



Planning and Community
Development Department
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Colorado Springs, Colorado 80910
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**DEVIATION REQUEST
AND DECISION FORM IN
ASSOCIATION WITH A
REQUEST FOR A PUD
MODIFICATION FROM
THE ECM**

Updated: 6/26/2019

Pursuant to the El Paso County Land Development Code, the Board of County Commissioners may approve as part of the Planned Unit Development (PUD) approval a Modification to the Engineering Criteria Manual standards provided the Board can make the findings listed Section 4.2.6.F.2.h of the Land Development Code:

The proposal provides for the general health, safety, and welfare of the citizens and at least one of the following benefits:

- Preservation of natural features;
- Provision of a more livable environment, such as the installment of street furniture, decorative street lighting or decorative paving materials;
- Provision of a more efficient pedestrian system;
- Provision of additional open space;
- Provision of other public amenities not otherwise required by the Code; or
- 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 review and approval of this Deviation does not authorize construction of the requested improvements until and unless the Board of County Commissioners approves the Modifications in association with the Planned Unit Development request, the applicant has received approval of all associated engineering documents, the applicant has provided the necessary financial assurances, and a construction permit has been issued by the Planning and Community Development Department.

PROJECT INFORMATION

Project Name : Urban Landing Preliminary Plan

Schedule No.(s) : 71360-01-045

Legal Description : See attached

APPLICANT INFORMATION

Company : Elite Properties of America, Inc.

Name : Joe Loidolt

 Owner Consultant Contractor

Mailing Address : 2138 Flying Horse Club Dr.

Colorado Springs, CO 80921

Phone Number : 719-592-9333

FAX Number : 719-457-1442

Email Address : Joel@classichomes.com

ENGINEER INFORMATION

Company : Classic Consulting Engineers & Surveyors, LLC

Name : Marc A. Whorton, P.E.

Colorado P.E. Number : 37155

Mailing Address : 619 N. Cascade Ave. Suite 200

Colorado Springs, CO 80903

Phone Number : 719-785-2802

FAX Number : 719-785-0799

Email Address : Mwhorton@classicconsulting.net

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)_____
DateEngineer'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 **LDC 8.4.4 (E) (2)** of the Engineering Criteria Manual (ECM) is requested.

Identify the specific ECM standard which a deviation is requested:

Use of private roads shall be limited.

State the reason for the requested deviation:

The unique small lot urban residential community being proposed will be rear loaded from private roads similar to alleys. While the main community access is from a standard public local roadway (Spanish Bit Dr.), the use of the private roadways is limited to closed looped areas that will be signed as being private.

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

A standard county public local (low volume) roadway is contained within a 50' wide public right of way (with a 24' wide asphalt mat). The proposed private street section is contained within 30' wide private tract (owned and maintained by the HOA) and includes a 22' wide asphalt mat. Options for these residential homes include a two-car garage with limited or no driveway parking or just two parking stalls with no garage. The lack of on street parking is not a concern as there will be separate guest parking stalls provided.

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 unique community attributes include a high percentage of open space (27%+) that is the result of the private street use and rear garage access. The front doors of the applicable communities all face green belt open space corridors. The reduction in asphalt width has no impact on access or emergency vehicle maneuverability, as discussed with the local Fire District.

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 private streets provide individual lot access, including vehicular, pedestrian and ADA visit ability (where required).

The deviation will not adversely affect safety or operations.

Due to the HOA maintained access, no adverse safety or operations impacts are anticipated.

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

As maintenance of the proposed private roads will be by the HOA, no adverse maintenance or it's associated costs will be realized.

The deviation will not adversely affect aesthetic appearance.

The private roadway (accessing the garages) restricts in front facing homes along public streets and green belt corridors resulting in a better, less garage face, aesthetic appearance.

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

Providing individual lot access is still proposed with the proposed private streets.

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.

All impervious areas (public and private) are being treated in accordance with the County 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:

The Deviation is only valid until and unless the Board of County Commissioners approves the Planned Unit Development Modifications.

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.

Urban Landing

Legal Description:

A tract of land in the Northeast quarter of the Southwest quarter in Section 36 in Township 11 South in Range 67 West of the 6th P.M., El Paso County, Colorado described as follows:

Beginning at the Southwest corner of Lot 26, Chaparral Hills, as recorded in Plat Book T-2 at Page 2 in the records of El Paso County, Colorado, said point being on the South line of said Northeast quarter of the Southwest quarter; thence S 89 degrees 59 minutes 08 seconds W, on said south line, 880.00 feet to a point of intersection with the Northeasterly line of a tract described by deed to the Department of Highways, State of Colorado, recorded August 12, 1963 in Book 1969 at Page 746 under Reception No. 301954 of the records of El Paso County, Colorado; thence N 24 degrees 59 minutes 35 seconds W, on said Northeasterly line, 61.00 feet to a point of intersection with the Southeasterly line of Spanish Bit Drive as platted in said Chaparral Hills; thence along the said Southeasterly line of Spanish Bit Drive for the following five courses, N 65 degrees 00 minutes 25 seconds E, 166.60 feet to a point of curve; thence on a curve to the left, through a central angle of 29 degrees 52 minutes 41 seconds, having a radius of 530.00 feet, an arc distance of 276.38 feet; thence N 35 degrees 07 minutes 44 seconds E, 167.67 feet to a point of curve; thence on a curve to the right through a central angle of 14 degrees 19 minutes 10 seconds, having a radius of 470.00 feet; an arc distance of 117.46 feet; thence N 49 degrees 26 minutes 54 seconds E, 227.19 feet to the most Westerly corner of said Lot 26, Chaparral Hills; thence S 16 degrees 21 minutes 15 seconds E, 700.71 feet to the Point of Beginning, except that portion conveyed by Special Warranty Deed recorded January 2, 2007 at Reception No. 207000186, El Paso County, Colorado.

Containing 6.576 acres "net" (286,453 square feet), more or less.

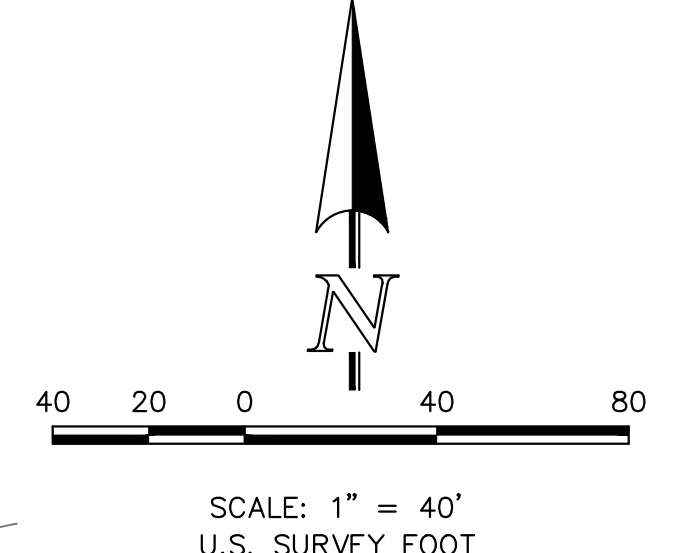
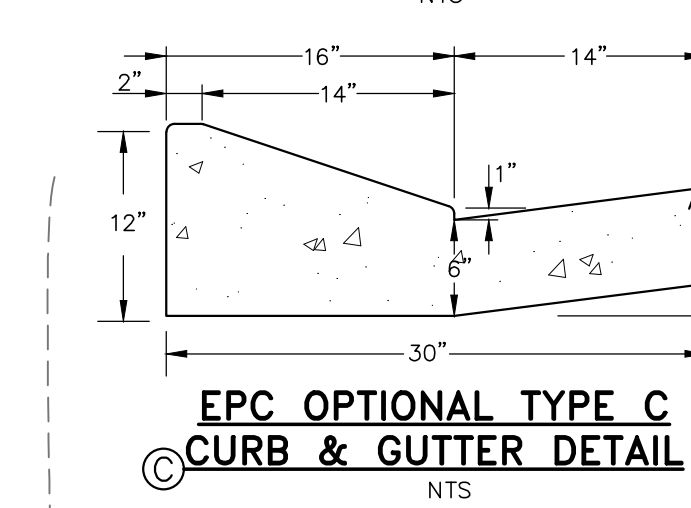
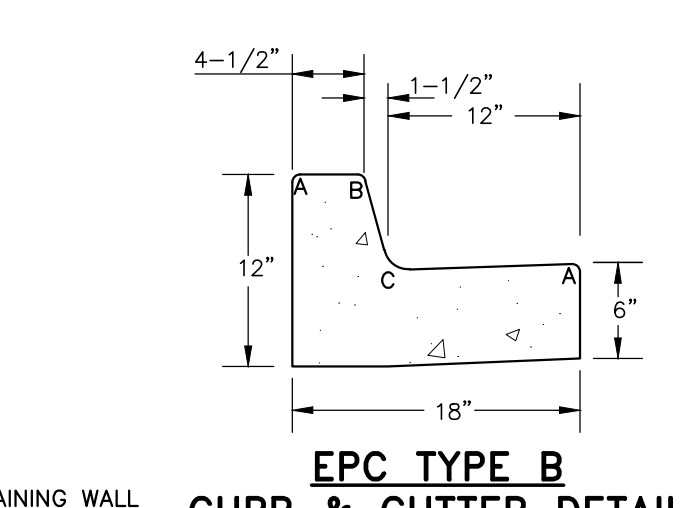
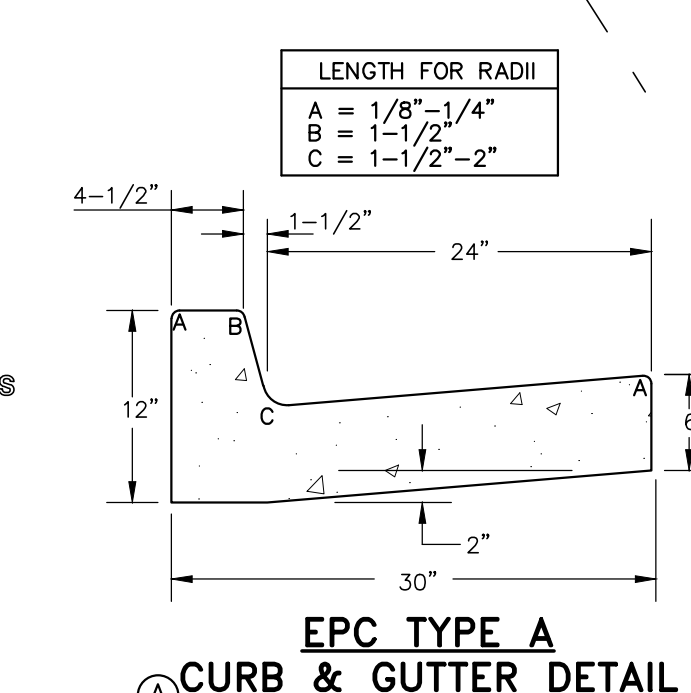
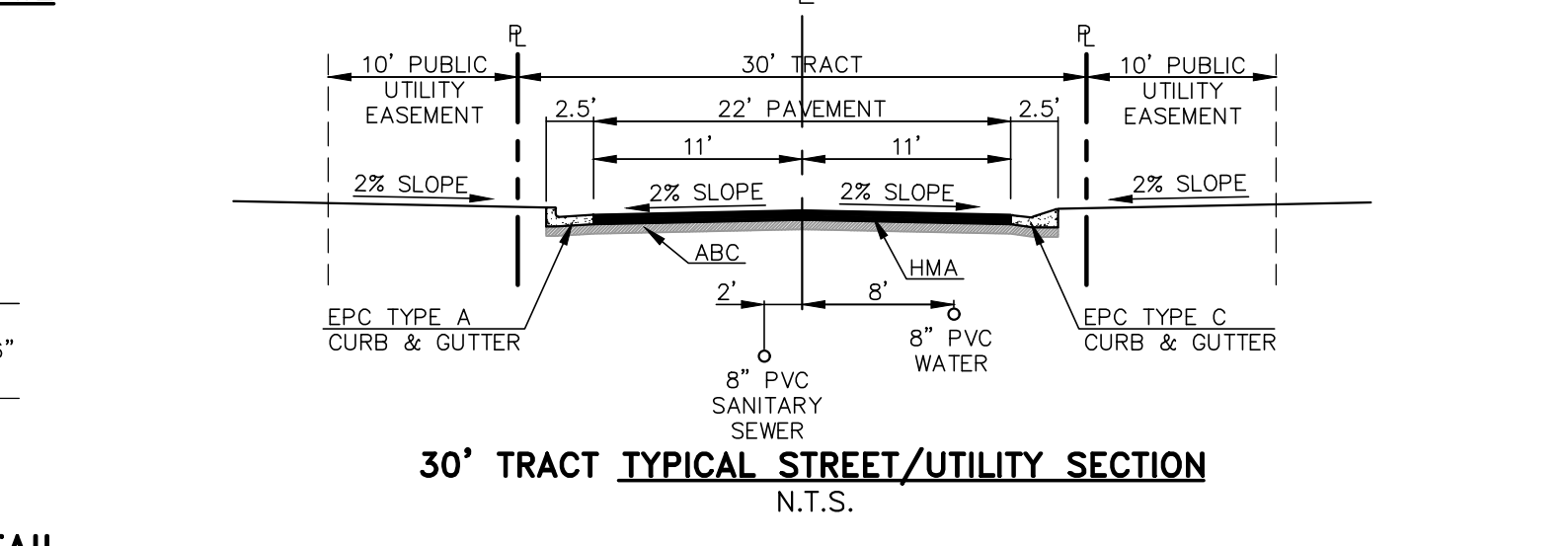
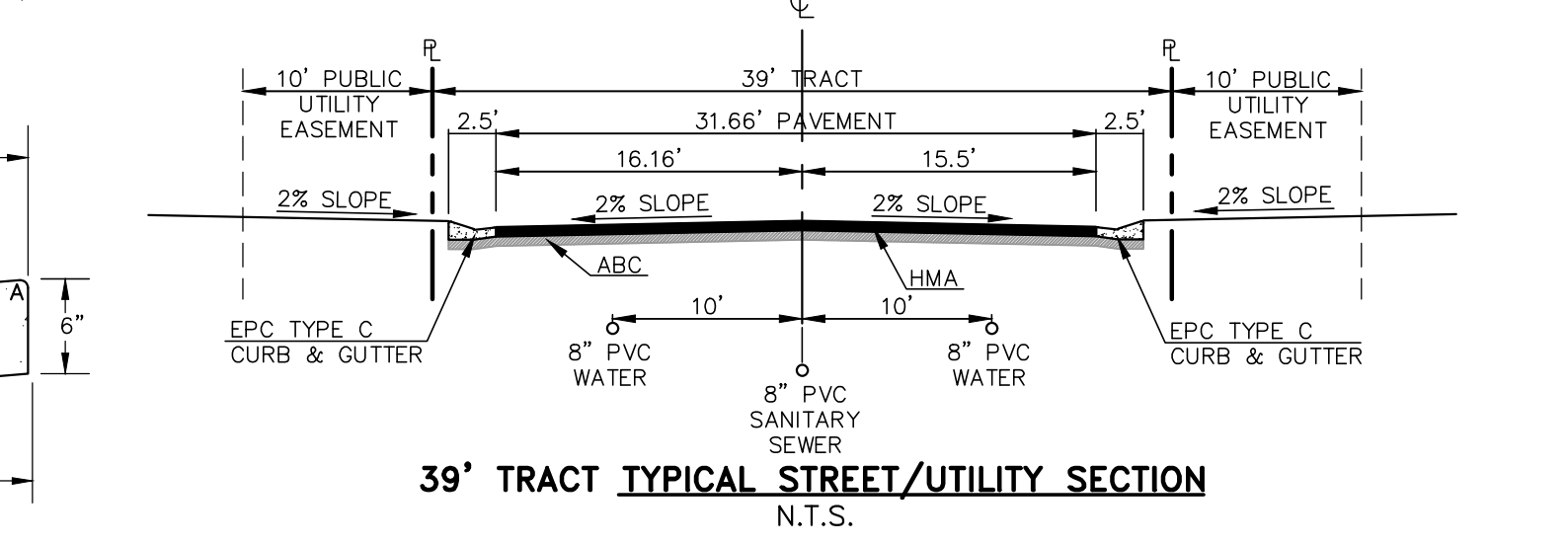
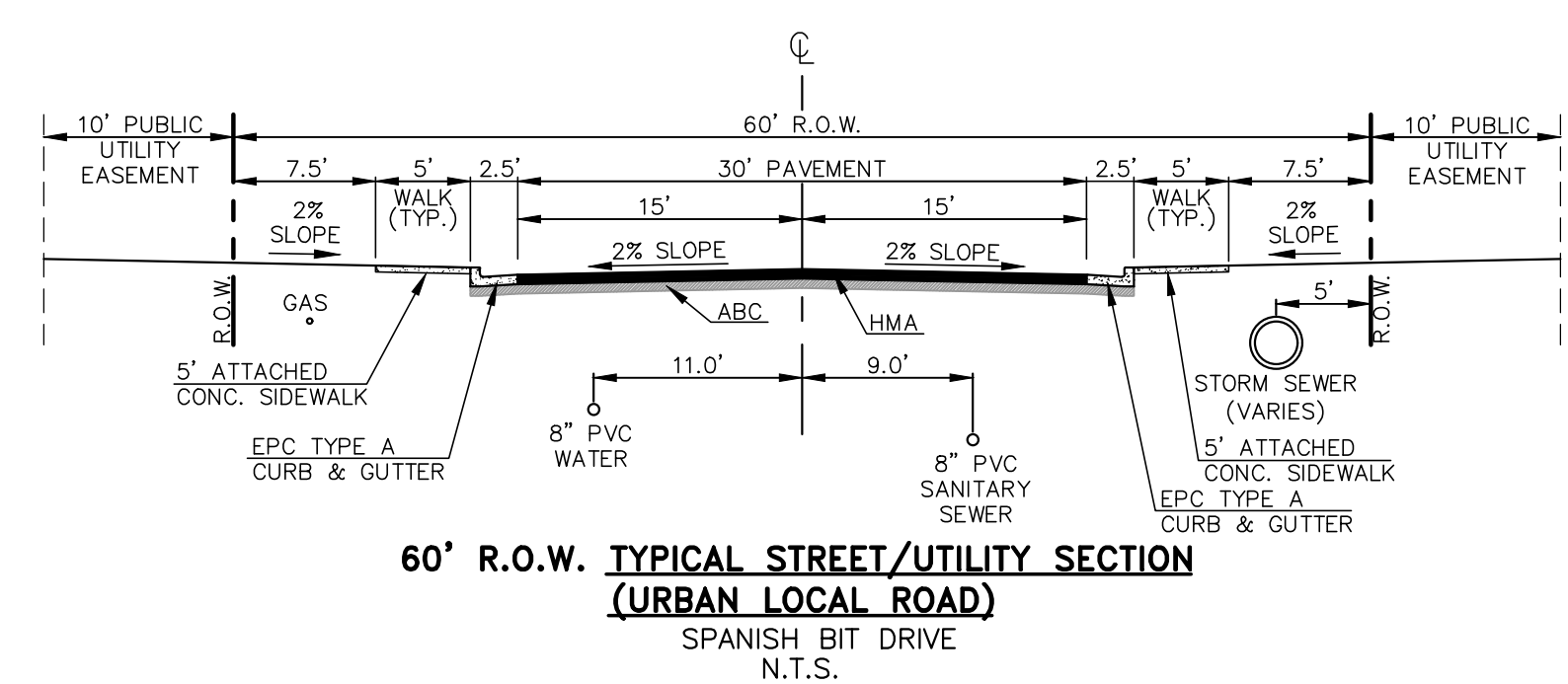
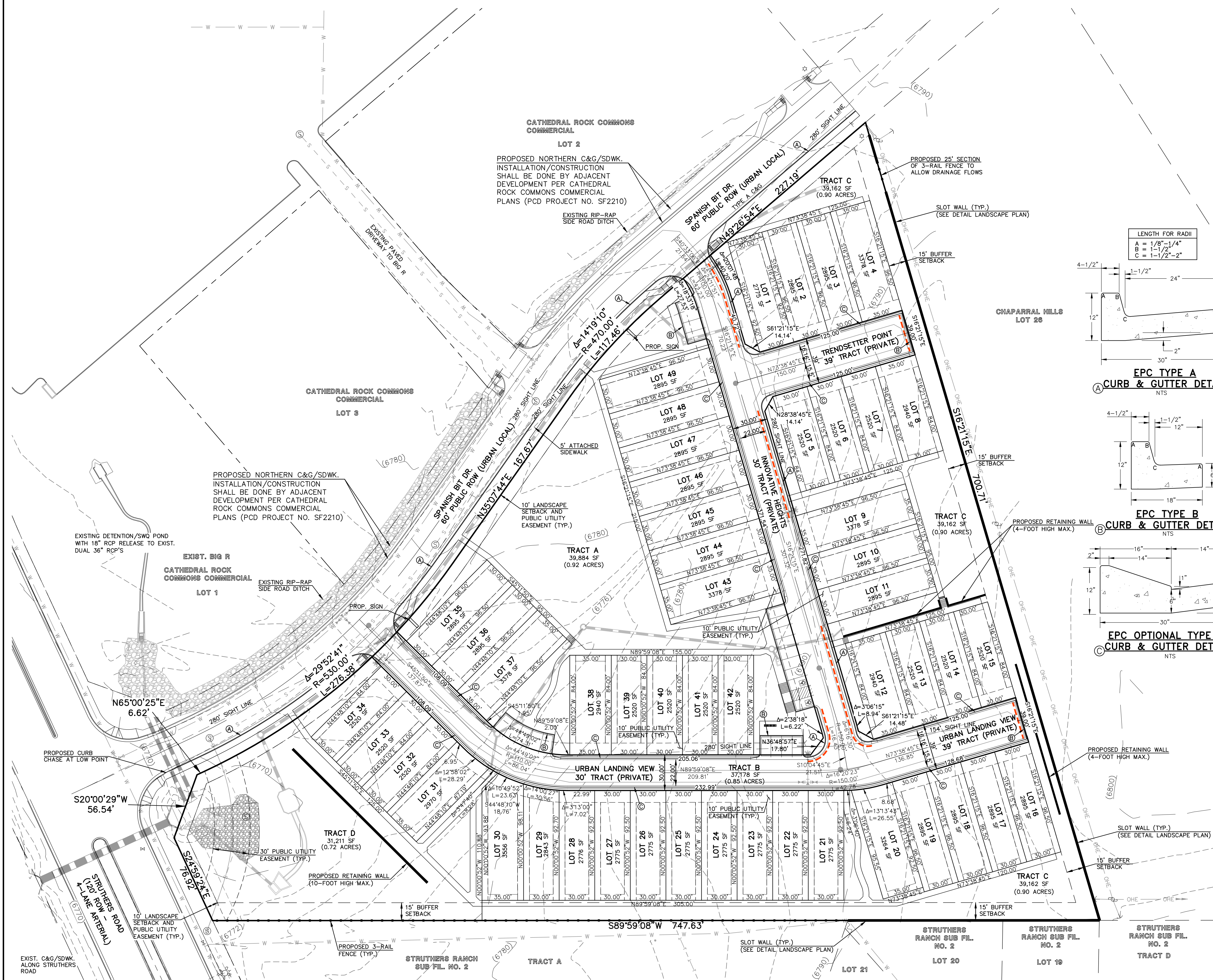
URBAN LANDING

COUNTY OF EL PASO, STATE OF COLORADO SECTION 36, TOWNSHIP 11 SOUTH, RANGE 67 WEST

PUD DEVELOPMENT PLAN & PRELIMINARY PLAN

LEGEND

BOUNDARY LINE	
PROPERTY LINE	
EASEMENT SETBACK LINE	
LINE OF SIGHT	
NO PARKING SIGNED OR STRIPED CURB	
EXISTING WATER LINE	
EXISTING SANITARY SEWER	
EXISTING STORM LINE	



EASEMENT NOTES

- ALL LOTS WITHIN URBAN LANDING (PUD ZONE) WILL HAVE THE FOLLOWING ESMTS. AS SHOWN UNLESS OTHERWISE NOTED:
 5' SIDE YARD PUBLIC UTIL./DRAINAGE ESMT.
 5' FRONT BUILDING SETBACK ESMT.
 10' REAR YARD PUBLIC UTIL./DRAINAGE ESMT.

SEE SHEET 4 FOR LOT SETBACK AND EASEMENT DETAILS.

PCD NO. PUDSPXXX

CLASSIC CONSULTING

URBAN LANDING
PUD DEV. PLAN & PRELIMINARY PLAN
SITE PLAN SHEET

DESIGNED BY	MAW	SCALE	DATE	4/01/2024
DRAWN BY	MAW	(H) 1" = 40'	SHEET	3 OF 9
CHECKED BY	(V) 1" = N/A	JOB NO.	1308.01	

619 N. Cascade Avenue, Suite 200 (719) 785-0790
 Colorado Springs, Colorado 80903 (719) 785-0799 (Fax)

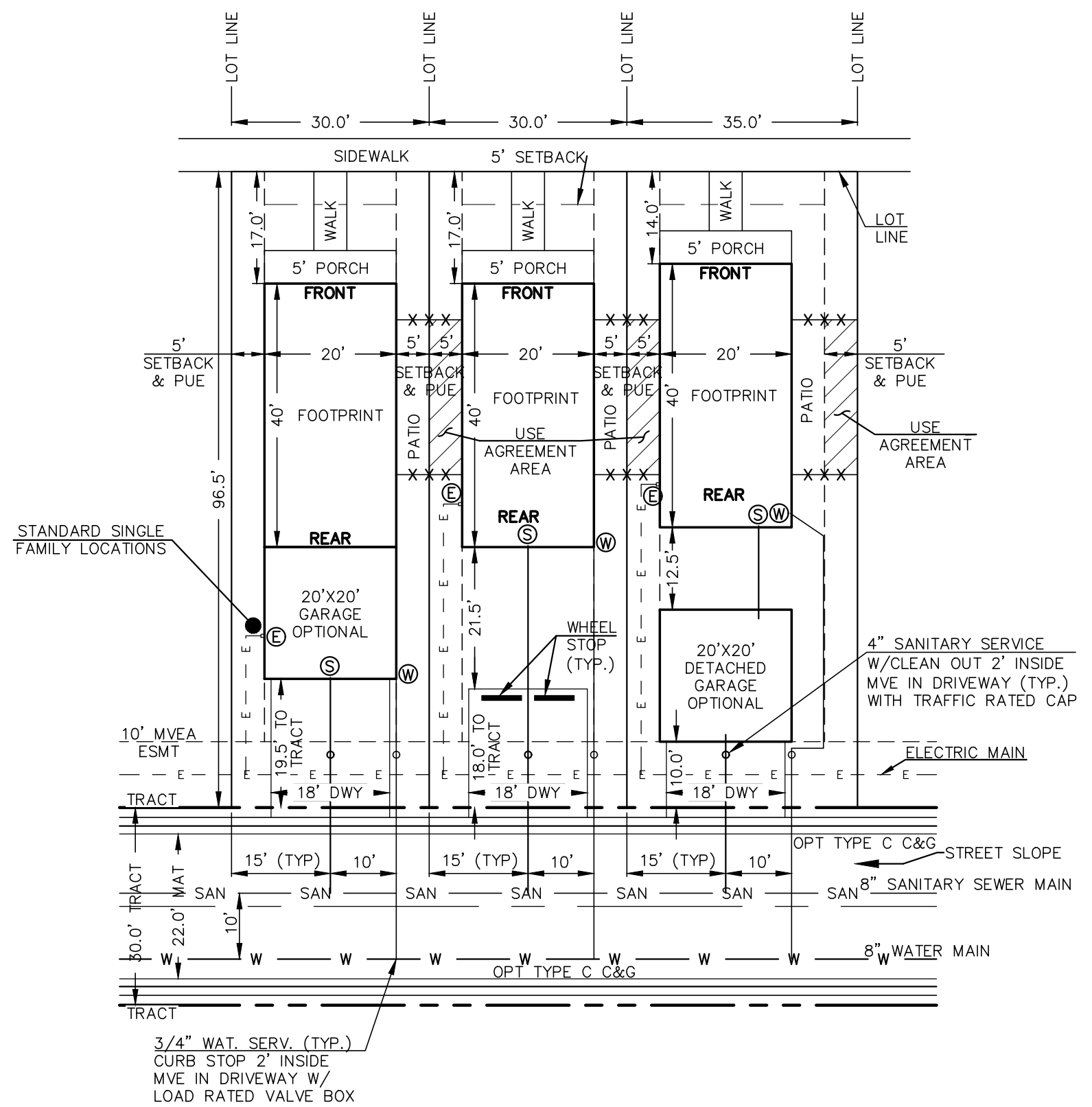
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URBAN LANDING

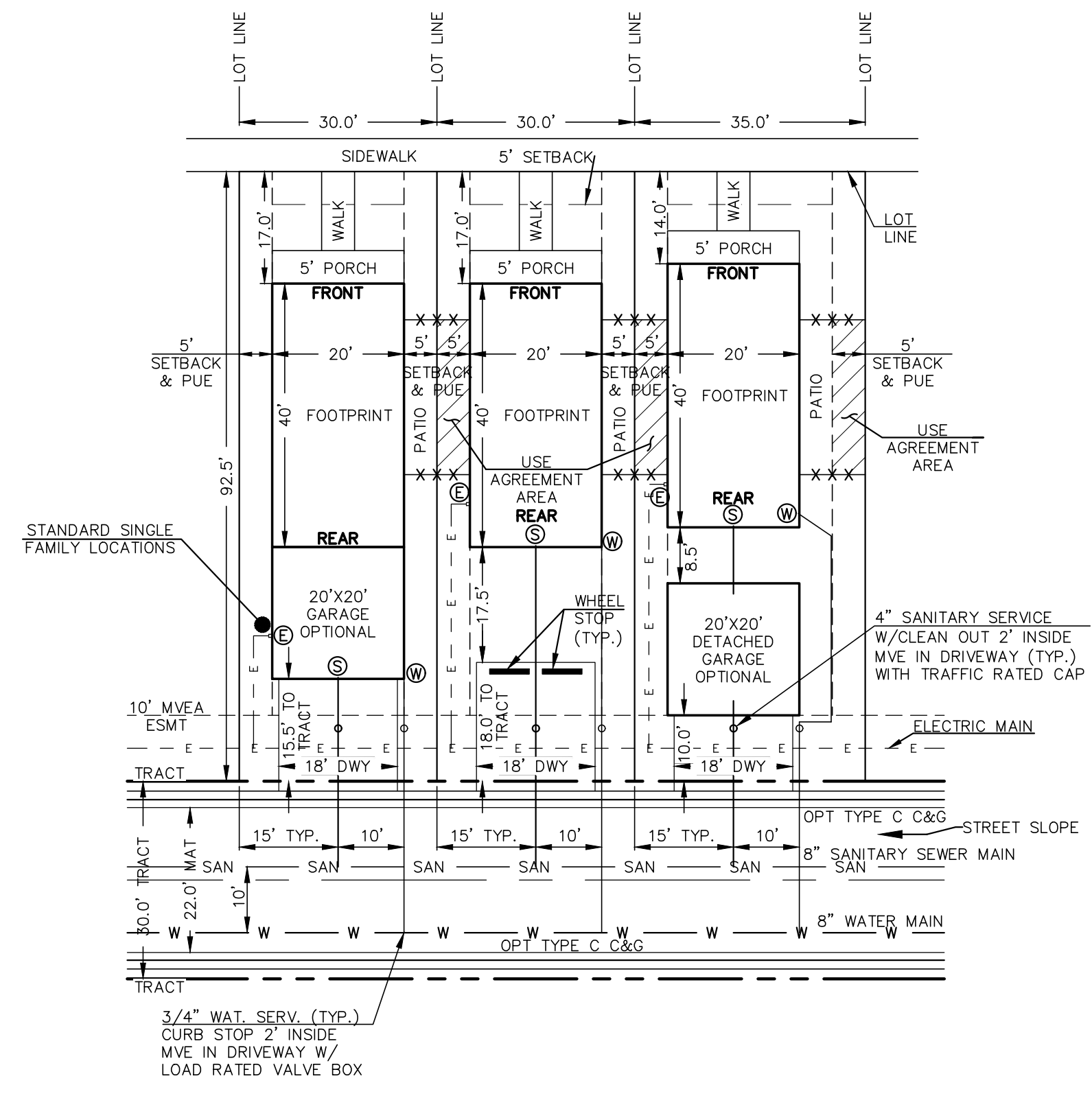
COUNTY OF EL PASO, STATE OF COLORADO SECTION 36, TOWNSHIP 11 SOUTH, RANGE 67 WEST

PUD DEVELOPMENT PLAN & PRELIMINARY PLAN

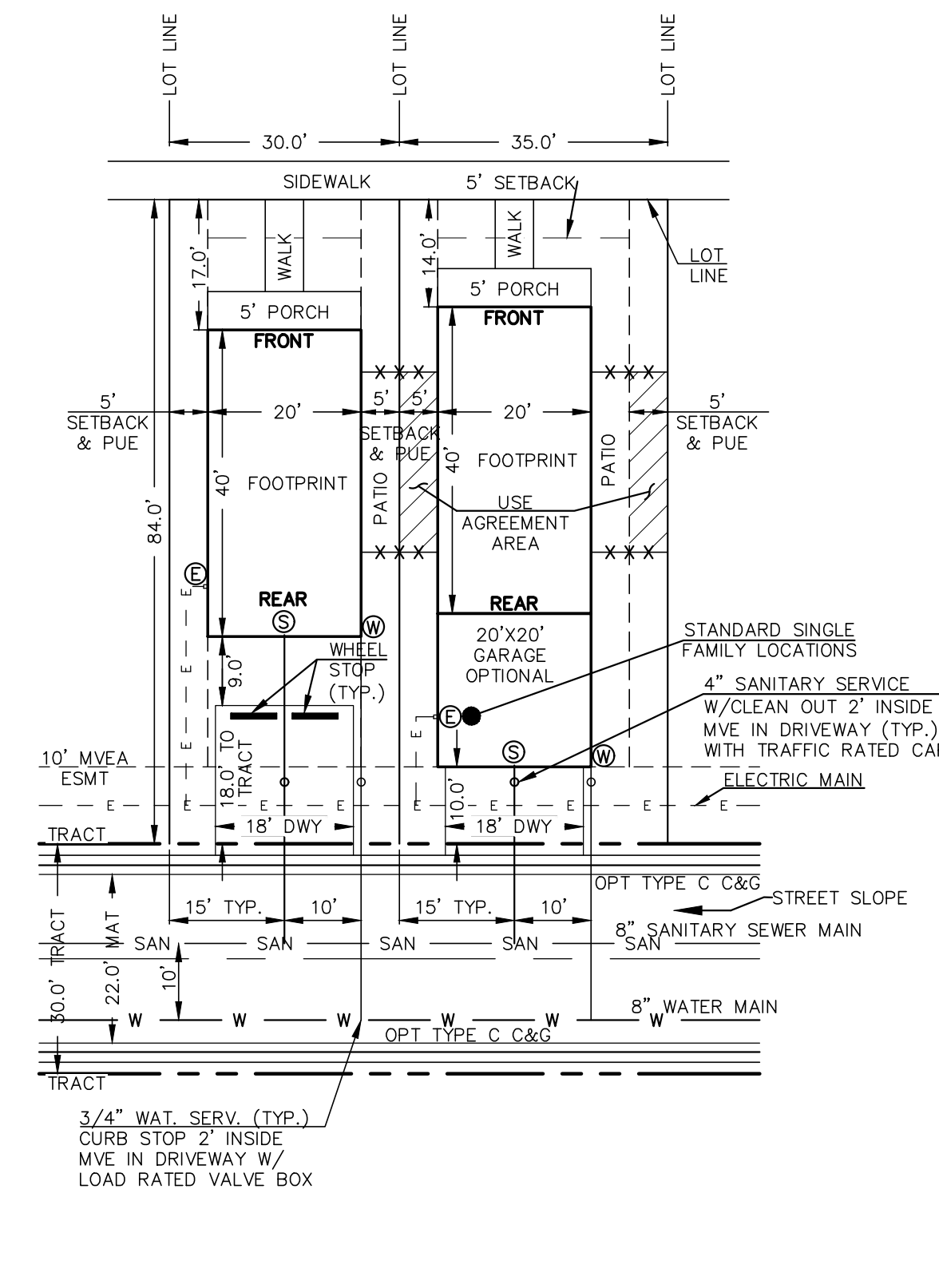
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COMMUNITY IS ELECTRIC SERVICES ONLY.
NO GAS SERVICE TO BE PROVIDED



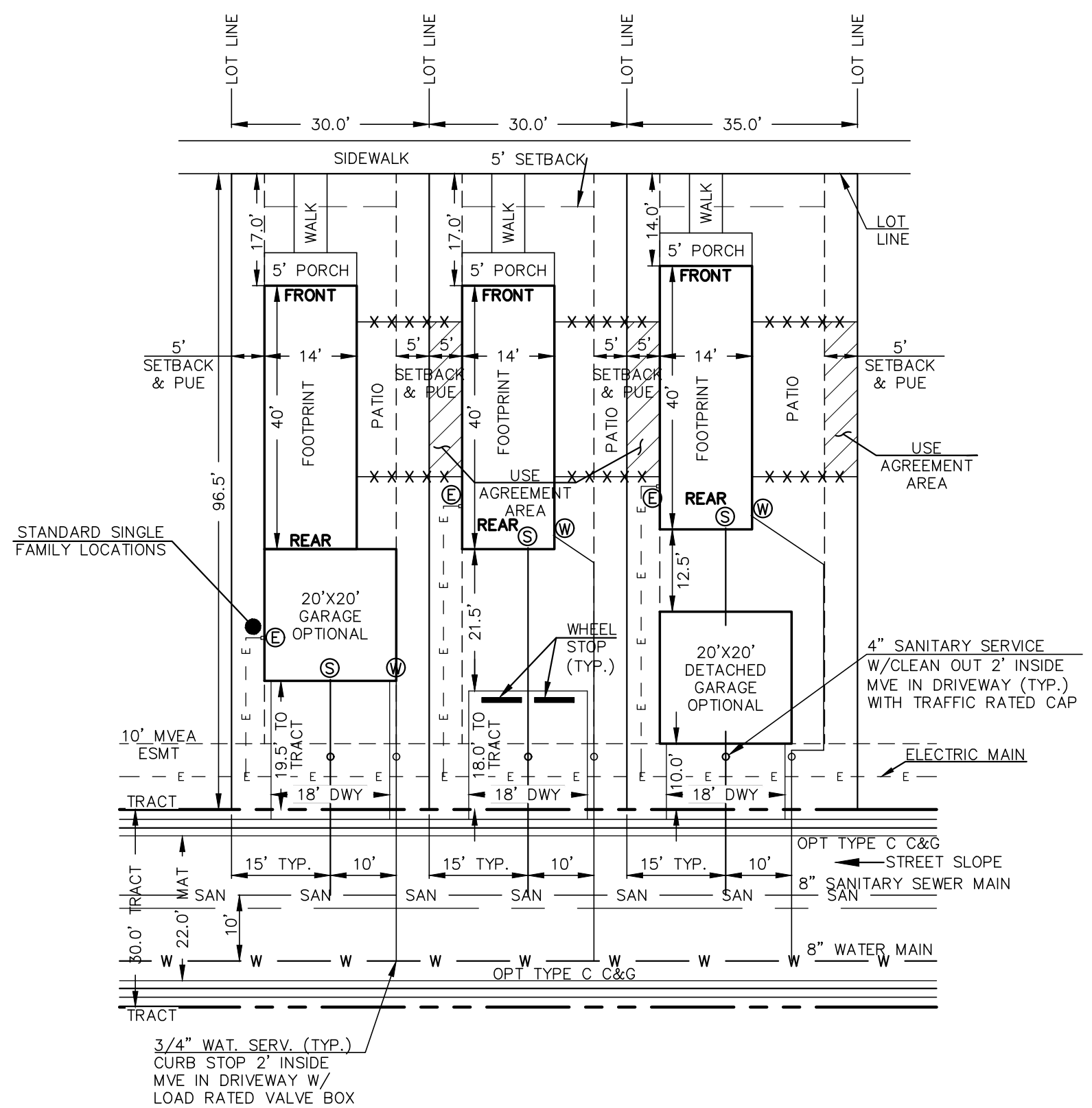
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TEMPLATE (W/FULL DRIVEWAY PARKING)
96.5'X30' OR 96.5'X35' LOT W/20'X40' BUILDING



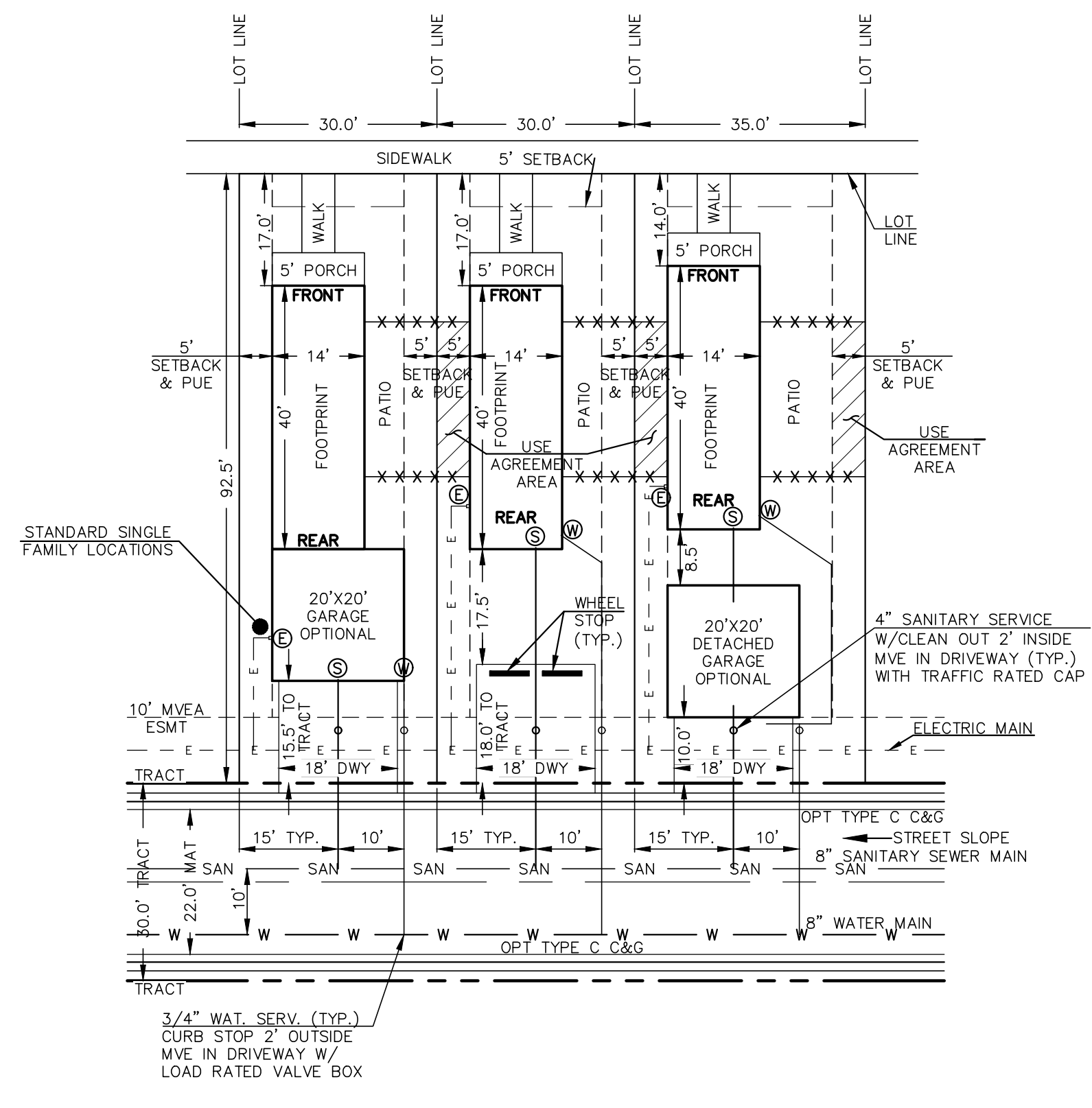
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92.5'X30' OR 92.5'X35' LOT W/20'X40' BUILDING



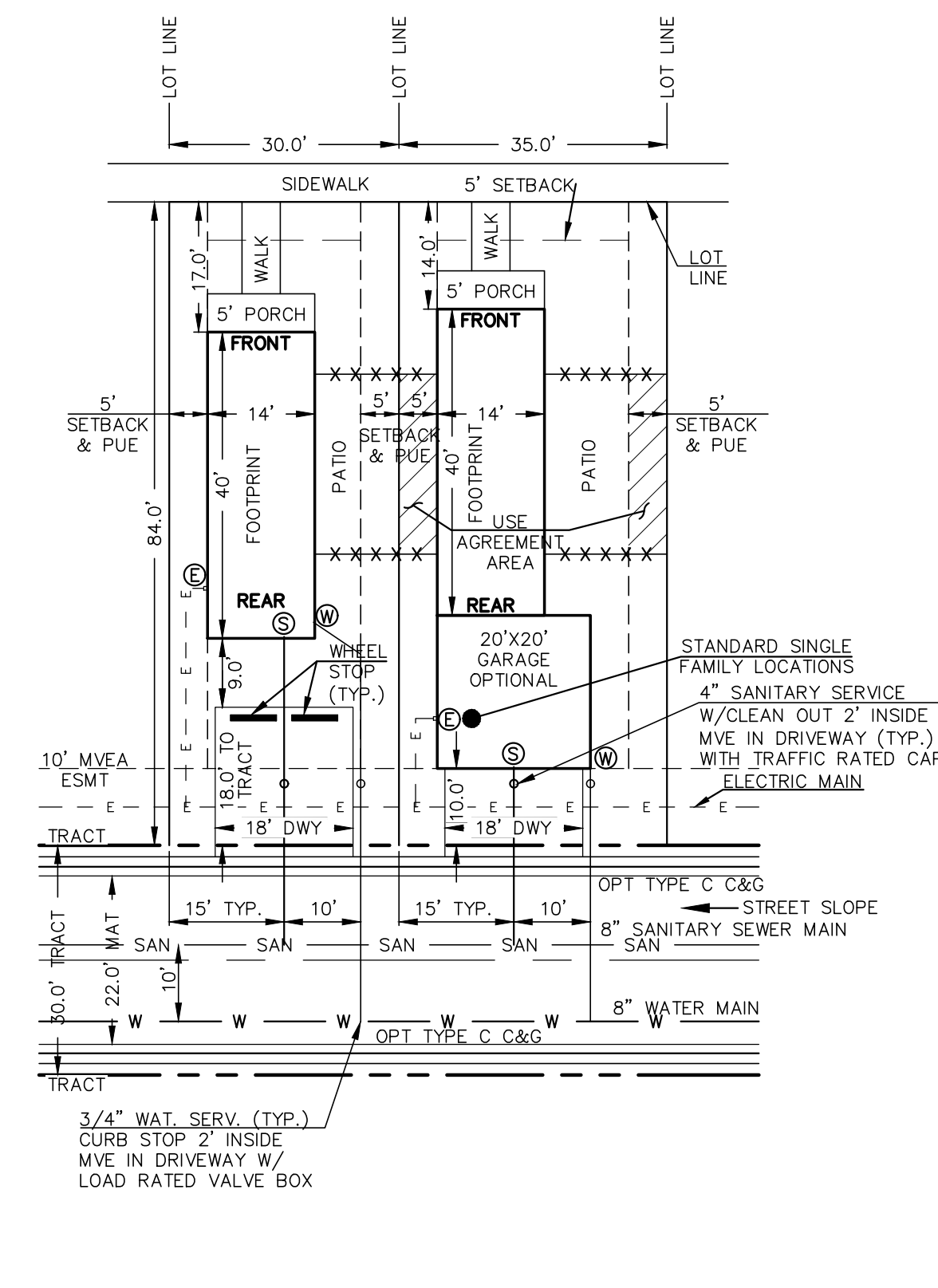
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84'X30' OR 84'X35' LOT W/20'X40' BUILDING



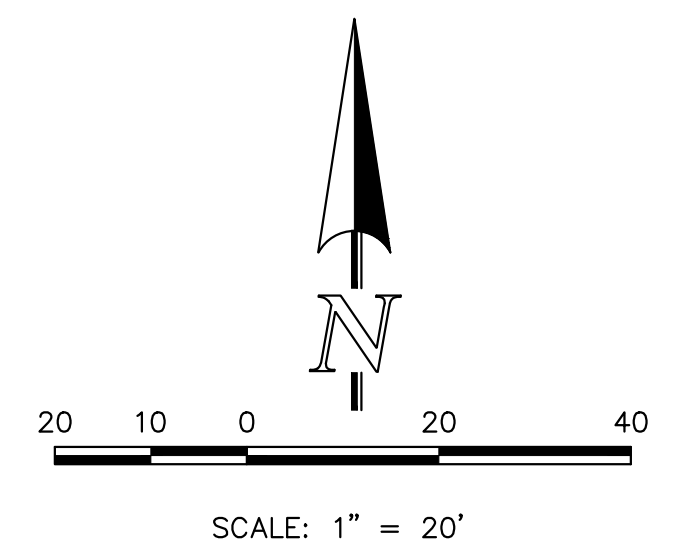
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TEMPLATE (W/FULL DRIVEWAY PARKING)
96.5'X30' OR 96.5'X35' LOT W/14'X40' BUILDING



PROPOSED PREAMBLE COLLECTION W/UTILITIES
TEMPLATE (W/FULL DRIVEWAY PARKING)
92.5'X30' OR 92.5'X35' LOT W/14'X40' BUILDING



PROPOSED PREAMBLE COLLECTION W/UTILITIES
TEMPLATE (W/FULL DRIVEWAY PARKING)
84'X30' OR 84'X35' LOT W/14'X40' BUILDING



		URBAN LANDING	
		PUD DEV. PLAN & PRELIMINARY PLAN	
DESIGNED BY		MAW	SCALE
DRAWN BY		MAW	(H) 1" = 20'
CHECKED BY		(V) 1" = N/A	DATE
			4/01/2024
			SHEET 4 OF 9
			JOB NO. 1308.01
619 N. Cascade Avenue, Suite 200 Colorado Springs, Colorado 80903		(719) 785-0790 (719) 785-0799 (Fax)	

PCD NO. PUDSPXXX

PUD DEV. PLAN & PRELIMINARY PLAN
PUD SITE PLAN SHEET
TYPICAL LOT LAYOUTS

CLASSIC CONSULTING

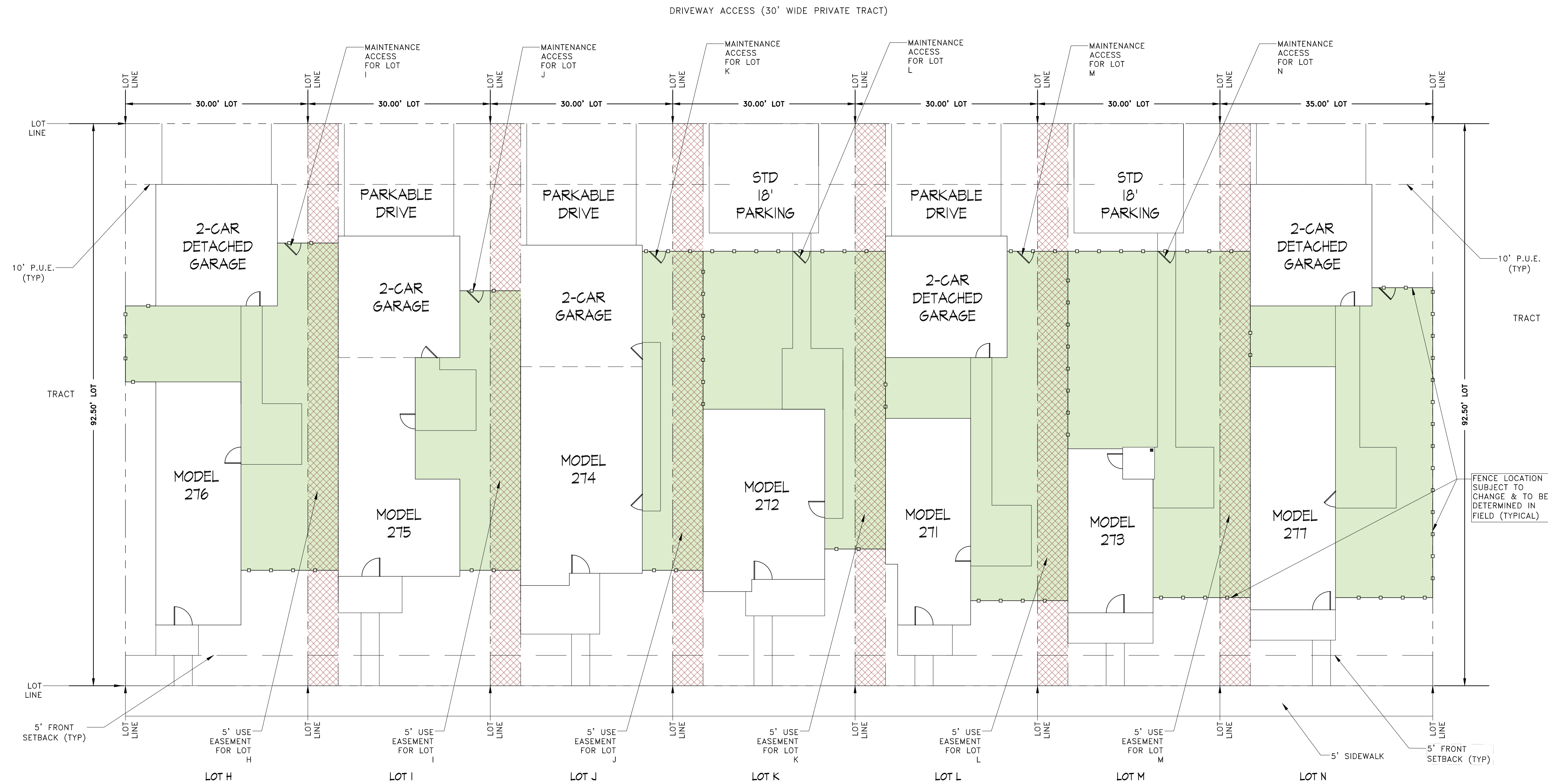
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URBAN LANDING

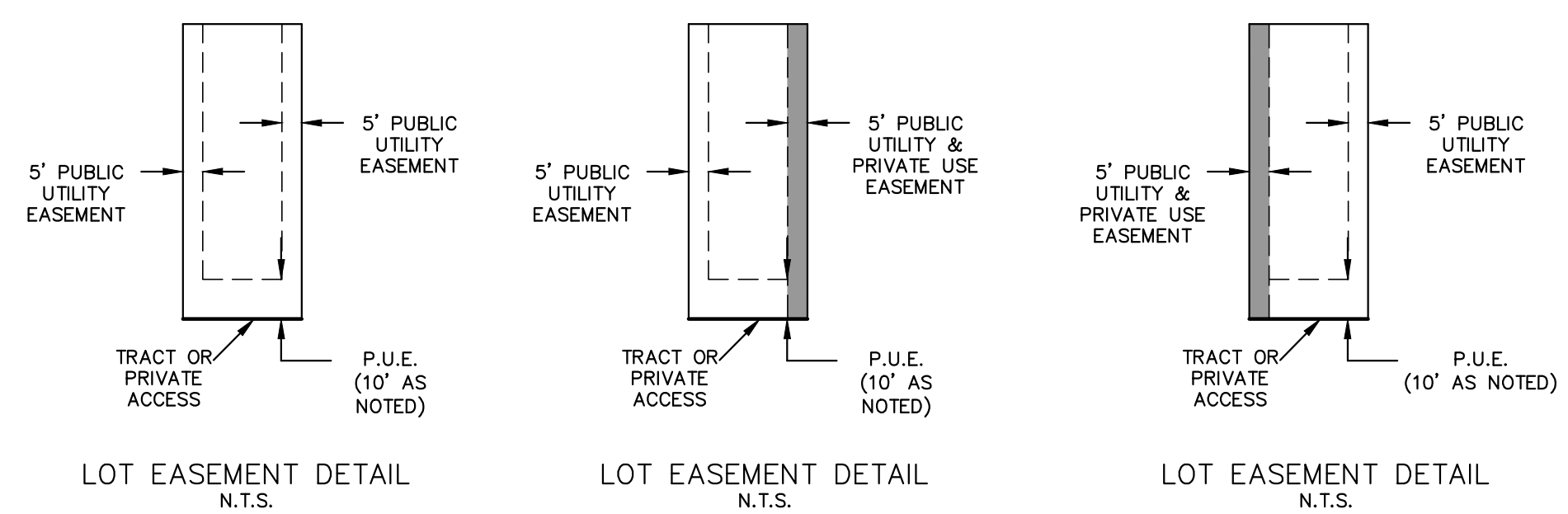
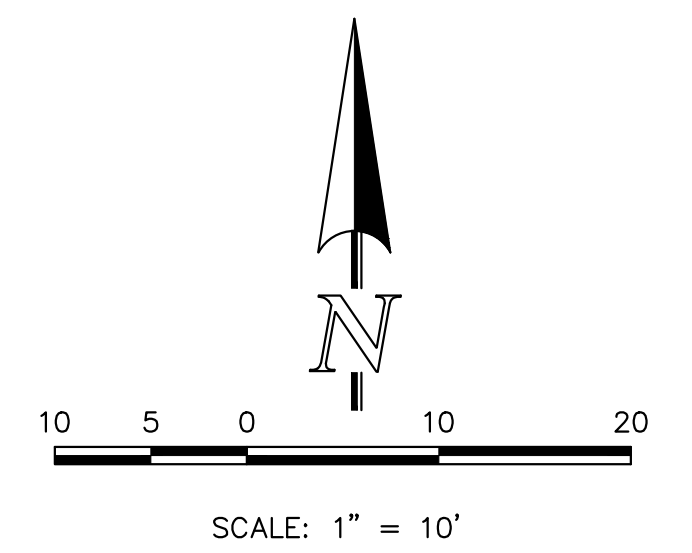
COUNTY OF EL PASO, STATE OF COLORADO SECTION 36, TOWNSHIP 11 SOUTH, RANGE 67 WEST

PUD DEVELOPMENT PLAN & PRELIMINARY PLAN

"USE" EASEMENT & "MAINTENANCE" ACCESS EXHIBIT



NOTES:
 1. ONE GATE PER FENCED AREA; LOCATE AT THE DRIVEWAY ACCESS SIDE AND ONTO PROPERTY OWNER'S LOT.
 2. HOUSE PLANS, SIDEWALKS & FENCE LOCATIONS ON THIS DOCUMENT WILL VARY AND ARE SHOWN FOR ILLUSTRATION PURPOSES ONLY.



URBAN LANDING PUD DEV. PLAN & PRELIMINARY PLAN PUD SITE PLAN SHEET LOT USE EASEMENT & MAINTENANCE ACCESS			
DESIGNED BY	MAW	SCALE	DATE 4/01/2024
DRAWN BY	MAW	(H) 1" = 10'	SHEET 5 OF 9
CHECKED BY		(V) 1" = N/A	JOB NO. 1308.01

619 N. Cascade Avenue, Suite 200
 Colorado Springs, Colorado 80903
 (719) 785-0790
 (719) 785-0799 (Fax)

PCD NO. PUDSPXXX

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