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**DEVIATION REQUEST
AND DECISION FORM**

Updated: 6/26/2019

PROJECT INFORMATION

Project Name : Estates at Rolling Hills Ranch Filing 1
 Schedule No.(s) : 4200000407 & 4219100002
 Legal Description : See attached

APPLICANT INFORMATION

Company : Tech Contractors
 Name : Tom Kerby
 Owner Consultant Contractor
 Mailing Address : 11886 Stapleton Drive
 Falcon, CO 80831
 Phone Number : 719.495.7444
 FAX Number : n/a
 Email Address : tom@meridianranch.com

ENGINEER INFORMATION

Company : Tech Contractors
 Name : Tom Kerby Colorado P.E. Number : 31429
 Mailing Address : 11886 Stapleton Dr
 Falcon, CO 80831
 Phone Number : 719.495.7444
 FAX Number : n/a
 Email Address : tom@meridianranch.com

OWNER, APPLICANT, AND ENGINEER DECLARATION

To the best of my knowledge, the information on this application and all additional or supplemental documentation is true, factual and complete. I am fully aware that any misrepresentation of any information on this application may be grounds for denial. I have familiarized myself with the rules, regulations and procedures with respect to preparing and filing this application. I also understand that an incorrect submittal will be cause to have the project removed from the agenda of the Planning Commission, Board of County Commissioners and/or Board of Adjustment or delay review until corrections are made, and that any approval of this application is based on the representations made in the application and may be revoked on any breach of representation or condition(s) of approval.

 Signature of owner (or authorized representative) Date

 Engineer's Seal, Signature
 And Date of Signature

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

A deviation from the standards of or in Section **2.3.2 Design Standards by Functional Classification, Table 2-6** of the Engineering Criteria Manual (ECM) is requested.

Identify the specific ECM standard which a deviation is requested:

Construct the portion of Rex Road to be located between Pyramid Peak Drive and Sunrise Ridge Drive as a Residential Urban Collector in lieu of the Urban Minor Arterial as identified in the current 2040 Major Transportation Corridor Plan.

State the reason for the requested deviation:

The portion of Rex Road between Pyramid Peak Drive and Sunrise Ridge Drive is flanked by two final plat anticipating a 60 foot right of way equal to that already platted west of Pyramid Peak Drive with Estates at Meridian Ranch Filing 2.

The roadway section west of Pyramid Peak Drive was constructed as a Residential Collector.

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

The proposed alternative matches the existing Rex Road roadway section west of Pyramid Peak Drive that is being extended with this project.

The proposed roadway section is an El Paso County standard section for Residential Collector roads.

The daily traffic volume per the Estates at Rolling Hills Ranch Filing 1 Traffic Impact Analysis prepared by LSC Traffic Consultants, LLC dated September 25, 2019 is estimated to be 7,470 which is below the threshold of 10,000 for Residential Collectors.

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:

The previously recorded final plats for Estates at Meridian Ranch Filing 2 and Meridian Ranch Filing 9 create a corridor of only 60' wide. This provides sufficient room for the Residential Collector. Any other alternative would require the acquisition of property for public and private entities in order to secure sufficient land to construct the Urban Minor Arterial.

The above mentioned Traffic Impact Analysis prepared by LSC Traffic Consultants indicates the long term traffic volume is estimated to be 7,470 vehicles per day well below the threshold for the roadway to be classified as a Residential Collector.

CRITERIA FOR APPROVAL

Per ECM section 5.8.7 the request for a deviation may be considered if the request is **not based exclusively on financial considerations**. The deviation must not be detrimental to public safety or surrounding property. The applicant must include supporting information demonstrating compliance with **all of the following criteria**:

The deviation will achieve the intended result with a comparable or superior design and quality of improvement.

The deviation will provides a comparable design in that the estimated ADTs for this section fall 25% below the threshold for a roadway section higher than the Residential Collector.

The deviation will not adversely affect safety or operations.

The Engineering Criteria Manual identifies 10,000 ADTs as the maximum volume of traffic that can be safely conveyed using the Residential Collector Street section. The projected traffic is sufficiently below that value as to not pose a safety hazard.

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

The proposed deviation will not adversely impact maintenance for this street section in that it will not receive traffic higher than normal for this type of roadway classification

The deviation will not adversely affect aesthetic appearance.

The deviation will not adversely affect the aesthetics of the area as it will match an already established street section.

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

The anticipated traffic volume and type match the characteristics expected for a Residential Collector as identified in the ECM.

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 is not different than any other proposed roadway within El Paso County matching all other requirements for similarly classified roads and meets all requirements associated with the MS4 permit.

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:

1.1. PURPOSE

The purpose of this resource is to provide a form for documenting the findings and decision by the ECM Administrator concerning a deviation request. The form is used to document the review and decision concerning a requested deviation. The request and decision concerning each deviation from a specific section of the ECM shall be recorded on a separate form.

1.2. BACKGROUND

A deviation is a critical aspect of the review process and needs to be documented to ensure that the deviations granted are applied to a specific development application in conformance with the criteria for approval and that the action is documented as such requests can point to potential needed revisions to the ECM.

1.3. APPLICABLE STATUTES AND REGULATIONS

Section 5.8 of the ECM establishes a mechanism whereby an engineering design standard can be modified when if strictly adhered to, would cause unnecessary hardship or unsafe design because of topographical or other conditions particular to the site, and that a departure may be made without destroying the intent of such provision.

1.4. APPLICABILITY

All provisions of the ECM are subject to deviation by the ECM Administrator provided that one of the following conditions is met:

- The ECM standard is inapplicable to a particular situation.
- Topography, right-of-way, or other geographical conditions or impediments impose an undue hardship on the applicant, and an equivalent alternative that can accomplish the same design objective is available and does not compromise public safety or accessibility.
- A change to a standard is required to address a specific design or construction problem, and if not modified, the standard will impose an undue hardship on the applicant with little or no material benefit to the public.

1.5. TECHNICAL GUIDANCE

The review shall ensure all criteria for approval are adequately considered and that justification for the deviation is properly documented.

1.6. LIMITS OF APPROVAL

Whether a request for deviation is approved as proposed or with conditions, the approval is for project-specific use and shall not constitute a precedent or general deviation from these Standards.

1.7. REVIEW FEES

A Deviation Review Fee shall be paid in full at the time of submission of a request for deviation. The fee for Deviation Review shall be as determined by resolution of the BoCC.