



Planning and Community
Development Department
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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
Falcon, CO 80831

Phone Number : 719.495.7444

FAX Number : n/a

Email Address : tom@meridianranch.com

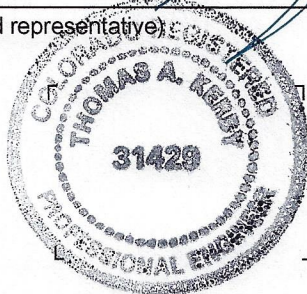
OWNER, APPLICANT, AND ENGINEER DECLARATION

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 **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 _____ 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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ESTATES
FILING 2 & 3

FUTURE
THE ESTATES

FUTURE
THE ESTATES

FUTURE
THE ESTATES

FUTURE REX ROAD

FILING 9

FUTURE
ROLLING HILLS

FILING 8

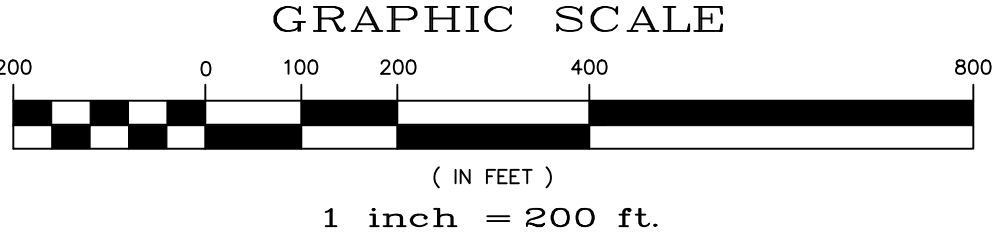
FILING 7

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