



Planning and Community  
Development Department  
2880 International Circle  
Colorado Springs, Colorado 80910  
Phone: 719.520.6300  
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## DEVIATION REQUEST AND DECISION FORM

Updated: 6/26/2019

### PROJECT INFORMATION

Project Name : Eagle Forest Subdivision  
Schedule No.(s) : 5208000071  
Legal Description : TRACT IN W2SE4 SEC 8-12-65 AS FOLS, BEG AT PT ON N-S C/L OF SEC 8 WHICH IS 30 FT N OF S4 COR THEREOF, TH NLY ALG SD C/L 1953.29 FT, ANG R 89<09'23" ELY 1299.85 FT, ANG R 90<43'17" SLY 1247.98 FT, TH S 89<22'33" W 622.03 FT, N 39<59'42" W 60.0 FT, S 50<00'18" W 132.81 FT, TH ALG ARC OF CUR TO L HAVING A RAD OF 330.0 FT A C/A OF 50>00'00" AN ARC LENGTH OF 287.98 FT, S 00<00'18" W 422.97 FT, TO PT 30.0 FT N OF S LN OF SEC 8, TH ANG R 89<22'15" WLY PARA TO S LN OF SD SEC 422.17 FT TO POB

### APPLICANT INFORMATION

Company : Eagle Forest Development, LLC  
Name : Kevin Bristow  
☒ Owner ☐ Consultant ☐ Contractor  
Mailing Address : 4920 Northpark Loop  
Colorado Springs, CO 80918  
  
Phone Number : 719-272-8044  
FAX Number : N/A  
Email Address : kevin@kevinbristow.com

### ENGINEER INFORMATION

Company : LSC Transportation Consultants, Inc.  
Name : Jeffrey C. Hodsdon  
Mailing Address : 2504 E. Pikes Peak Ave  
Suite 304  
Colorado Springs, CO 80909  
  
Phone Number : 719-633-2868  
FAX Number : 719-633-5430  
Email Address : jeff@LSCtrans.com

Colorado P.E. Number : 31684

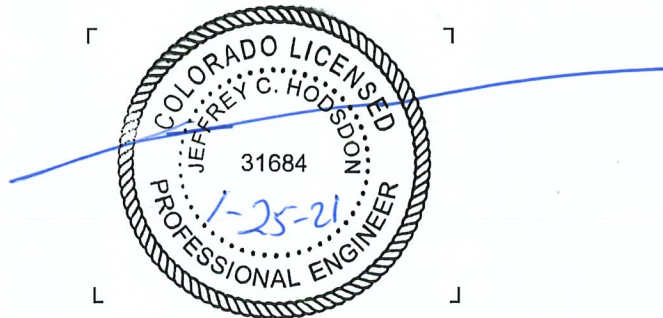
## OWNER, APPLICANT, AND ENGINEER DECLARATION

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.

\_\_\_\_\_  
Signature of owner (or authorized representative)

\_\_\_\_\_  
Date

\_\_\_\_\_  
Engineer's Seal, Signature  
And Date of Signature



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

Deviation #1: A deviation from the standards of or in Sections 2.3.8.A of the Engineering Criteria Manual (ECM) is requested. The request is to allow a proposed non-through road, Eagle Forest Drive, with a length of 2,542 feet. Please refer to Deviation Exhibit 1.

Identify the specific ECM standard which a deviation is requested:

### 2.3.8.A, Roadway Terminations - Cul-de-Sacs

Cul-de-sacs shall have a maximum length of 1,600 feet for rural condition. The request is to allow a non-through street, Eagle Forest Drive, with a length of approximately 2,500 feet. Please refer to Deviation Exhibit 1.

State the reason for the requested deviation:

- No adjacent or connecting public road ROW available, except for Shoup Road
- Limited frontage on Shoup Road
- Only one street connection to Shoup Road allowed per ECM intersection spacing criteria
- The internal subdivision road (Eagle Forest Drive) is shown curving (like a question mark) because of topography. A straight road would have a shorter length, but the grades would not work. The curved alignment results in additional length beyond what the length would be if it was a straight north-south road. Even with a straight north-south road, it would still exceed the 1,600 feet to reach those northern lots on the plan.

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

- The cul-de-sac termination on the east access (located 2,542 feet from Shoup Road) would exceed the ECM standard of 1,600 feet by 942 feet.
- The proposed cul-de-sac is shown in the attached exhibit Figure 2 (site plan).
- Eight additional lots from this subdivision, and potentially a new driveway from an adjoining property, would access this proposed cul-de-sac roadway (Eagle Forest Drive). One lot (the lot to be created for the existing home on the site) would have frontage along Shoup Road.
- El Paso County has approved a previous version of this project with the same road design in 2005 and 2012.
- Please refer to the attached letter from the fire district. It is our understanding that they have reviewed the plans and have agreed to serve. The only thing the district requested was the cistern for firefighting. Additionally, the applicant has indicated that the fire district reviewed the plans from the July 2020 submittal and did not object/comment.

## 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:

- No adjacent or connecting public road ROW available, except for Shoup Road;
- Limited frontage on Shoup Road;
- Only one street connection to Shoup Road allowed per ECM intersection spacing criteria;
- Eagle Forest Drive will be designed to ECM standards for a Rural Local road;
- Challenging topography on the north side of the property would require a curved alignment, resulting in additional length beyond what the length would be if Eagle Forest Drive was a straight north-south road. Even with a straight north-south road, Eagle Forest Drive would still exceed the 1,600 feet to reach those northern lots shown on the plan;
- Eight additional lots from this subdivision, and potentially a new driveway from an adjoining property, would access this proposed cul-de-sac roadway (Eagle Forest Drive). One lot (the lot to be created for the existing home on the site) would have frontage along Shoup Road, but the driveway would be relocated to Eagle Forest Drive. This would be below the 25 lots on a non-through street (LDC).
- As required by the County, a letter verifying that the local fire district supports the proposed cul-de-sac length is attached with this deviation.

## 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 proposed subdivision roadway will be built to county standards.
- The proposed number of dwelling units (10 units) on a non-through street would not exceed the limit (25 units) established by the Land Development Code. Therefore, a waiver would not be necessary.

The deviation will not adversely affect safety or operations.

- The projected ADT of 94 vehicles per day (vpd) would be relatively low and significantly lower than the design ADT for a Rural Local road (750 vpd).
- Please refer to the attached letter from the fire district. It is our understanding that they have reviewed the plans and have agreed to serve. The only thing the district requested was the cistern for firefighting. Additionally, the applicant has indicated that the fire district reviewed the plans from the July 2020 submittal and did not object/comment.

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

- The deviation will not adversely affect maintenance cost, as Eagle Forest Drive will be built to County Rural Local roadway standards and a County-standard cul-de-sac "bulb" will be constructed at the terminus of the road (which will accommodate County maintenance vehicles and snow plows).

The deviation will not adversely affect aesthetic appearance.

- The roadway will be built to Rural Local roadway standards.
- The subdivision has been designed to work with the topography on the site, which will minimize the disturbance of natural features. Approval of the deviation will result in a more aesthetically appealing project, due to preservation of natural features.

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

- The intent can be met, given the relatively low traffic volume.
- The number of lots does not exceed the threshold number requiring a waiver of the Land Development Code.

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.

- The proposed deviation requests have no impact on control measure requirements specified by the County's MS4 Permit.
- Appropriate stormwater control measures will be implemented by the project in accordance with the approved Drainage Report and Drainage Plans.

**REVIEW AND RECOMMENDATION:**

**Approved by the ECM Administrator**

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

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**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.

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ECM ADMINISTRATOR COMMENTS/CONDITIONS:

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# Exhibit 1

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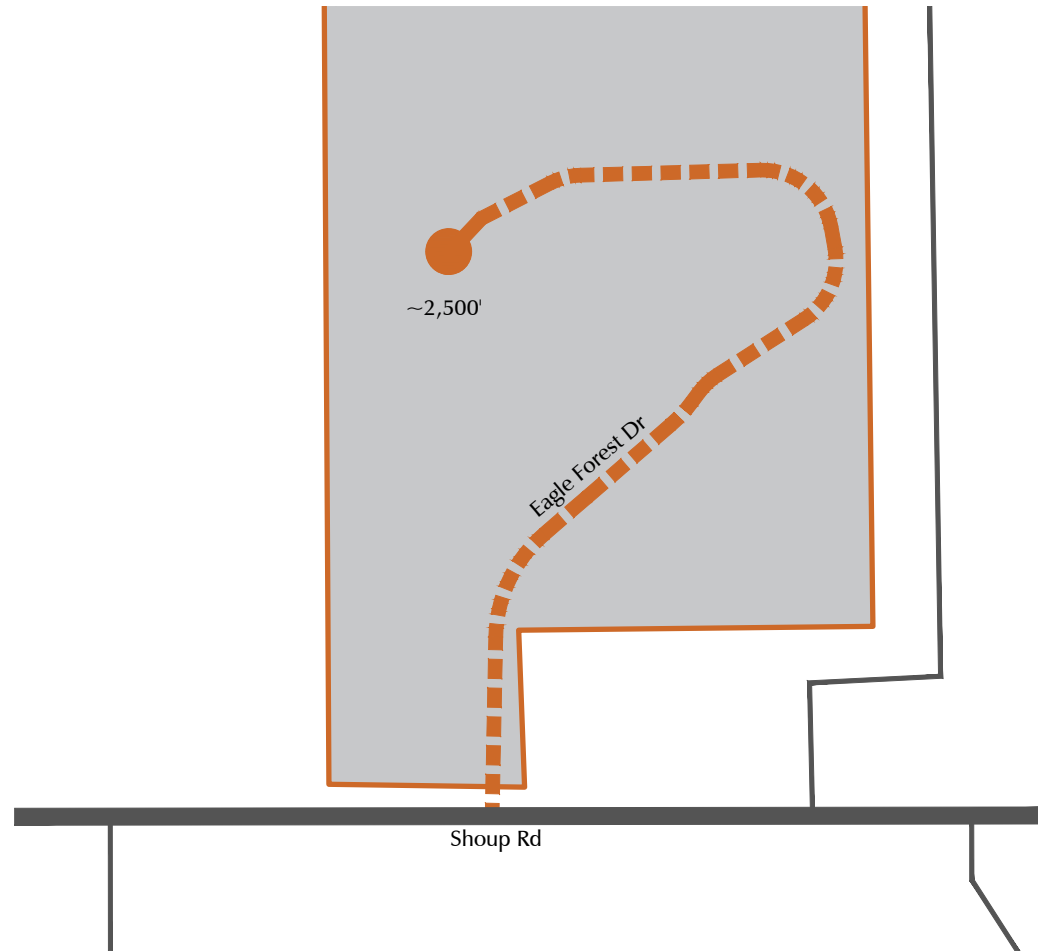
Deviation Request

2.3.8.A -- Roadway Terminations (Rural Cul-de-Sac)

-  Existing roadway
-  Proposed roadway
-  Site property boundary
-  Proposed length of non-through street  
xxx'



Not to Scale



# Fire District Letter

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**Black Forest Fire Rescue Protection District**  
11445 Teachout Road  
Colorado Springs, Colorado 80908  
Ph-719.495.4300  
Email- [firemarshal@bffire.org](mailto:firemarshal@bffire.org)  
Web- [www.bffire.org](http://www.bffire.org)

*"Always Ready, Always Forward, Always Learning."*

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**Office of the Fire Marshal**

**March 11, 2021**

Mr. Peter Patton  
Patton Associates, Inc.  
Eagle Forest Development

Mr. Patton,

Black Forest Fire Rescue approves the current submitted preliminary plans for the Eagle Forest Subdivision plat with the 30,000-gal cistern and turnout, with the second turnout we discussed on the phone located on the north end of the road with the same 10x30 ft dimensions indicated within the final plat submission. The second turnout will meet current code NFPA 1141 sec 5.2.17.3. and must follow current Land Development Code requirements. Black Forest Fire Rescue understands that the developer has agreed to construct the second turnout and we agree to them adding the second turnout to the project plans at the Final Plat stage.

Thank you for your cooperation in this project and as always, please contact me if any questions.

If any additional information is required, please contact the Fire Marshal at [firemarshal@bffire.org](mailto:firemarshal@bffire.org).

Respectfully,

James Rebitski  
Deputy Fire Chief