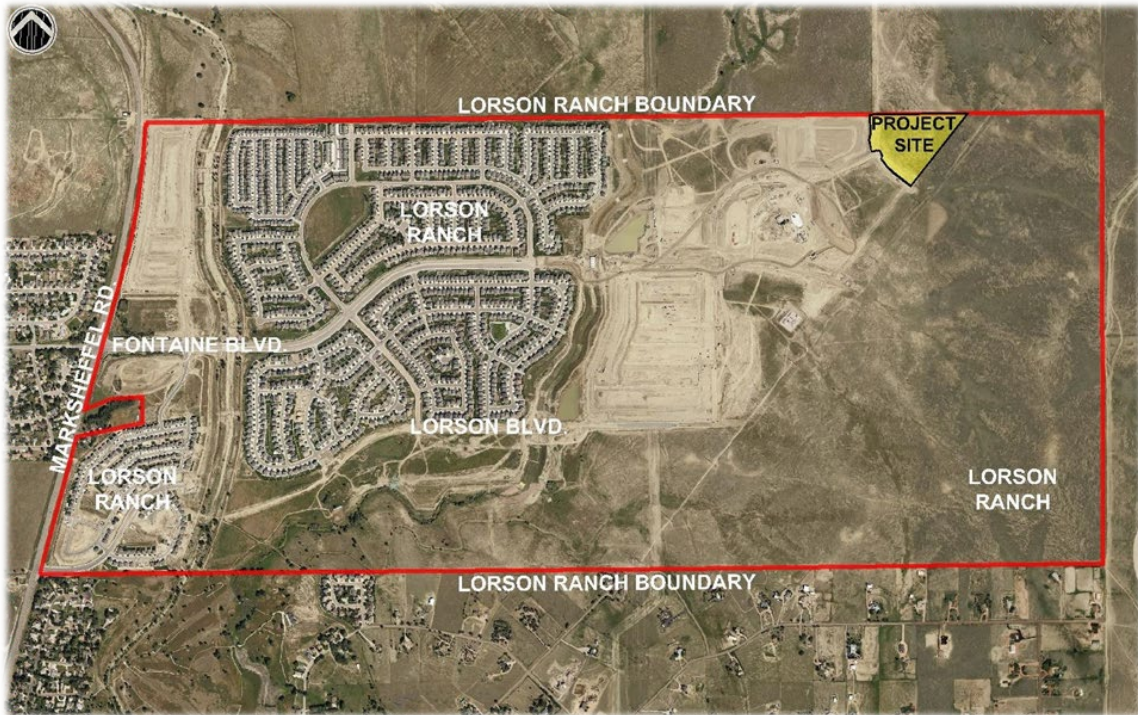


**SKYLINE AT LORSON RANCH
LETTER OF INTENT
Planned Unit Development, Preliminary Plan, Early Grading, Roadways
& Wet Utilities**

January 18, 2021



PREPARED FOR:

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PREPARED BY:

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Please verify the schedule numbers and owners. These should be the same on the application, PUD Plan and LOI etc....

Site Location, Size, Zoning:

Matrix Design Group, on behalf of the owner and future developer, is respectfully submitting development applications for Skyline at Lorson Ranch to include a combined PUD Development Plan/ Preliminary Plan, request for early grading, and request for early construction of utility mains. The site is 15.764 acres with 85 single family detached residential lots located within the north eastern portion of Lorson Ranch and is a continuation of the Lorson Ranch development. The site is currently zoned RLM (Residential Low/ Medium 4-6 DU/ Acre) as illustrated on the Lorson Ranch Minor Sketch Plan Amendment (SKP-15-001) approved April 21, 2016. The proposed PUDSP application submittal includes 85 new single family lots on 15.764 acres for a density of 5.39 DU/ Acre.

is zoned PUD with a density cap of 4-6 units in this area. The SKP depicts the RLM.....

whats the existing density for PUDs approved at adjacent to the west, south etc

The site is bordered by existing construction for Lorson Ranch East Phase 3 to the west, vacant Lorson Ranch property to the south (future project known as the The Hills at Lorson Ranch), and an existing 325' wide overhead electric power line easement to the east. The proposed development site is additionally bordered by vacant PUD zoned property to the north. The parcel that makes up this submittal is vacant with no existing buildings, structures or facilities. The site contains no natural drainage ways or significant natural features.

whats the vacant adjacent density proposed capped at?

Request & Justification:

The purpose of this application is to request approval of a combined PUD Development and Preliminary Plan (PUDSP); a Pre-Development Early Grading Request; installation of wet utility;

Mention Banning Lewis Ranch / Colorado Springs bordering the northwest corner?

request for administrative review of future final plats; and request for findings of water sufficiency as part of this PUDSP submittal. The necessary public rights-of-way for any public roadways will be provided for review and approved for use with the final plat for Skyline at Lorson Ranch. The PUD Development and Preliminary Plan shows the general concept for the design of the single-family detached residential community and open spaces, as well as identify the development standards for the proposed residential product types. The plan describes the lot sizes, transportation systems, public rights-of-way, and easements necessary for the development. The site is quite small and grading operations are expected to be minimal, therefore the request for early grading will permit grading operations to begin upon approval of the PUD/ Preliminary Plan and prior to recording the Final Plat. This will allow greater flexibility for the minimal grading effort as well as maximizing the efficiency of heavy equipment mobilized within the overall Lorson Ranch project. Early installation of wet utilities is also being requested for the main trunk lines within residential roadways since these roadways are essential to the sequencing of future lot construction.

The proposed PUDSP illustrates 85 new detached single-family residential units on 15.764 acres for a density of 5.39 DU/ Acre. The PUDSP also indicates 3.75 acres of open space and landscape area; 0.706 acres of existing pump station easement which will be platted and dedication to the Widefield Water and Sanitation District; and 3.58 acres of new public streets right-of -way. The site layout incorporates a mix of lot depths but generally 35' x 85' (2,975 SF) minimum. This lot size incorporates a single car garage product recently included with previous Lorson Ranch development further increasing affordable housing options within the community. All streets shall be public, permitting on-street parking, with corner lots for all unit types designed with additional corner lot width to accommodate sight distance and sidewalk requirements. In addition to the on-street parking, each lot will provide a full-length driveway for off-street parking. There shall be no direct access to any arterial or collector streets. Fontaine Blvd. as well as Lorson Blvd. are designed to handle existing and proposed traffic expected to be developed within the Lorson Ranch community. A traffic impact analysis was completed and is included with this submittal.

The community is designed to provide for functioning automobile and pedestrian circulation, taking advantage of surrounding land uses. Within the overall Lorson Ranch development, open space and community connections are planned providing access to open space corridors such as Jimmy Camp Creek to the west, a pocket park and the adjoining neighborhoods. This is achieved through planned trails through open space tracts, internal sidewalks, and the existing utility/ powerline easement. The Skyline at Lorson Ranch will be completed in one phase due to utility infrastructure needs. Roadways, utilities, drainage, and necessary improvements will be constructed in the most optimal and efficient manner in order to facilitate development construction and sequencing.

As with previous Lorson Ranch developments, Lorson Ranch East will be developed and advanced per the Sixth Amended Development Agreement Lorson Ranch. The 6th Amended Development agreement outlines updated access, road impact fees, and future road ROW's issues with previous agreements remaining in effect.

I recommend you delete this paragraph- It creates many questions and opens up a can of explaining to be had.



water master plan,
North of Fontaine is
HWY 94 Small Area
Plan

Identify the approval criteria bullet points and highlight why the plan meets them..

El Paso County PUD Section 4.2.6(D) Approval Criteria, 1998 El Paso County Policy Plan, and El Paso County Preliminary Plan Section 7.2.1(D)-2E Approval Criteria:

The purpose of the PUD is to provide the information necessary to rezone a property to the PUD Zoning district and to provide a graphical representation to serve as the zoning of the property after approval. The PUDSP sets forth the stated purpose of the PUD Zoning and Preliminary Plan Criteria through illustrated detailed use design, dimensional and development standards, utility connections, landscaping and other important site improvements.

The 1998 El Paso County Policy Plan establishes broad goals and policies intended to serve as a framework for land use applications and development in the County. The County Wide Policy Plan ties the specific small area plans, and other Master Plan elements such as the Water Master Plan, Master Plan for Mineral Extraction, El Paso County Department of Parks and Leisure Services Master Plan and the Major Transportation Corridors Plan together. The Policy Plan provides general direction in terms of water use, density, buffers, transitions, and infrastructure where no small area plan exists. Skyline at Lorson Ranch PUDSP meets the requirements of these planning tools as outlined in more detail within the sections below.

The Lorson Ranch Minor Sketch Plan Amendment approved April 21, 2016 (SKP-15-001) illustrates the proposed PUDSP area as RLM (Residential Low/ Medium) with a permitted density of 4-6 DU/ Acre. The PUDSP submitted with this application remains consistent with the approved Sketch Plan Amendment by maintaining the approved residential zoning designation and approved densities of 85 new single family lots on 15.764 acres for a density of 5.39 DU/ Acre.

The proposed property is suitable for the intended use and the use is compatible with both the existing and allowed land uses on the neighboring properties to the east, west and south consisting of single family residential or open space. The new development will be in harmony with the existing surrounding character of the area and natural environment using varying residential densities, perimeter buffering and provisions for both natural and built open space. There are no areas of significant historical, cultural or recreational features found on site.

The project has been designed to not be detrimental to the health, safety, or welfare of the present or future inhabitants by meeting the submittal guidelines as illustrated in the zoning code and application packet.

The proposed PUDSP will not have a negative impact upon the existing and future development of the area, but rather continue with the planned sequencing of phasing and development. This design approach supports *Policy 6.1.1: Allow for a balance of mutually supporting interdependent land uses, including employment, housing and services in the more urban and urbanizing areas of the County* and *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.*

The proposed single family residential use will not overburden the capacities of existing or planned roads, utilities or other public features, drainage, police protection, emergency services, and water/ wastewater services as these services have been planned for in advance and are adequately sized to meet the demands of this phase and other future phases. A



sufficient water supply has been acquired from the Widefield Water & Sanitation District and can provide the water necessary for the proposed 85 units. In addition, a wastewater system has been established and can adequately serve the proposed units. Please refer to the water and wastewater reports for more information.

By providing open space areas and extending existing utility services already approved and in place, Skyline at Lorson Ranch supports *Policy 6.1.5: Support the development of well-planned mixed-use projects* and *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.*

A "Geology and Soils Report, Skyline at Lorson Ranch, El Paso County, Colorado" (RMG-Rocky Mountain Group, January 15, 2021) is included with the submittal package. As part of this report, 6 exploratory test borings were completed. Geologic hazards (as described in section 8.0 of the report) were not found to be present at this site. Potential geologic constraints (also as described in section 8.0 of the report) were found on site to include: expansive soils, bedrock, and radon. Where avoidance is not readily achievable, the existing geologic and engineering conditions can be satisfactorily mitigated through proper engineering, design, and construction practices.

2003 Highway 94 Comprehensive Plan

Per the Highway 94 Comprehensive Plan Map 8.1, the Skyline at Lorson Ranch is within Sub-Area 4 of the 2003 Highway 94 Comprehensive Plan.

Sub-Area 4 is characterized as the Colorado Centre and calls for higher intensity land uses that will blend with the existing Colorado Springs character. This proposal meets several of the Highway 94 plan's goals, including:

-Goal 1. Guide growth in a manner that respects the emerging needs of the community....:

Lorson Ranch provides valuable and affordable housing to the Fountain Valley area. Lorson Ranch also provides housing along existing major transportation corridors such as Marksheffel Rd.

-Goal 2. Achieve a desirable and efficient use of the land while enhancing the physical environment through functional and compatible land use configurations:

This site was previously approved for residential uses and this PUDSP continues the existing pattern of residential development.

-Objective 2.2: Ensure that the nature and intensity of proposed development are consistent with the Land Use Map and Sub-Area scenarios:

-Goal 3. Ensure that residential development is appropriate for the Planning Area:

Skyline at Lorson Ranch continues the existing development pattern already approved, built, and thriving elsewhere in Lorson Ranch.

EL PASO COUNTY WATER MASTER PLAN:

Skyline at Lorson Ranch is located within the Widefield Water and Sanitation District's (WWSD) boundaries and will rely upon municipal services for water supply. These municipal services have been provided in previous Lorson Ranch filings and will be extended to this proposed development. There are no proposed wells or individual septic systems within Skyline at Lorson



Ranch. The WWSD has provided an intent to serve commitment letter for Skyline at Lorson Ranch. Skyline at Lorson Ranch will seek the Colorado State Engineer's sufficiency of water finding for both quantity and quality as part of this PUDSP permitting administrative review of future final plats.

Skyline at Lorson Ranch is located in Pressure Zone 6 (upper zone). WWSD has an existing 16" diameter potable water main in Grayling Drive and a Booster Station (Rolling Hills Booster Pump Station) located on the north side of Grayling Drive east of Lamprey Drive. In addition, a 12" water main is constructed from Lorson Ranch to an offsite water tank (Rolling Hills Tank) which will serve this development.

The WWSD has a regional lift station south of Lorson Ranch at Marksheffel Road and Mesa Ridge Parkway that will be used to provide wastewater gravity service to Lorson Ranch. Existing sanitary sewer has been stubbed out to this site from Lorson Ranch East and will provide gravity sewer service to the site.

The WWSD's has a current developed physical water supply of 5271 ac-ft of water per year and the three year average demand is 2615 ac-ft per year which is 49.6% of the existing physical supply. The WWSD collects and treats wastewater from users within its service area at the WWSD treatment plant located near Hwy 16 and Fountain Creek. The treatment plant has a current hydraulic capacity of 2.14 MGD. Currently, the plant is operating at a three year average loading of 1.67 MGD which is roughly 78% of capacity.

Water Demand calculations were completed based on the proposed zoning and densities. Water demand is 0.35 ac-ft/year for each single family lot. This subdivision also includes irrigation for landscaping (0.58acres) which has been estimated at 5 single family equivalents. The new water commitments are 31.50 ac-ft per year for the 85 lots and the landscaping (5sfe). Sewer loading calculations were completed based on the proposed zoning and densities. Sanitary loads of 205 Gal/Unit for single family residential lots can be expected. Based on the wastewater loading, the total wastewater load projected for this site is 0.017425 MGD for the 85 lots.

The Widefield Water and Sanitation District has an excess capacity in their existing water supply system to serve this subdivision. The WWSD has excess capacity at their existing wastewater treatment plant to treat an additional 0.47 MGD of wastewater effluent. The proposed development will only contribute an additional 0.0178 MGD of flow to the existing plant. The proposed development is within the limits of the District's ability to serve it both with water and wastewater collection.

In addition, Skyline at Lorson Ranch meets the stated Goals and Policies:

- Goal 1.2 – Integrate water and land use planning
- Goal 4.2 – Support the efficient use of water supplies
- Goal 6.1.2 – Promote water conservation

through integrated master planning of site planning, landscape and water resource best management practices. Water conservation is achieved through higher densities with smaller individual yards and more common open space. The common open space emphasizes water conservation using native turf seeds and limited high water sod.



Master Plan for Mineral Extraction:

The 1996 Master Plan for Mineral Extraction updates and supersedes the 1975 El Paso County Master Plan for Mineral Extraction of Commercial Mineral Deposits as amended in 1978 and 1982. This updated plan has two primary purposes, the first is to facilitate continued compliance with the mineral resource protection mandates outlined in the “Preservation of Commercial Mineral Deposits Act” of 1973 and the second is to provide guidance to the El Paso County Planning Commission and Board of County Commissioners in evaluating land use proposals involving new or expanded mining and mineral resource processing operations. Per the El Paso County Master Plan for Mineral Extraction Aggregate Resource Maps, this site is identified as ‘Valley Fill’ containing sand and gravel with silt and clay deposited by water in one or a series of stream valleys. The proposed project does not contain any mineral deposits of commercial value.

Total Number of Residential Units, Density, and Lot Sizes: 85 Single-Family Detached Residential Units for a density of 5.39 DU/ Acre. The site layout includes a minimum residential lot size: 35’ x 85’ (2,975 SF).

Total Number of Industrial or Commercial Sites:

There are no industrial or commercial sites proposed with this project.

Phasing Plan and Schedule of Development:

Skyline at Lorson Ranch will be developed as a single phase due to necessary utility commitments and infrastructure connections.

Areas of Required Landscaping:

The proposed PUDSP includes landscape design and streetscape planting requirements for the streetscapes along a portion of Grayling Drive well as for the proposed pocket park area. The landscape design includes a mix of deciduous and evergreen trees with varying ground plane treatments for passive and active play areas. There are no landscape waivers being requested at this time.

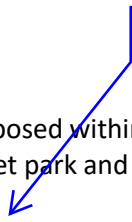
Approximate Acres and Percent of Land Set Aside for Open Space:

Per the EPCLDC, 1.58 acres or 10% of the total site area of open space is required within the PUD zoning district. The PUDSP proposes 3.75 acres of open space, landscape area, and pocket parks totaling 23.8% of the overall site acreage. The 3.75 acres of open space tracts includes open space and landscape area as illustrated on the landscape plans. The open space tracts may include elements such as landscaping, existing natural open space to remain, trails, pocket parks and pedestrian sidewalks. The total open space provided with this application is part of the cumulative open space of the overall Lorson Ranch development in accordance with the Lorson Ranch Sketch Plan Minor Amendment.

The owner/ developer will seek to enter into a Park Lands Agreement with the El Paso County Parks Department for application of urban park credits in relation to the development and construction of the proposed pocket park. Any Park Lands Agreement will be coordinated during the Final Plat process.

How much open space is the Electric easement? Break that out separately as Tract H powerline easement as previously done. ? How much is detention...

Types of Proposed Recreational Facilities:

While there are no major recreational facilities such as large playfields proposed within Skyline at Lorson Ranch, the project site is proposing a neighborhood pocket park and pedestrian connections to existing trail systems within Lorson Ranch East. 

Traffic Engineering:

Vehicular access and street layout shall be as illustrated on the PUDSP with all roadways to be public, built to El Paso County standards. The applicant requests that platted lots within Skyline at Lorson Ranch be included in the county wide Public Improvements District (PID 2) implemented as part of the Traffic Impact Fee resolution.

Skyline at Lorson Ranch includes the continuation of one collector roadway, the northward extension of Grayling Drive. Grayling Dr. is being shown as extending to the northern property line of Lorson Ranch for a future connection with adjacent parcels.

Proposed Services:

1. Water/ Wastewater: Widefield Water and Sanitation District
2. Gas: Black Hills Energy
3. Electric: Mountain View Electric
4. Fire: Security Fire Protection District
5. School: Widefield District #3
6. Roads: El Paso County Road and Bridge
7. Police Protection: El Paso County Sheriff's Department

Impacts associated with the PUD Development Plan & Preliminary Plan:

Floodplain: This site is not located within a designated FEMA floodplain as determined by the flood insurance map, community map number '08041C0976G' effective date December 7, 2018.

Site Geology: RMG has provided a Geology Soils Report with this submittal. This report has identified any potential Geologic Hazards on site related to development of the property along with proposed mitigation of the hazards. The development will incorporate the recommended mitigation during final design and construction on site.

Wetlands: There are no drainage areas, drainage ways or water courses found on site, as a result there are not wetlands present. All drainage and erosion criteria have been met following El Paso County Development Standards.

Air Pollution: By adhering to current air quality regulations, any air pollution emanating from the development will be negligible. The site has very little vegetation and contains mostly native turfgrass which may result in higher than normal amounts of dust during windy days. However, the proposed development will provide irrigated turf areas and native seeding to help alleviate the dust issues. Construction practices will adhere to El Paso County health department, as well as state department codes and regulations



Water Pollution: By adhering to current wastewater and stormwater regulations, any water pollution emanating from the development will be negligible. An erosion and sedimentation plan will be in place prior to construction.

Noise Pollution: Vehicular movement is expected to be the only major source of noise pollution emanating from the site after construction is complete. The proposed development is surrounded by similar land uses and the effects of noise generated from the site will have little or no impact on other surrounding areas.

Visual Assessment: The natural mountain backdrop of the Rampart Range is perhaps the best natural feature of Skyline at Lorson Ranch community with sweeping views in nearly all directions. The scenic view shed is impaired somewhat by intervening development; however, the panoramic views remain quite spectacular.

Vegetation, Wildlife Habitats and Migration Routes:

Proposed landscaping will include low-water use plant material, and where possible, the plant material will be native to the Colorado Springs region.

The Colorado Division of Wildlife note the following as also present in the area.

- Prairie Dog
- Mule and White Tailed Deer
- Pronghorn Antelope
- Fox species
- Coyote
- Rabbits
- Raptors
- Songbirds
- Numerous Small Mammals

Due to the construction activity and adjoining residential developments, it is not anticipated that the application will have significant impacts on wildlife in the area.

This is just a deviation - reference and provide a deviation request application.

PUDSP Modifications:

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.*

This is unrelated to the intersection spacing.

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.



This also is just a deviation request as the pedestrian ramps have nothing to do with the proposed open space.

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.