



**Planning and Community  
Development Department**  
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**DEVIATION REQUEST  
AND DECISION FORM**

Updated: 6/26/2019

**PROJECT INFORMATION**

Project Name : Rolling Hills Ranch North - PUD  
 Schedule No.(s) : 4200000477  
 Legal Description : Exhibit A (see attached)

**APPLICANT INFORMATION**

Company : Tech Contractors  
 Name : Thomas A. Kerby  
 Owner  Consultant  Contractor  
 Mailing Address : 11910 Tourmaline Drive, Ste 130  
 Falcon, CO 80831  
  
 Phone Number : 719.495.7444  
 FAX Number :  
 Email Address : tom@meridianranch.com

**ENGINEER INFORMATION**

Company : Tech Contractors  
 Name: Thomas A. Kerby Colorado P.E. Number : 31429  
 Mailing Address : 11910 Tourmaline Drive, Ste 130  
 Falcon, CO 80831  
  
 Phone Number : 719.495.7444  
 FAX Number :  
 Email Address : tom@meridianranch.com

**OWNER, APPLICANT, AND ENGINEER DECLARATION**

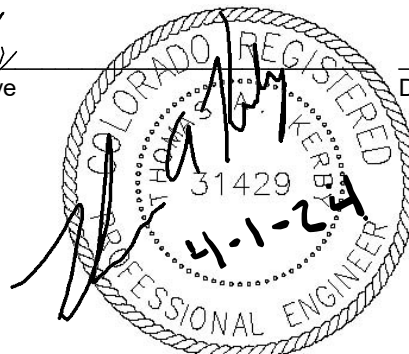
To the best of my knowledge, the information on this application and all additional or supplemental documentation is true, factual and complete. I am fully aware that any misrepresentation of any information on this application may be grounds for denial. I have familiarized myself with the rules, regulations 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.

Thomas A. Kerby, Authorized Representative  
Tech Contractors

April 1, 2024

Date

Engineer's Seal, Signature  
And Date of Signature



**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** of the Engineering Criteria Manual (ECM) is requested.

Identify the specific ECM standard which a deviation is requested:

The request is a modification to/deviation from **Section 2.3.2 Design Standards by Functional Classification**, specifically the intersection spacing as specified in Table 3-7.

State the reason for the requested deviation:

The deviation is requested due to confined geographical conditions between the Falcon Regional Park located to the east and a drainageway located to the west.

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

The proposed design will match the intersection for Urban Local Low at 150 ft between centerlines as opposed to the required 175 ft for Urban Local. Exhibit B (see attached).

**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 topographic and geographical conditions of the project squeeze the available space between the intersections of Cardenas Drive and House Rock Drive with Sunrise Ridge Drive. More specifically the space between the most northerly lot (#169) on the west side of House Rock has limited space between the rear lot line and an adjacent drainageway. Should the 175 ft standard be required, the downhill slope to the drainageway may exceed 3:1 and potentially promote erosion on the slope potentially endangering the surrounding improvements, open space trail, and future lot owner property.

The two streets (Cardenas Drive and House Rock Drive) at Sunrise Ridge Drive are not expected to generate a high traffic count. The traffic count for both streets is expected to be slightly above the 300 ADT limit to classify these two streets as Local Low Volume.

**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 not be detrimental to public safety or surrounding property.

The two streets (Cardenas Drive and House Rock Drive) at Sunrise Ridge Drive are not expected to generate a high traffic count. The traffic count for both streets is expected to be slightly above the 300 ADT limit to classify these two streets as Local Low Volume.

The deviation will allow the slopes behind the lots fronting House Rock Drive to remain at 4:1 or flatter providing a better opportunity to reduce erosion and future damage to surrounding properties.

The deviation will not adversely affect safety or operations.

The deviation will not adversely affect safety or operations as the two streets (Cardenas Drive and House Rock Drive) at Sunrise Ridge Drive are not expected to generate a high traffic count. The traffic count for both streets is expected to be slightly above the 300 ADT limit to classify these two streets as Local Low Volume.

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

The proposed deviation has no impact on maintenance and associated cost.

This deviation has no bearing on maintenance.

The deviation will not adversely affect aesthetic appearance.

The proposed deviation has no impact on the aesthetic appearance of the project.

This deviation has no bearing on the aesthetic appearance of the project.

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

The deviation meets the intent and purpose of the standard plan, which is to ensure sufficient Sight Distance and safe travel through the intersection.

The traffic count for both streets is expected to be slightly above the 300 ADT limit to classify these two streets as Local Low Volume. The potential for conflicting turning movements is minimal.

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 design does not inhibit the program requirements with respect to water quality and storm water runoff during construction and future permanent facilities.

**REVIEW AND RECOMMENDATION:**

**Approved by the ECM Administrator**

This request has been determined to have met the criteria for approval. A deviation from Section 2.3.2 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:**

## EXHIBIT A

KNOW ALL MEN BY THESE PRESENTS:

THAT GTL, INC. DBA GTL DEVELOPMENT, INC., THEODORE TCHANG, PRESIDENT BEING THE OWNER OF THE FOLLOWING DESCRIBED TRACT OF LAND:

A PARCEL OF LAND LOCATED IN A PORTION OF SECTION 20, IN TOWNSHIP 12 SOUTH, RANGE 64 WEST OF THE 6TH PRINCIPAL MERIDIAN, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE EASTERLY RIGHT-OF-WAY OF ESTATE RIDGE DRIVE AS-DEDICATED IN THE ESTATES AT ROLLING HILLS RANCH FILING NO. 2, RECORDED WITH RECEPTION NO. 222714944 IN THE RECORDS OF EL PASO COUNTY, POINT BEING ON THE EASTERN BOUNDARY LINE OF SAID FILING;

THE FOLLOWING NINE (9) COURSES ARE ON SAID BOUNDARY LINE:

1. THENCE N07°26'02"E A DISTANCE OF 616.00 FEET;
2. THENCE N52°26'02"E A DISTANCE OF 31.11 FEET;
3. THENCE N07°26'02"E A DISTANCE OF 60.00 FEET;
4. THENCE S82°33'58"E A DISTANCE OF 168.00 FEET;
5. THENCE N07°26'02"E A DISTANCE OF 495.00 FEET;
6. THENCE S82°33'58"E A DISTANCE OF 180.00 FEET;
7. THENCE N06°14'24"W A DISTANCE OF 495.03 FEET;
8. THENCE N06°47'53"W A DISTANCE OF 290.00 FEET;
9. THENCE N00°34'17"E A DISTANCE OF 340.00 FEET TO A POINT ON THE NORTH LINE OF THE NORTHWEST ½ OF SAID SECTION 20;

THE FOLLOWING COURSE IS ON SAID SECTION LINE:

10. THENCE S89°25'43"E A DISTANCE OF 2624.85 FEET TO A POINT ON THE WESTERN BOUNDARY OF FALCON REGIONAL PARK RECORDED WITH RECEPTION NO. 214093227;

THE FOLLOWING COURSE IS ON SAID BOUNDARY LINE:

11. THENCE S00°13'03"E A DISTANCE OF 2064.39 FEET TO A NON-TANGENT CURVE TO THE LEFT, POINT BEING ON THE NORTHERN BOUNDARY OF THE SANCTUARY FILING NO. 1 AT MERIDIAN RANCH RECORDED WITH RECEPTION NO. 223715140 IN THE RECORDS OF EL PASO COUNTY;

THE FOLLOWING NINE (9) COURSES ARE ON THE BOUNDARY LINE OF SAID THE SANCTUARY FILING NO. 1 AT MERIDIAN RANCH:

25. THENCE ON THE ARC OF SAID CURVE, HAVING A RADIUS OF 2050.00 FEET, A DELTA ANGLE OF 05°02'20", AN ARC LENGTH OF 180.29 FEET, WHOSE LONG CHORD BEARS S75°52'06"W A DISTANCE OF 180.23 FEET;
26. THENCE N62°31'53"W A DISTANCE OF 31.42 FEET;
27. THENCE S71°53'44"W A DISTANCE OF 60.00 FEET;
28. THENCE S26°19'21"W A DISTANCE OF 31.42 FEET TO A NON-TANGENT CURVE TO THE LEFT;
29. THENCE ON THE ARC OF SAID CURVE, HAVING A RADIUS OF 2050.00 FEET, A DELTA ANGLE OF 02°03'13", AN ARC LENGTH OF 73.48 FEET, WHOSE LONG CHORD BEARS S69°24'55"W A DISTANCE OF 73.48 FEET;
30. THENCE S68°23'18"W A DISTANCE OF 399.50 FEET TO A POINT OF CURVE TO THE RIGHT;
31. THENCE ON THE ARC OF SAID CURVE, HAVING A RADIUS OF 1930.00 FEET, A DELTA ANGLE OF 29°02'43", AN ARC LENGTH OF 978.39 FEET, WHOSE LONG CHORD BEARS S82°54'40"W A DISTANCE OF 967.95 FEET;
32. THENCE N82°33'58"W A DISTANCE OF 1387.37 FEET;
33. THENCE N37°33'58"W A DISTANCE OF 31.11 FEET TO THE POINT OF BEGINNING;

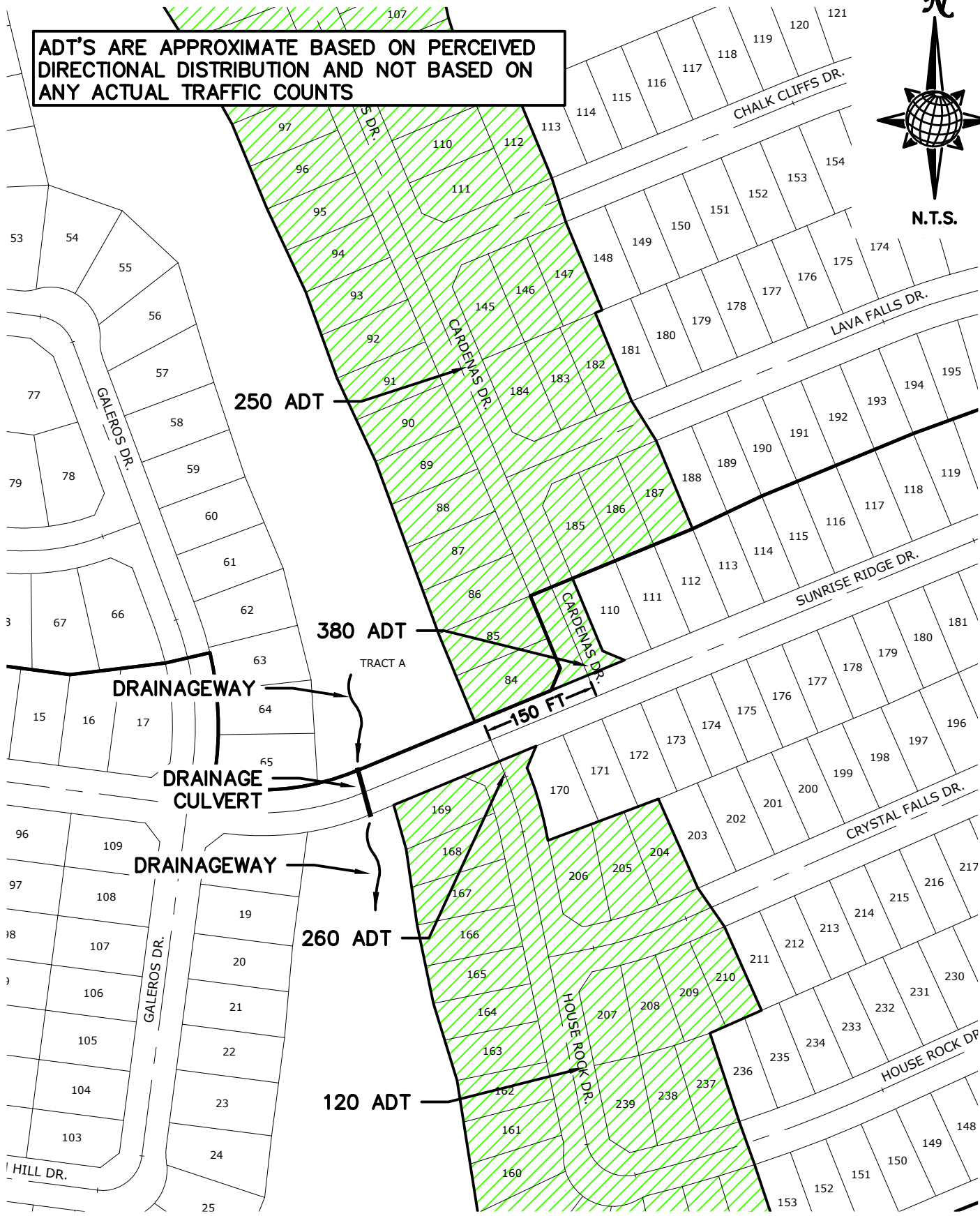
THE ABOVE PARCEL OF LAND CONTAINS 148.873 ACRES, MORE OR LESS.

BEARINGS ARE BASED ON THE SOUTH LINE OF THE SW ¼ OF SECTION 29, TOWNSHIP 12 SOUTH, RANGE 64 WEST OF THE 6TH P.M., ASSUMED TO BEAR S89°25'42"E FROM THE SOUTHWEST CORNER OF SAID SECTION 29 (A STONE W/SCRIBED "X") TO THE SOUTH QUARTER CORNER OF SAID SECTION 29 (3.25" ALUM. CAP LS #30087).

ADT'S ARE APPROXIMATE BASED ON PERCEIVED DIRECTIONAL DISTRIBUTION AND NOT BASED ON ANY ACTUAL TRAFFIC COUNTS



N.T.S.



B

SCALE:
DATE: JAN 2024
DRAWN: TAK
CHECK:

**INTERSECTION SPACING**  
 ROLLING HILLS RANCH NORTH PUD  
 EXHIBIT B

TECH CONTRACTORS  
 11910 TOURMALINE DR #130  
 FALCON, CO 80831  
 TELEPHONE: 719.495.7444