

Deviation Request:

1) INTERSECTION SPACING

Chapter 8.4.4 (C)(E1)(E4) 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 meet the criteria for approval in ECM Section 5.8.7.

Nature of Request:

Section of LDC/ECM from which modification is sought:

Section 2.2.5 (E)

Specific Criteria from which modification is sought:

Road Access Criteria: roads shall not intersect urban local roadways closer than 175' from each other (centerline to centerline).

Proposed nature and extent of modification:

To permit urban local roadways and a collector roadway to intersect centerline to centerline closer than 175'.

LDC Chapter 4.2.6.F.2.H: Modification of Existing LDC or ECM Standard.

For approval of a modification of a general development standard in the LDC or criteria or standard of

the ECM, the BoCC shall find that the proposal provides for **at least one** of the following benefits:

- Preservation of natural features;
N/A.
- Provision of a more livable environment, such as the installment of street furniture, decorative street lighting or decorative paving materials;
N/A
- Provision of a more efficient pedestrian system;
N/A
- Provision of additional open space;
The Skyline at Lorson Ranch is proposing 3.71 acres of open space, landscape area, and pocket parks totaling 23.5% of the site acreage. This is more than double the requirement set forth in the EPCLDC, at which 1.58 acres or 10% of the total site area of open space is required within the PUD zoning district.
- *Provision of other public amenities not otherwise required by the Code; or*
N/A.
- The proposed modification is granted in exchange for the open space and/or amenity designs provided in the PUD development plan and/or development guide.
- *The Skyline at Lorson Ranch is proposing 3.71 acres of open space, landscape area, and pocket parks totaling 23.5% of the site acreage. This is more than double the requirement set forth in the EPCLDC, at which 1.58 acres or 10% of the total site area of open space is required within the PUD zoning district. The project also incorporates increased landscape setbacks along Grayling Drive.*

ECM Section 5.8.6: Limits of Consideration:

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

- The ECM standard is inapplicable to a particular situation.
The 175' intersection spacing requirement was created when single-family residential lots were larger in nature based on market demand at that time. In recent years market demand has shifted towards smaller lots with more common open space. The 175' spacing requirement did not consider these smaller lots. Applying this standard would prevent the use of the small lots illustrated with this PUDSP.
- 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.
N/A.
- 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.
The proposed waiver to the standard is not a result of an undue hardship but rather a desire by the owner/ developer to provide smaller lot sizes to meet current housing market demands. This recent shift in market demand towards smaller lots with more common open space results in intersections spaced less than the required 175'. The 175' spacing requirement did not consider these smaller lots. Applying this standard would prevent the use of the small lots illustrated with this PUDSP.

ECM Section 5.8.7: Criteria for Approval

No modification shall be approved unless it is demonstrated that:

- The request for a modification is not based exclusively on financial considerations;
There is no financial consideration to this modification request. It is based on design considerations.
- The modification will achieve the intended result with a comparable or superior design and quality of improvement;
The design as proposed is superior to the standard in that it adds another housing style to the community creating a mixed-residential development.
- The modification will not adversely affect safety or operations;
The modification to permit roadway intersections less than 175' will not adversely affect safety or operations as these intersections are not designed as through streets limiting traffic to residents. The intersection spacing as shown at the intersections of Garganey Lane & Grayling Drive and Woodrat Way & Grayling Drive is 160' centerline to centerline. This includes increased landscape setbacks along Grayling Drive.
- The modification will not adversely affect maintenance and its associated cost; and
The modification to the intersection spacing requirements will not adversely affect maintenance or cost. All public roads will be designed and built to EPC Standards to be owned and maintained by El Paso County.
- The modification will not adversely affect aesthetic appearance.
N/A.

2) PEDESTRIAN RAMPS AT 4-WAY INTERSECTIONS

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 meet the criteria for approval in ECM Section 5.8.7.

Nature of Request:

Section of LDC/ECM from which modification is sought:

ECM Section 2.5.2.(C2)

Specific Criteria from which modification is sought:

Pedestrian ramps at 4-way intersections.

Proposed nature and extent of modification:

Allow only two pedestrian ramps to be constructed at the T-intersection of Garganey Lane and Sora Street; allow only six pedestrian ramps to be constructed at Sora Street and Woodrat Way; and allow only three pedestrian ramps to be constructed at the T-intersection of Sora Street and Woodrat Way.

LDC Chapter 4.2.6.F.2.H: Modification of Existing LDC or ECM Standard.

For approval of a modification of a general development standard in the LDC or criteria or standard of the ECM, the BoCC shall find that the proposal provides for **at least one** of the following benefits:

- Preservation of natural features;
N/A.
- Provision of a more livable environment, such as the installment of street furniture, decorative street lighting or decorative paving materials;
N/A.
- Provision of a more efficient pedestrian system;
All three of the intersections are in proximity of another intersection with all ramps installed as required. Installation of all corner ramps at these three intersections is not feasible as the grading cannot meet ADA requirements along the ADA curb returns. However, the intersections are providing multiple access points and does not limit pedestrian movements.
- Provision of additional open space;
N/A
- Provision of other public amenities not otherwise required by the Code; or
N/A.
- The proposed modification is granted in exchange for the open space and/or amenity designs provided in the PUD development plan and/or development guide.
Sufficient open space and pocket park areas are being provided for throughout the development.

ECM Section 5.8.6: Limits of Consideration:

The ECM Administrator may only consider a project-specific modification 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 three intersections are in close proximity of other intersections with all the required ramps constructed. Installation of all corner ramps at these three intersections is not feasible as the grading cannot meet ADA requirements along the ADA curb returns. However, the intersections are providing different access points and does not limit pedestrian movements.

- 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.

The standard does not impose any particular hardship on the applicant. However, it will be more beneficial to pedestrian continuity and public safety due to grading concerns and inability to meet ADA requirements.

ECM Section 5.8.7: Criteria for Approval

No modification shall be approved unless it is demonstrated that:

- The request for a modification is not based exclusively on financial considerations;
There is no financial consideration to this modification request.
- The modification will achieve the intended result with a comparable or superior design and quality of improvement;
Elimination of ramps at each of the intersections will not impede pedestrian movements and will result in safer pedestrian crossing due to inability to meet ADA slope requirements.
- The modification will not adversely affect safety or operations;
Pedestrian crossings will be safer and will not impact pedestrian movements.
- The modification will not adversely affect maintenance and its associated cost; and
Maintaining fewer pedestrian ramps will be less expensive.
- The modification will not adversely affect aesthetic appearance.
Fewer pedestrian ramps will not visually affect the intersection's appearance nor prevent adequate, safe pedestrian movements.