



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
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 : Rolling Hills Ranch PUD

Schedule No.(s) : 4200000401, 4200000402, & 4200000407

Legal Description : See attached

APPLICANT INFORMATION

Company : Tech Contractors

Name : Tom Kerby

☐ Owner ☒ Consultant ☐ ContractorMailing 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 Drive
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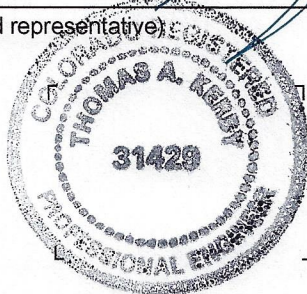
OWNER, APPLICANT, AND ENGINEER DECLARATION

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

7-15-2020

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 **2.2.4.B.3 Urban Minor Arterial & 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:

The specific ECM standard a deviation is requested is the criteria to construct Rex Road east of Sunrise Ridge Dr as an Urban 4-lane Minor Arterial based on the 2016 MTCP Map I4: 2040 Roadway Plan classification

State the reason for the requested deviation:

The portion of Rex Road between Mt Gateway Drive and Sunrise Ridge Drive has been planned and constructed as an Urban Residential Collector with a standard right of way width of 60 feet. The projected long term (2040) total ADT is estimated to be 7,470 vehicles per day (this project plus background traffic) which is below the threshold for an Urban Residential Collector, and is immediately to the west of the proposed half-arterial section.

There is a long term need for the construction of a four lane arterial for this section of Rex Road, however, as stated above, the current need is below the threshold for an Urban Residential Collector. In an attempt to plan for the future, the developer is supplying the ROW preservation for the 4 lane arterial. This deviation is intended to memorialize the facts behind the construction of a half section of a 4 lane arterial in place of the collector, and this ROW preservation.

With the projected low traffic volume and adjacent existing 60' right of way width logic dictates to construct the half section roadway within an 80-foot right of way until such time as the full width section is deemed necessary. This roadway is listed on the 2040 Major Transportation Plan and therefore fully reimbursable by the County, this move will shift available funds to other higher priority roadways.

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

The roadway design standards for Urban Minor Arterial roads will be used to design and construct Rex Road east of Sunrise Ridge Dr. Except that intersection spacing between Sunrise Ridge Dr and Eastonville Rd will be less than the ECM standard as shown in the attached Exhibit B. The proposed alternative road right of way matches the existing Rex Road right of way west of Sunrise Ridge Drive.

The proposed roadway will be the half section of the El Paso County standard section for Urban Minor Arterial road.

The alternative design is to construct Rex Road east of Sunrise Ridge Drive as a half section of the Urban Minor Arterial. Transition from a Residential Urban Collector to the half section east of Sunrise Ridge Dr for approximately 400 feet, continuing east to proposed Rolling Ranch Drive. The half section will be constructed per the attached drawing depicting the half section from centerline south to southerly right of way line. A 80 foot right of way will be dedicated with an additional 20 foot wide reservation within the adjacent Tract K as shown on the Rolling Hills Ranch PUD in order to accommodate the future full width section when the County determines it is necessary for the County to construct the full width section.

The southern ROW line along Rex Road will match east and west of Sunrise Ridge Drive with additional ROW to be acquired by the County along the northern portion of the roadway west of Sunrise Ridge Drive from adjacent open space and private land owners at such time as when El Paso County deems it necessary to construct the full width Urban Minor Arterial roadway section from Eastonville Road west to near Mt. Gateway Drive.

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, located west of this project create a corridor of only 60' wide. This restriction provides sufficient room for an Urban Residential Collector and restricts the ability to construct the Urban Minor Arterial in this section west of the proposed project. This portion of Rex Road would require Rex Road to be constructed with lane tapers and redirects which could create confusion for the driver and pose unnecessary risk to future accidents. 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 west of the project and additional cost to the County as this roadway is identified in the 2040 Major Transportation Corridor Plan making Rex Road construction a reimbursable project.

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 provide a comparable design in that the estimated ADTs for this section fall more than 50% below the threshold for an Urban Minor Arterial roadway section.

The design provides the southern half of the roadway (centerline to southern curb. This provides a better design in that when and if the roadway is widened to the full width Urban Minor Arterial, all of the improvements south of the centerline will provide a future cost savings without the need to redesign and/or remove/replace large portions of the roadway.

The deviation will not adversely affect safety or operations.

The Engineering Criteria Manual identifies 20,000 ADTs as the maximum volume of traffic that can be safely conveyed on an Urban Minor Arterial Street section, the estimated 2040 ADT is sufficiently below at 7,470 to justify a half section. Constructing a full width Urban Minor Arterial would require lane drop, tapers and redirects to accommodate the existing narrower section to the west of Sunrise Ridge Dr. The design will have the travel lanes east and west of Sunrise Ridge match eliminating the need to include lane drops east of Sunrise Ridge Dr.

Merging traffic at lane drops and redirects create a potential risk for accidents east of the intersection. The half section will safely carry the anticipated total traffic volume from Eastonville Road to Mt. Gateway at the projected total traffic volume.

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 proposed deviation and design allows for the accommodation of the future widening of Rex Road to full width Urban Minor Arterial if and when it is deemed necessary due to any unforeseen increase traffic volume closer to the 20,000 ADTs.

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 2.2.4B3, 2.3.2 of the ECM is hereby granted based on the justification provided.

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APPROVED
Engineering Department

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dsdnijkamp

**EPC Planning & Community
Development Department**

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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.

KNOW ALL MEN BY THESE PRESENTS:

THAT GTL, INC. DBA GTL DEVELOPMENT, INC., THEODORE TCHANG, PRESIDENT AND MERIDIAN SERVICE METROPOLITAN DISTRICT BEING THE OWNERS OF THE FOLLOWING DESCRIBED TRACTS OF LAND:

A PARCEL OF LAND LOCATED IN A PORTIONS OF SECTION 20 AND 29,
IN TOWNSHIP 12 SOUTH, RANGE 64 WEST OF THE 6TH PRINCIPAL MERIDIAN, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHERNEASTERN MOST CORNER OF TRACT C OF MERIDIAN RANCH FILING NO. 9, RECORDED WITH RECEPTION NO. 216713763 IN THE RECORDS OF EL PASO COUNTY;

1. THENCE N51°53'30"W ON SAID TRACT LINE A DISTANCE OF 26.13 FEET TO A CURVE TO THE RIGHT;
2. THENCE ON THE ARC OF SAID CURVE, HAVING A RADIUS OF 330.00 FEET, A DELTA ANGLE OF 04°41'46", AN ARC LENGTH OF 27.05 FEET, WHOSE LONG CHORD BEARS N35°45'37"E A DISTANCE OF 27.04 FEET;
3. THENCE N72°56'20"E A DISTANCE OF 32.99 FEET;
4. THENCE N24°30'35"E A DISTANCE OF 60.00 FEET;
5. THENCE N22°23'52"W A DISTANCE OF 32.06 FEET;
6. THENCE N20°49'43"E A DISTANCE OF 52.81 FEET TO A CURVE TO THE LEFT;
7. THENCE ON THE ARC OF SAID CURVE, HAVING A RADIUS OF 630.00 FEET, A DELTA ANGLE OF 22°38'05", AN ARC LENGTH OF 248.88 FEET, WHOSE LONG CHORD BEARS N09°30'41"E A DISTANCE OF 247.27 FEET;
8. THENCE N42°56'08"E A DISTANCE OF 31.12 FEET;
9. THENCE N02°04'24"W A DISTANCE OF 100.00 FEET;
10. THENCE N87°55'36"E A DISTANCE OF 348.00 FEET TO A CURVE TO THE RIGHT;
11. THENCE ON THE ARC OF SAID CURVE, HAVING A RADIUS OF 1000.00 FEET, A DELTA ANGLE OF 06°09'39", AN ARC LENGTH OF 107.53 FEET, WHOSE LONG CHORD BEARS S88°59'34"E A DISTANCE OF 107.48 FEET;
12. THENCE S85°54'45"E A DISTANCE OF 400.64 FEET TO A CURVE TO THE RIGHT;
13. THENCE ON THE ARC OF SAID CURVE, HAVING A RADIUS OF 7540.00 FEET, A DELTA ANGLE OF 03°02'05", AN ARC LENGTH OF 399.38 FEET, WHOSE LONG CHORD BEARS S84°23'42"E A DISTANCE OF 399.33 FEET;
14. THENCE S07°07'21"W A DISTANCE OF 100.00 FEET TO A NON-TANGENT CURVE TO THE RIGHT;
15. THENCE ON THE ARC OF SAID CURVE, HAVING A RADIUS OF 7440.00 FEET, A DELTA ANGLE OF 00°18'41", AN ARC LENGTH OF 40.44 FEET, WHOSE LONG CHORD BEARS S82°43'19"E A DISTANCE OF 40.44 FEET;
16. THENCE S82°33'58"E A DISTANCE OF 1906.13 FEET;
17. THENCE S28°18'46"E A DISTANCE OF 1200.00 FEET;
18. THENCE N86°45'47"E A DISTANCE OF 400.00 FEET;
19. THENCE S44°45'04"E A DISTANCE OF 478.58 FEET TO A POINT ON THE WESTERLY BOUNDARY OF FALCON REGIONAL PARK, RECORDED WITH RECEPTION NO. 214096227 IN THE RECORDS OF EL PASO COUNTY;

THE FOLLOWING TWO (2) COURSES ARE ON SAID BOUNDARY LINE:

20. THENCE S45°14'56"W A DISTANCE OF 1150.00 FEET;
21. THENCE S00°11'44"E A DISTANCE OF 550.00 FEET;
22. THENCE S00°34'48"W A DISTANCE OF 80.00 FEET;
23. THENCE N89°25'12"W A DISTANCE OF 715.30 FEET;
24. THENCE S45°34'48"W A DISTANCE OF 14.54 FEET;
25. THENCE S00°34'48"W A DISTANCE OF 236.58 FEET;
26. THENCE S05°23'19"E A DISTANCE OF 103.70 FEET;
27. THENCE S17°01'39"E A DISTANCE OF 103.70 FEET;
28. THENCE S22°59'45"E A DISTANCE OF 174.64 FEET TO A POINT ON THE NORTHERLY BOUNDARY OF FALCON HIGH SCHOOL, RECORDED WITH RECEPTION NO. 206058517 IN THE RECORDS OF EL PASO COUNTY;
29. THENCE S89°19'41"W A DISTANCE OF 21.70 FEET ALONG SAID BOUNDARY;
30. THENCE S67°31'44"W A DISTANCE OF 80.00 FEET TO A POINT ON THE EASTERLY BOUNDARY OF MERIDIAN RANCH FILING NO. 11A, RECORDED WITH RECEPTION NO. 214713513 IN THE RECORDS OF EL PASO COUNTY AND A NON-TANGENT CURVE TO THE LEFT;

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

31. THENCE ON THE ARC OF SAID CURVE, HAVING A RADIUS OF 1710.00 FEET, A DELTA ANGLE OF 00°31'29", AN ARC LENGTH OF 15.66 FEET, WHOSE LONG CHORD BEARS N22°44'00"W A DISTANCE OF 15.66 FEET;
32. THENCE N22°59'45"W A DISTANCE OF 63.09 FEET;
33. THENCE S86°16'43"W A DISTANCE OF 450.00 FEET;
34. THENCE N63°51'45"W A DISTANCE OF 640.00 FEET;
35. THENCE N30°07'09"W A DISTANCE OF 150.37 FEET;
36. THENCE N81°02'28"W A DISTANCE OF 138.95 FEET;
37. THENCE N05°41'51"W A DISTANCE OF 647.93 FEET;
38. THENCE N80°23'28"W A DISTANCE OF 503.71 FEET;
39. THENCE S72°14'49"W A DISTANCE OF 634.05 FEET TO A POINT ON THE EASTERLY BOUNDARY OF MERIDIAN RANCH FILING NO. 8, RECORDED WITH RECEPTION NO. 215713635 IN THE RECORDS OF EL PASO COUNTY;

THE FOLLOWING ELEVEN (11) COURSES ARE ON SAID BOUNDARY LINE:

40. THENCE N05°03'36"W A DISTANCE OF 165.00 FEET;
41. THENCE N20°15'12"W A DISTANCE OF 165.00 FEET;
42. THENCE N31°56'26"W A DISTANCE OF 165.00 FEET;
43. THENCE N42°44'55"W A DISTANCE OF 102.00 FEET;
44. THENCE N55°18'55"W A DISTANCE OF 75.00 FEET;

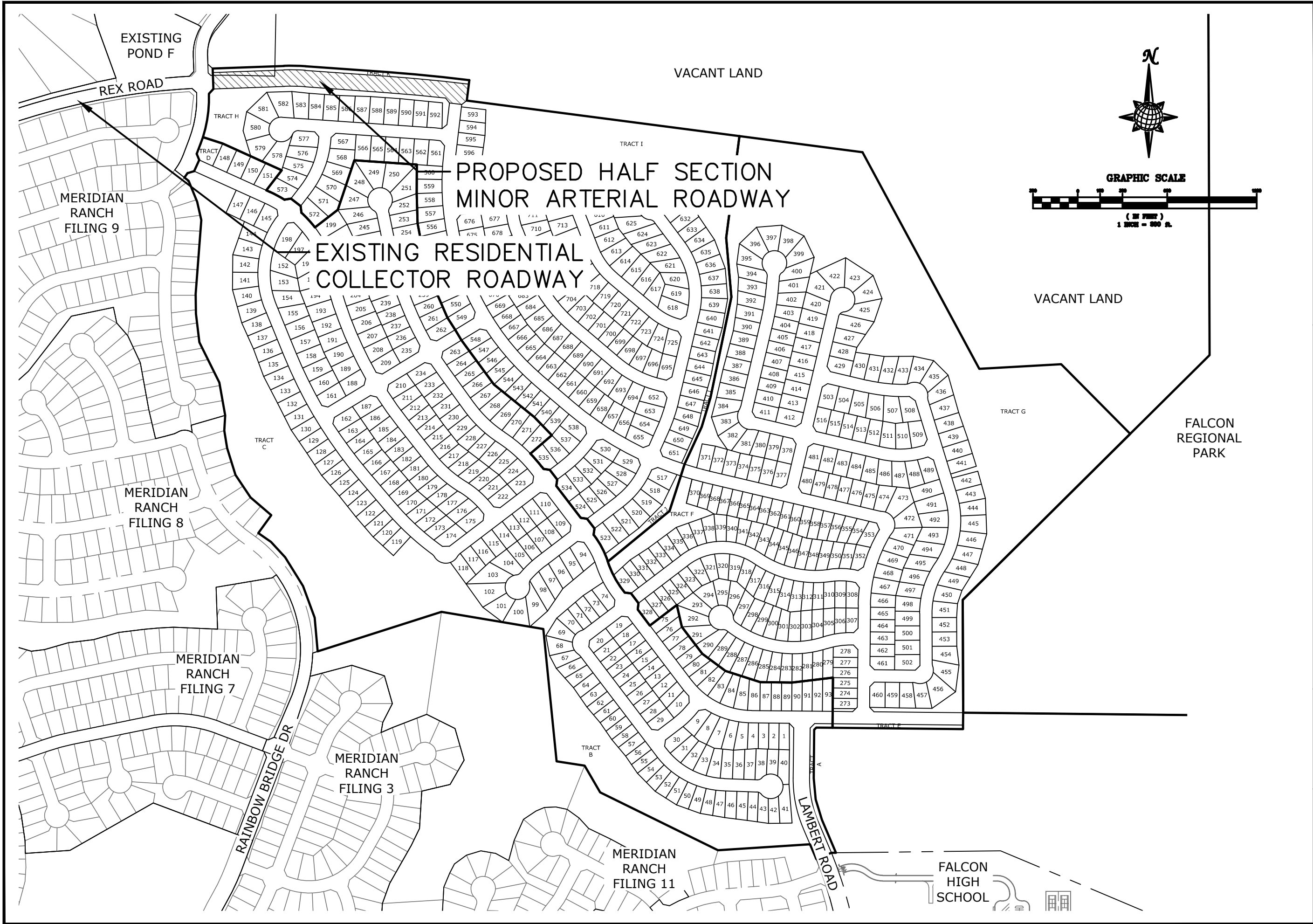
45. THENCE N36°06'38"E A DISTANCE OF 108.00 FEET;
46. THENCE N49°25'02"W A DISTANCE OF 134.00 FEET;
47. THENCE N33°45'49"W A DISTANCE OF 132.00 FEET;
48. THENCE N17°12'24"W A DISTANCE OF 137.00 FEET;
49. THENCE N09°04'29"W A DISTANCE OF 85.86 FEET;
50. THENCE N03°22'02"E A DISTANCE OF 74.77 FEET TO A POINT ON THE EASTERLY BOUNDARY OF SAID MERIDIAN RANCH FILING NO. 9;

THE FOLLOWING SEVEN (7) COURSES ARE ON SAID BOUNDARY LINE:

51. THENCE N10°04'06"W A DISTANCE OF 162.63 FEET;
52. THENCE N26°31'01"W A DISTANCE OF 218.96 FEET;
53. THENCE N06°43'25"W A DISTANCE OF 140.00 FEET;
54. THENCE N01°13'59"W A DISTANCE OF 97.14 FEET;
55. THENCE N04°28'51"E A DISTANCE OF 360.75 FEET;
56. THENCE N12°48'36"W A DISTANCE OF 91.63 FEET;
57. THENCE N22°11'16"W A DISTANCE OF 110.06 FEET TO THE POINT OF BEGINNING.

THE ABOVE PARCEL OF LAND CONTAINS 251.094 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).

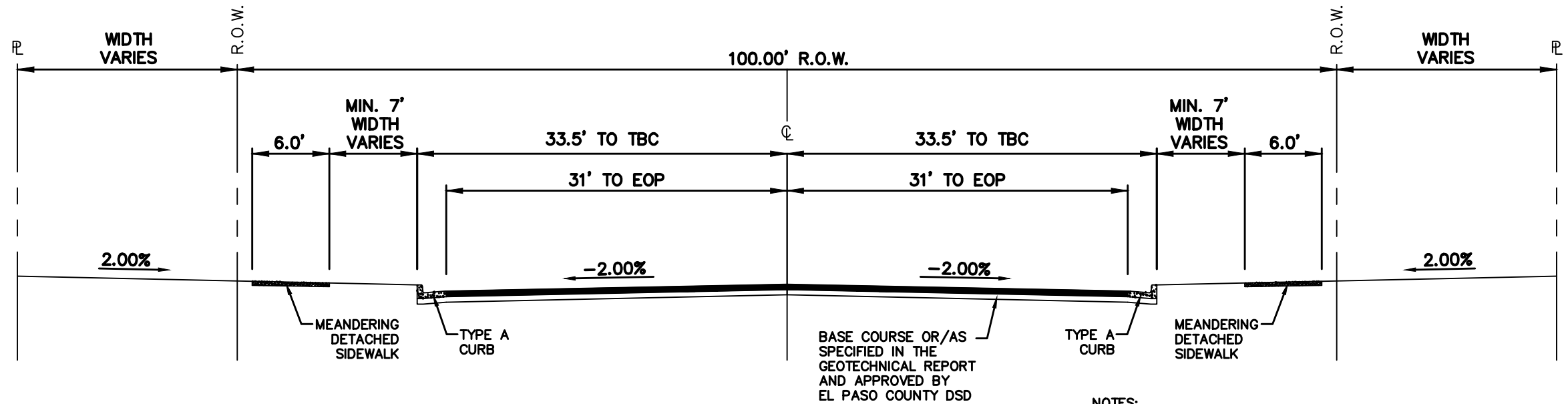


TECH CONTRACTORS
11886 STAPLETON DRIVE
FALCON, CO 80831
TELEPHONE: 719.495.7444
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ROLLING HILLS RANCH PUD
MINOR ARTERIAL DEVIATION
LOCATION MAP

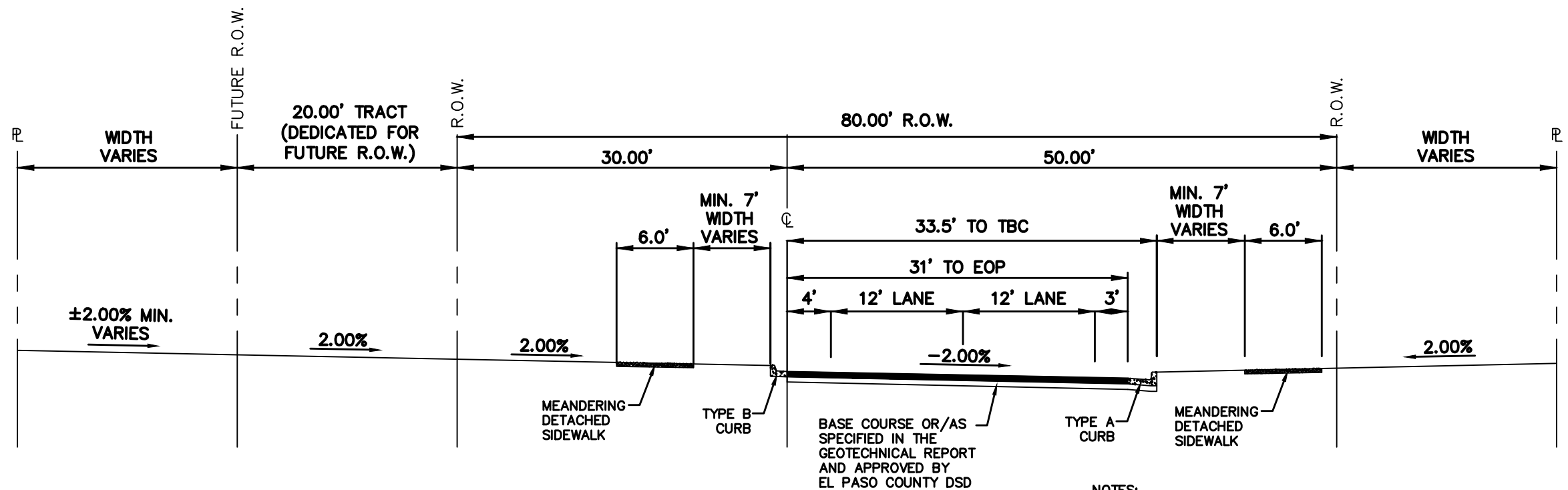
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REX ROAD
MINOR ARTERIAL
SCALE : N.T.S.

NOTES:
1. ASPHALT DETERMINED BY HVEEM METHOD
AND APPROVED BY EL PASO COUNTY DSD.



REX ROAD
TEMP. MINOR ARTERIAL
SCALE : N.T.S.

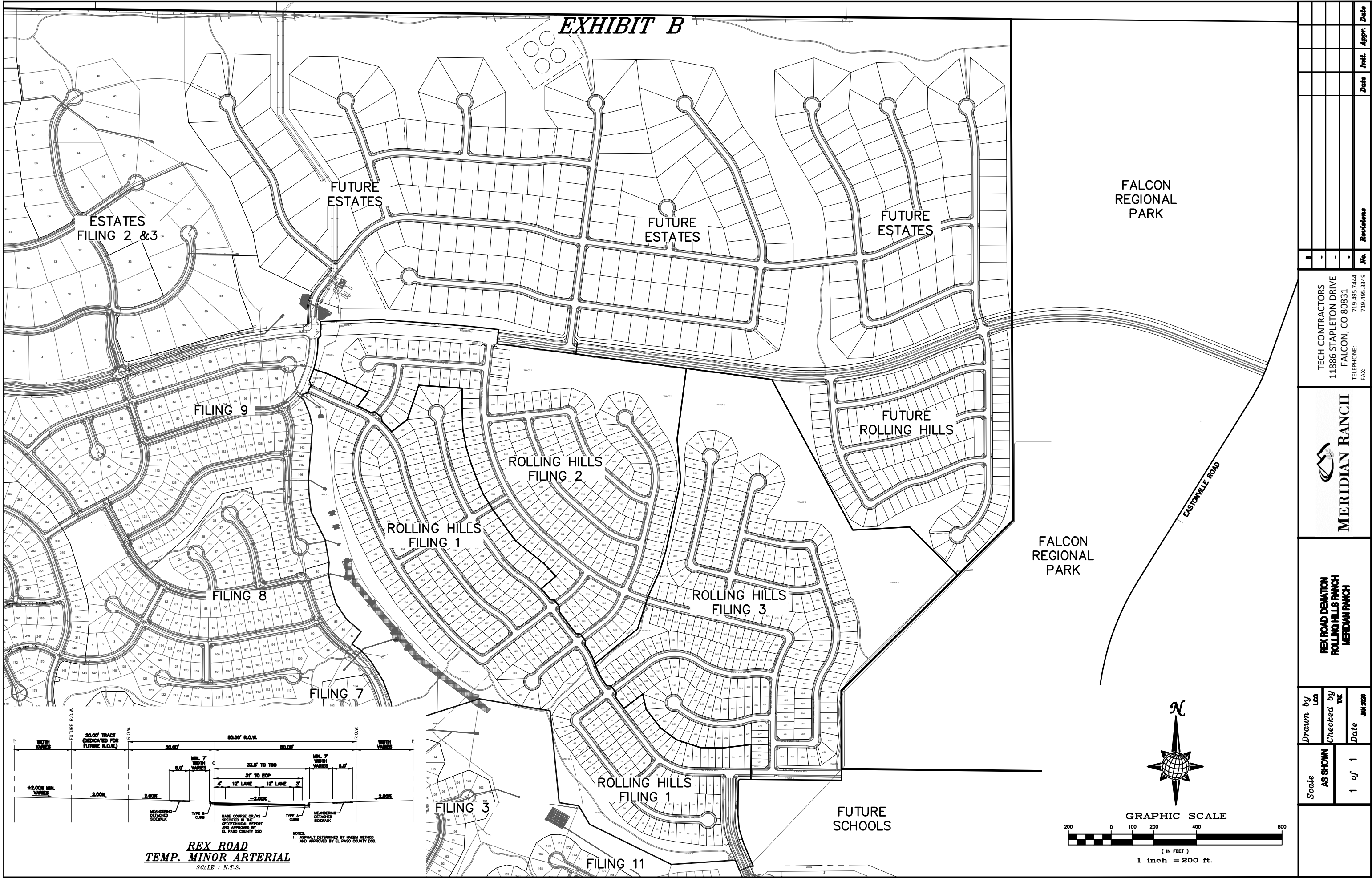
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TECH CONTRACTORS
11886 STAPLETON DRIVE
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ROLLING HILLS RANCH PUD
REX ROAD HALF SECTION
MINOR ARTERIAL DEVIATION

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- Preservation of natural features;
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- 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.

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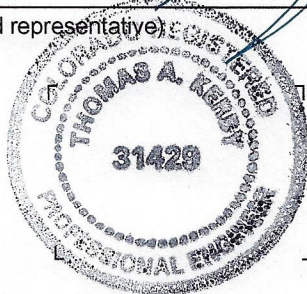
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Signature of owner (or authorized representative)

Date

7-15-2020

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 **2.5.2.C.4** of the Engineering Criteria Manual (ECM) is requested.

Identify the specific ECM standard which a deviation is requested:

2.5.2.C.4 Access ramps on local roadways shall be spaced no greater than 600 feet apart. Where spacing is greater than 600 feet, mid-block access ramps shall be provided at spacings that minimize travel distances between access ramps. Private accesses may be used for these access points where the access is designed to meet access ramp requirements. The pavement markings and signing required by the ECM and MUTCD shall be provided for mid-block access ramps.

State the reason for the requested deviation:

The PUD modification to remove the need for a midblock crossing is consistent with the following considerations identified in Section 4.2.6.F.2.h of the Land Development Code:

- **Provision of a more efficient pedestrian system** – pedestrian circulation within Meridian Ranch is focused on the provided trail system, which connects the residential areas to the parks and open space. The project is designed to encourage the use of the trail system, rather than the sidewalks, where possible. On the streets where mid-block crossings are not provided, there are no pedestrian destinations or trails that would necessitate a midblock crossing to connect to amenities.
- **Provision of additional open space** – by encouraging the residents to use the trail system, the project provides better access to the open space in the development.

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

The deviation would eliminate mid-block pedestrian crossings between on the following street: Summer Ridge Drive, Rolling Peaks Drive, Savannah Falls Court, Valley Peak Drive, Morning Hills Drive, Rolling Ranch Drive, Foggy Bend Lane, Crooked Hill Drive, Evening Creek Drive, Rolling Mesa Drive, Coastal Hills Lane and Crooked Bluff Drive.

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 change is desired to achieve a specific design characteristic within the project. The development has a focus on the trail system that meanders in an out of open space and local park space, the desire is to encourage the use of the trails instead of the interior sidewalks. The design limits the use of mid-block pedestrian crossings that can create safety hazards by blocking or hindering sight lines and placing pedestrians in danger. The design concept also creates an aesthetically pleasing, consistent sidewalk offset from the curb to sidewalk. Pedestrians will generally cross the street at any location regardless of the presence of a pedestrian ramp due to the typically low traffic volume found on local streets. A suggested revision would be to revise the criteria such that mid-block pedestrian ramps are required as deemed necessary to provide access to schools, shopping, transportation facilities or other community facilities and services similar to the City of Colorado Springs standards.

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.

Provision of a more efficient pedestrian system – pedestrian circulation within Meridian Ranch is focused on the provided trail system, which connects the residential areas to the parks and open space. The project is designed to encourage the use of the trail system, rather than the sidewalks, where possible. On all the streets where mid-block crossings are not provided, there are no pedestrian destinations or trails that would necessitate a midblock crossing to connect to amenities.

The deviation will not adversely affect safety or operations.

The design enhances safety by eliminating potential dangerous mid-block crossings, where pedestrians enter the roadway from behind parked vehicles where lines of sight are limited or blocked. The deviation will also eliminate mid-block ramps where changes in direction of the sidewalk and/or grade could produce a tripping or stumbling hazard.

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

The deviation will not adversely affect the maintenance cost or the ability for maintenance vehicles to work on the street or within the right-of-way. Reducing mid-block pedestrian ramps will reduce the cost of maintenance due to eliminating signage and pavement markings.

The deviation will not adversely affect aesthetic appearance.

The deviation will improve the aesthetic appearance by creating unswerving smooth offset line of the sidewalk from curb.

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

The deviation meets the design intent and purposes of the ECM standards by meeting all other aspects of the standards with respect road design, road safety and pedestrian safety. There is no Federal ADA maximum distances allowed between pedestrian crossing along street that would necessitate mid-block pedestrian ramps.

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

2.5.2 C4

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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APPROVED
Engineering Department

09/29/2020 9:06:41 PM

dsdnijkamp

**EPC Planning & Community
Development Department**

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:



Planning and Community
Development Department
2880 International Circle
Colorado Springs, Colorado 80910
Phone: 719.520.6300
Fax: 719.520.6695
Website www.elpasoco.com

**DEVIATION REQUEST
AND DECISION FORM IN
ASSOCIATION WITH
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 : Rolling Hills Ranch PUD

Schedule No.(s) : 4200000401, 4200000402, & 4200000407

Legal Description : See attached

APPLICANT INFORMATION

Company : Tech Contractors

Name : Tom Kerby

☐ Owner ☒ Consultant ☐ ContractorMailing 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 Drive
Falcon, CO 80831

Phone Number : 719.495.7444

FAX Number : n/a

Email Address : tom@meridianranch.com

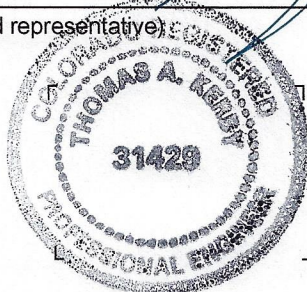
OWNER, APPLICANT, AND ENGINEER DECLARATION

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

7-15-2020

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

Identify the specific ECM standard which a deviation is requested:

Type 3 Mailbox Placement

The request for a deviation is to allow vehicles to park within the clear zone when accessing the Type 3 Mailbox

State the reason for the requested deviation:

For aesthetics and consistency within Meridian Ranch, the request is to be allowed to place the Type 3 Mailbox in locations similar to the locations where these boxes have been placed since the beginning of the project. Historically, the mailbox locations have typically been located along the sides of residential lots and adjacent to open space at locations within local and local low volume street classifications where street parking is allowed and the Postal Service prefers and approves.

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

The proposed deviation will allow residents to pull up to the curb to retrieve their mail in a similar location and manner as any other resident would to park a vehicle along the residential street.

The Type 3 mailbox is to be located outside the clear zone and shall be located in such a place as to not block the line of sight.

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 regulation is illogical where street parking is allowed. Local and Local Low Volume streets allow for street parking of vehicles. It is illogical to require mailbox locations within a residential subdivision along a local or local low volume street to require a vehicle temporarily park outside the clear zone when parking near a mailbox kiosk when street parking within the clear zone is allowed everywhere else along the same street.

This standard requires additional unnecessary street width, curb and gutter and sidewalk be installed that will then need to be maintained by the County.

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 provide similar design and appearance as elsewhere within the Meridian Ranch development providing aesthetic continuity.

The deviation will not adversely affect safety or operations.

The deviation will not adversely affect safety or operations since the mailbox kiosks will be located outside the clear zone. Any vehicle that temporarily parks near the kiosk will park in a similar manner as any other vehicle along the same street in front of a residence.

The Type 3 mailbox is to be located outside the clear zone and shall be located in such a place as to not block the line of sight.

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

The deviation will not adversely affect maintenance and its associated costs, since in all other aspects, such as roadway width, slope, pavement type, turn around space, etc. meet El Paso County criteria. Since it meets all other criteria the impacts to maintenance is insignificant.

Conversely, providing the additional width to the street for a pullout to park would require additional maintenance and cost to the County.

The deviation will not adversely affect aesthetic appearance.

The deviation will not adversely affect the aesthetic appears of the project.

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

The deviation meets the design intent and purpose of the ECM standards by meeting all other aspects of the standards with respect to road design and safety.

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 deviation meets the control measure requirements by leaving more area in its natural condition promotes more infiltration and less runoff. By allowing this provision, additional roadway for the sole purpose of providing an unnecessary paved pullout for temporary parking can be avoided.

REVIEW AND RECOMMENDATION:

Approved by the ECM Administrator

This request has been determined to have met the criteria for approval. A deviation from Section 4.4.5.E of the ECM is hereby granted based on the justification provided.

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*** APPROVED**
Engineering Department

09/30/2020 1:25:48 PM

dsdnijkamp

**EPC Planning & Community
Development Department**

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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:

*see sheet 7 for possible relocation on one box;
This deviation in no way constitutes approval of future deviations of the like;
The County is currently working with the industry on updating this section of the Criteria.

	Scale AS SHOWN	Drawn by	MAIL KIOSK LOCATION DEMONSTRATION ROLLING HILLS RANCH MERIDIAN RANCH	 MERIDIAN RANCH	TECH CONTRACTORS 11886 STAPLETON DRIVE FALCON, CO 80831 TELEPHONE: 719.495.7444 FAX: 719.495.3349	B					
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		Date APR 2020				-					
	1 of 1					No.	Revisions	Date	Init.	Appr.	Date



Planning and Community
Development Department
2880 International Circle
Colorado Springs, Colorado 80910
Phone: 719.520.6300
Fax: 719.520.6695
Website www.elpasoco.com

**DEVIATION REQUEST
AND DECISION FORM IN
ASSOCIATION WITH
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 : Rolling Hills Ranch PUD

Schedule No.(s) : 4200000401, 4200000402, & 4200000407

Legal Description : See attached

APPLICANT INFORMATION

Company : Tech Contractors

Name : Tom Kerby

☐ Owner ☒ Consultant ☐ ContractorMailing 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

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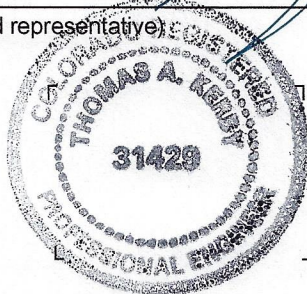
OWNER, APPLICANT, AND ENGINEER DECLARATION

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

7-15-2020

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

Identify the specific ECM standard which a deviation is requested:

Exceed the maximum length between of a cul-de-sac on an Urban Local street.

The request for a deviation is to allow two proposed cul-de-sacs that exceed the maximum allowable length as shown on the PUD drawings.

State the reason for the requested deviation:

A belief the cul-de-sac provides a superior product that is desirable to the general public without sacrificing safety to the residents and users of the area. The attached letter from the Falcon Fire Protection District indicates that the local fire district believes the longer cul-de-sac does not create undue safety issues. Supportive of the request the Falcon Fire Department notes that the described area is not within the Districts wildland interface.

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

A requested cul-de-sac length of 755 feet for Rolling Peaks Drive, which is 5 feet longer than the ECM standard of 750 feet and a length of 1,038 feet for Foggy Bend Lane, Foggy Meadows Drive being 288 feet longer than the ECM standard.

The Falcon Fire Protection District has provided a letter in support of this design alternative stating the district does not object to cul-de-sac lengths other than the requirement to have the necessary surface material and the means to turnaround that meets the county requirements. In addition as noted above this area is not within the wildland interface.

The fire district's code does require approval of cul-de-sacs in excess of 750' and the district has provided a letter of approval.

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:

Several cul-de-sacs in the last few subdivisions have been deemed too long by this criterion. The ECM seems to indicate a safety concern from the perspective of the access by emergency services, in particular fire protection. However, the Falcon Fire Protection District has indicated in every case that approval of lengths exceeding 750 are acceptable if a proper surface is provided, the means of access and turnaround is sufficient and the location is not within the wildland fire interface. This project is not located within the wildland interface.

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.

Homes on a cul-de-sac are desirable to most home purchasers, this design provides what the perspective purchaser is seeking without adversely impacting the public safety nor surrounding property. The proposed design in addition creates unique and desired community enclaves while also providing sufficient vehicular and pedestrian access to open space links.

The deviation will not adversely affect safety or operations.

The deviation will not adversely affect safety or operations; as mentioned above the Falcon Fire Protection District has no objections for this design so long as the roadway is built wide enough for their firefighting apparatus to traverse the length of the street and has sufficient space to turn around, and the project is not located within the wildland fire interface. The design provides both width and turn-around space. The Falcon Fire Protection District has no regulations limiting the length of a cul-de-sac just additional provisions that certain lengths be approved and proper surfacing provided.

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

The deviation will not adversely affect maintenance and its associated costs, since in all other aspects, such as roadway width, slope, pavement type, turn around space, etc. meet El Paso County criteria. Since it meets all other criteria the impacts to maintenance is insignificant.

Conversely, if the long cul-de-sac were not allowed, a street would be required to be added increasing maintenance and cost to the County.

The deviation will not adversely affect aesthetic appearance.

The deviation will not adversely affect the aesthetic appears of the project.

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

The deviation meets the design intent and purpose of the ECM standards by meeting all other aspects of the standards except the length of the cul-de-sac.

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 deviation meets the control measure requirements by leaving more area in its natural condition promotes more infiltration and less runoff. By allowing a long cul-de-sac, additional disturbance of the surrounding area for an additional roadway for the sole purpose of connecting this cul-de-sac with a future cul-de-sac can be avoided.

REVIEW AND RECOMMENDATION:

Approved by the ECM Administrator

This request has been determined to have met the criteria for approval. A deviation from Section 2.3.8 A of the ECM is hereby granted based on the justification provided.

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APPROVED
Engineering Department

09/29/2020 9:12:46 PM

dsdnijkamp

**EPC Planning & Community
Development Department**

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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:

ESTATES
FILING 2 & 3

FUTURE
THE ESTATES

FUTURE
THE ESTATES

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THE ESTATES

FUTURE REX ROAD

FILING 9

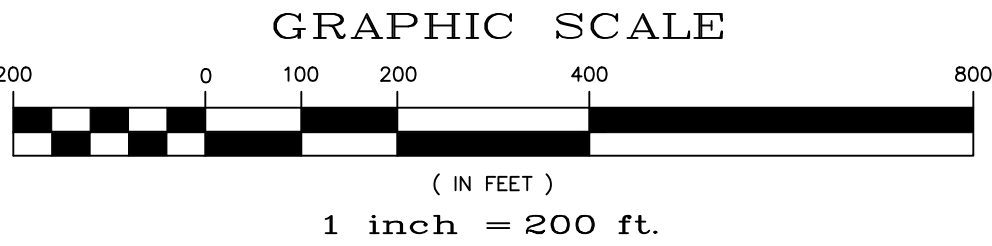
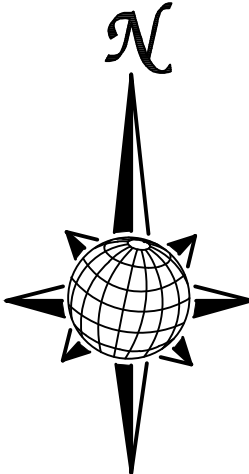
FUTURE
ROLLING HILLS

FILING 8

FILING 7

FILING 3

FILING 11



FUTURE SCHOOL SITE

FALCON HIGH SCHOOL

FALCON FIRE PROTECTION DISTRICT

7030 Old Meridian Road Falcon Colorado 80831

Business Number: 719-495-4050

Business Fax: 719-495-3112

www.falconfirepd.org



February 11, 2020

Tom Kerby
Meridian Ranch Development
Falcon, CO

RE: Rolling Hills Ranch, cul-de-sac deviation fire review.
Deviation Request for dead in roads in excess of 750 feet.

Tom,

Falcon Fire Protection District (FFPD) has reviewed the proposed plans for the Rolling Hills Ranch deviation request for a dead-end road in excess of 750 feet located at Rolling Peaks Drive (785'), Foggy Bend Lane (1,068') and Savannah Falls Court (741'). While this deviation request is not based on any Falcon Fire Departments adopted 2009 Fire Code requirements, assuming the surface material is constructed and maintained to county specifications, the dead end roads in excess of 750 feet is provided with a means of turnaround meeting county requirements, the width of the proposed roads remain as shown in the proposed design and, the road is not within the wildland interface, the Falcon Fire Department has no concerns with this deviation request assuming all other fire code requirements made by the Fire District are accepted.

If you have any questions or concerns please contact me at any of the above listed numbers.

Sincerely,

Trent Harwig
Fire Chief
Falcon Fire Department