development compiles with the requirements of the LDC and will not be detrimental to the health, safety, or welfare of the present or future inhabitants of El Paso County. The project proposes less density than was previously proposed for this property and, unlike the previous proposal, retains a substantial area of open space and provides trail connections to the lake and

adjacent neighborhoods. The project also offers alternative housing design to reduce environmental footprint by improving efficiencies and preserving more open space.

PUD Modifications are requested for the use of private roads and for the requirement that private roads be constructed and maintained to ECM standards. These modifications are described above.

- 3. The subject property is suitable for the intended uses and the use is compatible with both the existing and allowed land uses on the neighboring properties, will be in harmony and responsive with the character of the surrounding area and natural environment; and will not have a negative impact upon the existing and future development of the surrounding area;**

The proposed townhome development is consistent with the existing R-4 zoning and the previously approved Development Plan for the property and is therefore a suitable use for the property. The townhome development is harmonious with the existing and proposed uses surrounding the property, which comprise condominiums to the west and single-family residential to the east.

The central part of the site includes floodplain and wetlands. A Conditional Letter of Map Revision (CLOMR) has been approved by FEMA for the adjustment of the floodplain. The project avoids the jurisdictional wetlands on the property.

The Geotechnical Report prepared by CTL Thompson Inc. identifies existing geological conditions to include expansive or very hard, shallow bedrock, shallow groundwater, erosion potential and flood potential. These conditions can all be mitigated with engineering design and construction methods commonly used in the area, such as spread footing foundations and slab-on-grade floors, as well as minimizing irrigation of landscaping to reduce problems associated with expansive soils.

- 4. The proposed development provides adequate consideration for any potentially detrimental use to use relationships (e.g. commercial use adjacent to single family use) and provides an appropriate transition or buffering between uses of differing intensities both on-site and off-site which may include innovative treatments of use to use relationships;**

The proposed PUD zoning for a townhome development will provide an appropriate transition between the less dense single-family residential to the east, and the more dense townhome development to the west. There is a substantial existing tree buffer of approximately 70 to 130 feet wide between the site and the single-family residential to the east. Additional landscaping is to be provided with this plan to supplement this buffer and replace any trees that may be removed.

- 5. The allowed uses, bulk requirements and required landscaping and buffering are appropriate to and compatible with the type of development, the surrounding neighborhood or area and the community;**

The bulk of the proposed townhomes and the associated landscaping and buffering are compatible with the surrounding area.

- 6. Areas with unique or significant historical, cultural, recreational, aesthetic or natural features are preserved and incorporated into the design of the project;**

The natural features on the site have been preserved wherever possible and incorporated into the site design. The wetland areas have been preserved. A Conditional Letter of Map Revision (CLOMR) has been requested from FEMA for the realignment of the flood way.

7. Open spaces and trails are integrated into the development plan to serve as amenities to residents and provide a reasonable walking and biking opportunities;

The development includes a large central open space that accounts for approximately 59% of the total site area. Walking trails have been incorporated, which are intended for public use to access Lake Woodmoor.

8. The proposed development will not overburden the capacities of existing or planned roads, utilities and other public facilities (e.g. fire protection, police protection, emergency services, and water and sanitation), and the required public services and facilities will be provided to support the development when needed;

All necessary utility and fire protection commitments have been obtained. The traffic report demonstrates that the development is within the capacity of existing roads.

9. The proposed development would be a benefit through the provision of interconnected open space, conservation of environmental features, aesthetic features and harmonious design, and energy efficient site design;

The development conserves environmental features and provides interconnected open space and trails.

10. The proposed land use does not permit the use of any area containing a commercial mineral deposit in a manner which would unreasonably interfere with the present or future extraction of such deposit unless acknowledged by the mineral rights owner;

There are no mineral rights owners on this property.

11. Any proposed exception or deviation from the requirements of the zoning resolution or the subdivision regulations is warranted by virtue of the design and amenities incorporated in the development plan and development guide; and

No deviations are requested.

12. The owner has authorized the application.

Yes.

Preliminary Plan Approval Criteria

The PUD Development/Preliminary Plan for North Bay at Lake Woodmoor is also consistent with the Preliminary Plan approval criteria set forth in Chapter 7.2.1.D.2.e of the LDC as follows:

1. The proposed subdivision is in general conformance with the goals, objectives, and policies of the Master Plan;

The site lies within the Woodmoor Sub-Area of the Tri-Lakes Area Comprehensive Plan and almost the entirety of the sub-area is identified as medium density residential development on the Tri-Lakes Area Concept plan. This development is consistent with the intent of the Comprehensive Plan as it is lower in density than the adjacent townhome development to the west and the previously approved town home project on the property.

2. The subdivision is consistent with the purposes of this Code;

The stated purpose of the Code is to preserve and improve the public health, safety and general welfare of the citizens and businesses of El Paso County. This proposed townhome development will provide new and affordable housing opportunities that will benefit the citizens of El Paso County.

3. The subdivision is in conformance with the subdivision design standards and any approved sketch plan;

There is no approved sketch plan for this property. The subdivision design standards are met with the exception of the PUD modifications described above and as addressed by the submitted deviations for the project. Deviations are submitted for the modifications to the ECM identified in the PUD modifications table, as well as for the intersection spacing on Deer Creek Road and for providing an alternative BMP for stormwater quality treatment.

4. A sufficient water supply has been acquired in terms of quantity, quality, and dependability for the type of subdivision proposed, as determined in accordance with the standards set forth in the water supply standards [C.R.S. §30-28-133(6)(a)] and the requirements of Chapter 8 of this Code;

A sufficient water supply is available as demonstrated in the Water Resources and Wastewater Treatment Report prepared by Kiowa Engineering Corporation and through the water supply commitment from Woodmoor Water & Sanitation District.

5. A public sewage disposal system has been established and, if other methods of sewage disposal are proposed, the system complies with state and local laws and regulations, [C.R.S. §30-28-133(6)(b)] and the requirements of Chapter 8 of this Code;

Public sewage disposal is addressed in the Water Resources and Wastewater Treatment Report prepared by Kiowa Engineering Corporation.

6. All areas of the proposed subdivision, which may involve soil or topographical conditions presenting hazards or requiring special precautions, have been identified and the proposed subdivision is compatible with such conditions. [C.R.S. §30-28-133(6)(c)];

The central part of the site includes floodplain and wetlands. A Conditional Letter of Map Revision (CLOMR) has been approved by FEMA for the adjustment of the floodplain. The project avoids the jurisdictional wetlands on the property.

The Geotechnical Report prepared by CTL Thompson Inc. identifies existing geological conditions to include expansive or very hard, shallow bedrock, shallow groundwater, erosion potential and flood potential. These conditions can all be mitigated with engineering design and construction methods commonly used in the area, such as spread footing foundations and slab-on-grade floors, as well as minimizing irrigation of landscaping to reduce problems associated with expansive soils.

7. Adequate drainage improvements complying with State law [C.R.S. §30-28-133(3)(c)(VIII)] and the requirements of this Code and the ECM are provided by the design;

These matters are addressed in the Drainage Report, the grading and erosion control plan, and the construction drawings for stormwater facilities, all prepared by Kiowa Engineering Corporation

8. Legal and physical access is or will be provided to all parcels by public rights-of-way or recorded easement, acceptable to the County in compliance with this Code and the ECM;

The project is divided by the floodway into two halves that will be accessed via individual private streets off Deer Creek Road. The eastern section of the site will be served by a dead-end road that serves 14 units and continues to provide utility access to the lift station. The remaining 14 units in the western section of the development will be served via a loop road that utilizes the existing access road for the condominiums. As part of this development it is proposed to resurface and stripe the parking area which will provide a more efficient parking configuration.

9. The proposed subdivision has established an adequate level of compatibility by

1) incorporating natural physical features into the design and providing sufficient open spaces considering the type and intensity of the subdivision;

A substantial part of this project will remain as open space and serve as an amenity for residents. It is not proposed to provide public access to the floodway area but new trail connections are proposed that will continue the public access to the lake area.

2) incorporating site planning techniques to foster the implementation of the County's plans, and encourage a land use pattern to support a balanced transportation system, including auto, bike and pedestrian traffic, public or mass transit if appropriate, and the cost effective delivery of other services consistent with adopted plans, policies and regulations of the County;

Appropriate provision is made in this regard given the context of the site and surrounding area. The plan was designed to minimize cost of transportation and utility infrastructure improvements.

3) incorporating physical design features in the subdivision to provide a transition between the subdivision and adjacent land uses;

Landscaping is included to buffer the development from adjacent uses where appropriate.

4) incorporating identified environmentally sensitive areas, including but not limited to, wetlands and wildlife corridors, into the design; and

As part of this application, a revised flood way is proposed and the wetland areas will be protected from development impact. This contrasts with the 1972 approved development which proposed a more extensive development of the site. A detailed analysis of the natural features, wildlife and wetlands is provided in the accompanying ECOS environmental report.

5) incorporating public facilities or infrastructure, or provisions therefore, reasonably related to the proposed subdivision so the proposed subdivision will not negatively impact the levels of service of County services and facilities;

The Traffic Report by LSC Transportation Consultants Inc. demonstrates that the development will not materially impact existing levels of service on surrounding County Roads. The reports relating to water supply, wastewater treatment and drainage demonstrate that there will be no negative impact on the levels of service of County services and facilities

10. Necessary services, including police and protection, recreation, utilities, open space and transportation system, are or will be available to serve the proposed subdivision;

There are numerous utilities and utility easements that cross this site and a number of these are to be relocated to facilitate the development project, as depicted on the accompanying utility plans. Water and sanitary sewer service is to be provided by Woodmoor Water and Sanitation District and Mountain View Electric Association Inc. and Black Hills Energy will provide electric and natural gas services to the subdivision respectively. The required Will Serve letters are included with the submittal.

11. The subdivision provides evidence to show that the proposed methods for fire protection comply with Chapter 6 of this Code; and

The site lies within the Tri-Lakes Monument Fire Protection District. A will serve letter from the FPD and a Fire Protection Report are included with the submittal.

12. The proposed subdivision meets other applicable sections of Chapter 6 and 8 of this Code.

The proposed subdivision meets the applicable sections of these parts of the Code.

Final Plat

A Final Plat is submitted for 28 lots and 5 tracts, two of which are for private streets. The Final Plat accords with the approval criteria set forth in Section 7.2.1.D.3.f of the LDC, which are broadly the same as those for the Preliminary Plan referenced above. The additional criteria are that the Final Plat should be consistent with the Preliminary Plan, which it clearly is, and that any off-site impacts are addressed in a Subdivision Improvement Agreement (SIA). The SIA and CC&Rs will be submitted prior to the recording of the Final Plat.

ACCOMPANYING REPORTS:

The following Reports are submitted to support this application:

Geotechnical Report by CTL Thompson Inc.

Traffic Report by LSC Transportation Consultants Inc.

Final Drainage Report by Kiowa Engineering Corporation

Water Resources and Wastewater Treatment Report by Kiowa Engineering Corporation

Environmental Report by ECOS Ecosystems Services LLC

APPENDIX A:
NORTH BAY AT LAKE WOODMOOR: JUSTIFICATION FOR PROPOSED DEVIATIONS

Chapter 4.2.6.F.2.g of the Land Development Code (LDC) allows for a PUD modification of a general development standard in the LDC or criteria of the Engineering Criteria Manual (ECM), provided at least one of the benefits identified in Chapter 4.2.6.F.2.h are met. Section 5.8 of the ECM establishes an additional mechanism whereby an engineering design standard can be modified provided the limits of consideration in ECM Section 5.8.6 are met and the modifications meets the criteria for approval in ECM Section 5.8.7.

The following deviations to the ECM are requested for the North Bay Development (numbers correspond to PUD modification table on the PUD cover sheet and in the Letter of Intent).

#3 - Typical Urban Local (Low Volume) Cross-section

Nature of Request:

Section of ECM from which Deviation Is Sought: 2.2.4.B.7

Specific Criteria from which a Deviation Is Sought: Figure 2-17, and ECM Table 2-7, Typical Urban Local (Low Volume) Cross-section.

Proposed Nature and Extent of Deviation: 21'-8" paved width with 10'10" lanes where 24' paved width with 12' lanes required.

ECM Section 5.8.6: Limits of Consideration:

The ECM Administrator may only consider a project-specific deviation to an existing standard when **one** of the following conditions is met:

- The ECM standard is inapplicable to a particular situation.
The ECM standard is too restrictive to allow for reasonable development of the site.
- Topography, right-of-way, or other geographical conditions or impediments impose an undue economic 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.
Due to the site topographical constraints and goal of retaining natural features and open space for the project site.
- 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.
A relaxation of the ECM requirement is needed in order to develop the site. The private roads act much like a private parking lot and the slightly reduced lane widths should not cause undue impact.

ECM Section 5.8.7: Criteria for Approval

No deviation shall be approved unless it is demonstrated that:

- The request for a deviation is not based exclusively on financial considerations;
The request is to preserve natural features and open space on the site.
- The deviation will achieve the intended result with a comparable or superior design and quality of improvement;

The request will allow for a design that provides the intended result of preserving natural features and open space on the site.

- The deviation will not adversely affect safety or operations;
The slight reduction in lane width will not adversely affect safety operations. The road narrowing and light through traffic will result in lower speeds, helping with pedestrian safety. Tri-Lakes Monument Fire Department is aware of the roadway widths and has approved the layout.
- The deviation will not adversely affect maintenance and its associated cost; and
While private snow removal may be affected by the request, the overall maintenance costs should not be impacted. The proposed roads within the development are private and will not be maintained by the County the deviation for intersection spacing would not adversely affect maintenance as the proposed streets would be private and will not be maintained by the County.
- The deviation will not adversely affect aesthetic appearance.
The narrower street cross-section will have a smaller footprint that will retain more natural features and open space for the development. As a result, the request will not adversely impact aesthetic appearance.

#4 - Minimum Centerline Radius

Nature of Request:

Section of ECM from which Deviation Is Sought: ECM Section 2.3, Table 2-7

Specific Criteria from which a Deviation Is Sought: Typical Urban Local (Low Volume) Centerline Curve Radius

Proposed Nature and Extent of Deviation: Allow 40' radius where 100' is required.

ECM Section 5.8.6: Limits of Consideration:

The ECM Administrator may only consider a project-specific deviation to an existing standard when **one** of the following conditions is met:

- The ECM standard is inapplicable to a particular situation.
The ECM standard is too restrictive to allow for the site layout and provide adequate space for buildings and floodway.
- Topography, right-of-way, or other geographical conditions or impediments impose an undue economic 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.
Due to the existing site constraints, right-of-way of Deer Creek Road, drainage, and The Cove development a reduction in curve radius is necessary to develop the site.
- 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.
A relaxation of the ECM requirement is needed in order to develop the site. The private roads act much like a private parking lot and the reduced curve radii will tend to reduce speeds on the roadway. Utilities are unaffected by the reduced curve radii.

ECM Section 5.8.7: Criteria for Approval

No deviation shall be approved unless it is demonstrated that:

- The request for a deviation is not based exclusively on financial considerations;
The request is necessary to allow the buildings, roadways, utilities, and drainageway to be laid out in the site given the site constraints.
- The deviation will achieve the intended result with a comparable or superior design and quality of improvement;
The deviation will allow for the design to provide a layout that accommodates the proposed buildings, utilities, and drainageway.
- The deviation will not adversely affect safety or operations;
The deviation will not adversely affect safety or operations due to the location of the curves being close to both ends of the roadway where speeds tend to be lower.
- The deviation will not adversely affect maintenance and its associated cost; and
Redbridge Point is a private road that will not be maintained by the County.
- The deviation will not adversely affect aesthetic appearance.
The narrower street cross-section with tighter centerline radius will have a smaller footprint that will retain the natural features and open space for the development. As a result, the requested deviation will not adversely impact aesthetic appearance.

#5 - Vertical Curve

Nature of Request:

Section of ECM from which Deviation Is Sought: 2.3.4.A.2, Figure 2-31.

Specific Criteria from which a Deviation Is Sought: Sag and crest vertical curve requirements on Redbridge Point.

Proposed Nature and Extent of Deviation: Proposed use of sag curve k-value of just over 8 and crest curve k-value of just over 3 at the southwest end of Redbridge Point where it ties into The Cove's existing access and parking.

ECM Section 5.8.6: Limits of Consideration:

The ECM Administrator may only consider a project-specific deviation to an existing standard when **one** of the following conditions is met:

- The ECM standard is inapplicable to a particular situation.
The ECM Standard does not take into account reduction in speed due to the T-intersection.
- Topography, right-of-way, or other geographical conditions or impediments impose an undue economic 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.
The location of the proposed tie-in to The Cove's existing parking and access is a site constraint that will reduce speed ad lessen the necessary sight distance.
- 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.
A reduction of the required k-values for the vertical curves are appropriate for the physical layout of the roadway connection.

ECM Section 5.8.7: Criteria for Approval

No deviation shall be approved unless it is demonstrated that:

- The request for a deviation is not based exclusively on financial considerations;
The request is based upon the existing site conditions and the location of the proposed roadway connection.
- The deviation will achieve the intended result with a comparable or superior design and quality of improvement;
The request will allow for adequate sight distance given the given the location of the vertical curve to the T-intersection of the roadway.
- The deviation will not adversely affect safety or operations;
The request will not adversely impact safety as the roadway speeds are reduced due to the location of the T-intersection.
- The deviation will not adversely affect maintenance and its associated cost; and
Redbridge Point is a private road that will not be maintained by the County.
- The deviation will not adversely affect aesthetic appearance.
The overall appearance of the private road will be unchanged and the shorter vertical curve lengths a will not be noticeable enough to adversely impact aesthetic appearance. A longer street to meet criteria would increase the amount of pavement required, thereby retaining less natural features and open space for the development.

#6 - Roadway Terminations

Nature of Request:

Section of ECM from which Deviation Is Sought: 2.3.8

Specific Criteria from which a Deviation Is Sought: Roadway termination – urban cul-de-sac.

Proposed Nature and Extent of Deviation: Use of hammerhead as roadway termination.

ECM Section 5.8.6: Limits of Consideration:

The ECM Administrator may only consider a project-specific deviation to an existing standard when **one** of the following conditions is met:

- The ECM standard is inapplicable to a particular situation.
The ECM Standard will impact the natural features of the site if required to construct a cul-de-sac. A goal of the project is to retain natural features and open space.
- Topography, right-of-way, or other geographical conditions or impediments impose an undue economic 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.
Construction of a cul-de-sac at the end of Shoreditch Heights will impact the natural features on the site to the east.
- 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.

Allowing a hammerhead turnaround in this location provides the proper emergency turnaround and doesn't impact the natural features of the site. Tri-Lakes Monument Fire Department has approved the hammerhead turnaround for emergency access

ECM Section 5.8.7: Criteria for Approval

No deviation shall be approved unless it is demonstrated that:

- The request for a deviation is not based exclusively on financial considerations;
The request is to help preserve natural features east of Shoreditch Heights as the turnaround is formed naturally by the private roads allowing less impact to the site.
- The deviation will achieve the intended result with a comparable or superior design and quality of improvement;
The hammerhead turnaround will provide a comparable roadway termination and has been approved by Tri-Lakes monument Fire Department.
- The deviation will not adversely affect safety or operations;
The hammerhead turnaround has been approved by Tri-Lakes monument Fire Department for emergency access.
- The deviation will not adversely affect maintenance and its associated cost; and
Shoreditch Heights is a private road that will not be maintained by the County.
- The deviation will not adversely affect aesthetic appearance.
The narrower street cross-section and hammerhead turnaround layout will have a smaller footprint that will retain more features and open space for the development. As a result, the request will not adversely impact aesthetic appearance.

#7 - Intersection Spacing

Nature of Request:

Section of ECM from which Deviation Is Sought: 2.2.5.E

Specific Criteria from which a Deviation Is Sought: Intersection spacing along a Rural Local roadway.

Proposed Nature and Extent of Deviation: Allow access intersection spacing of 266 feet (east of the Burning Creek Way (proposed)/Redbridge Point intersection to Shoreditch Heights (proposed) along Deer Creek Road. Additionally, allow access intersection spacing of 236 feet between Shoreditch Heights (proposed) and Burnt Leaf Way along Deer Creek Road.

ECM Section 5.8.6: Limits of Consideration:

The ECM Administrator may only consider a project-specific deviation to an existing standard when **one** of the following conditions is met:

- The ECM standard is inapplicable to a particular situation.
N/A
- Topography, right-of-way, or other geographical conditions or impediments impose an undue economic 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.

The deviation is requested to provide access to the east portion of the site via Shoreditch Heights. The east section of the property lies within the 100-year FEMA floodplain and floodway, which constrains the access location.

- 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.

N/A

ECM Section 5.8.7: Criteria for Approval

No deviation shall be approved unless it is demonstrated that:

- The request for a deviation is not based exclusively on financial considerations;
The request is based on the need to place the east site access (Shoreditch Heights) as far east as possible from the intersection of Redbridge Point at Deer Creek Road while avoiding the FEMA 100-year floodplain and floodway
- The deviation will achieve the intended result with a comparable or superior design and quality of improvement;
The deviation would also allow for a second access to serve the eastern portion of the site. The possible location of this second access is constrained by the FEMA 100-year floodplain and floodway.
- The deviation will not adversely affect safety or operations;
The proposed spacing will be sufficient and will not adversely affect safety or operations. The proposed spacing will not interfere with existing or proposed auxiliary turn lanes because there are currently none and none are proposed. Also, the stopping sight distance between the access point intersections meets ECM standards.
- The deviation will not adversely affect maintenance and its associated cost; and
The deviation for intersection spacing would not adversely affect maintenance as the proposed streets would be private and will not be maintained by the County.
- The deviation will not adversely affect aesthetic appearance.
The deviation would not adversely affect aesthetics. The spacing proposed is comparable to the Local street standard with respect to the overall roadway streetscape/appearance – IE the spacing is sufficient such that the roadway will not look “cluttered” with a series of very closely spaced driveways/access points.