



Planning and Community  
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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.

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**PROJECT INFORMATION**

Project Name : Rolling Hills Ranch PUD

Schedule No.(s) : 4200000401, 4200000402, &amp; 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

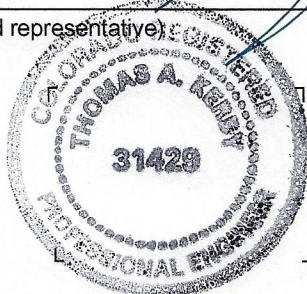
**OWNER, APPLICANT, AND ENGINEER DECLARATION**

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 **2.2.4.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.

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 \_\_\_\_\_ 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.

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;

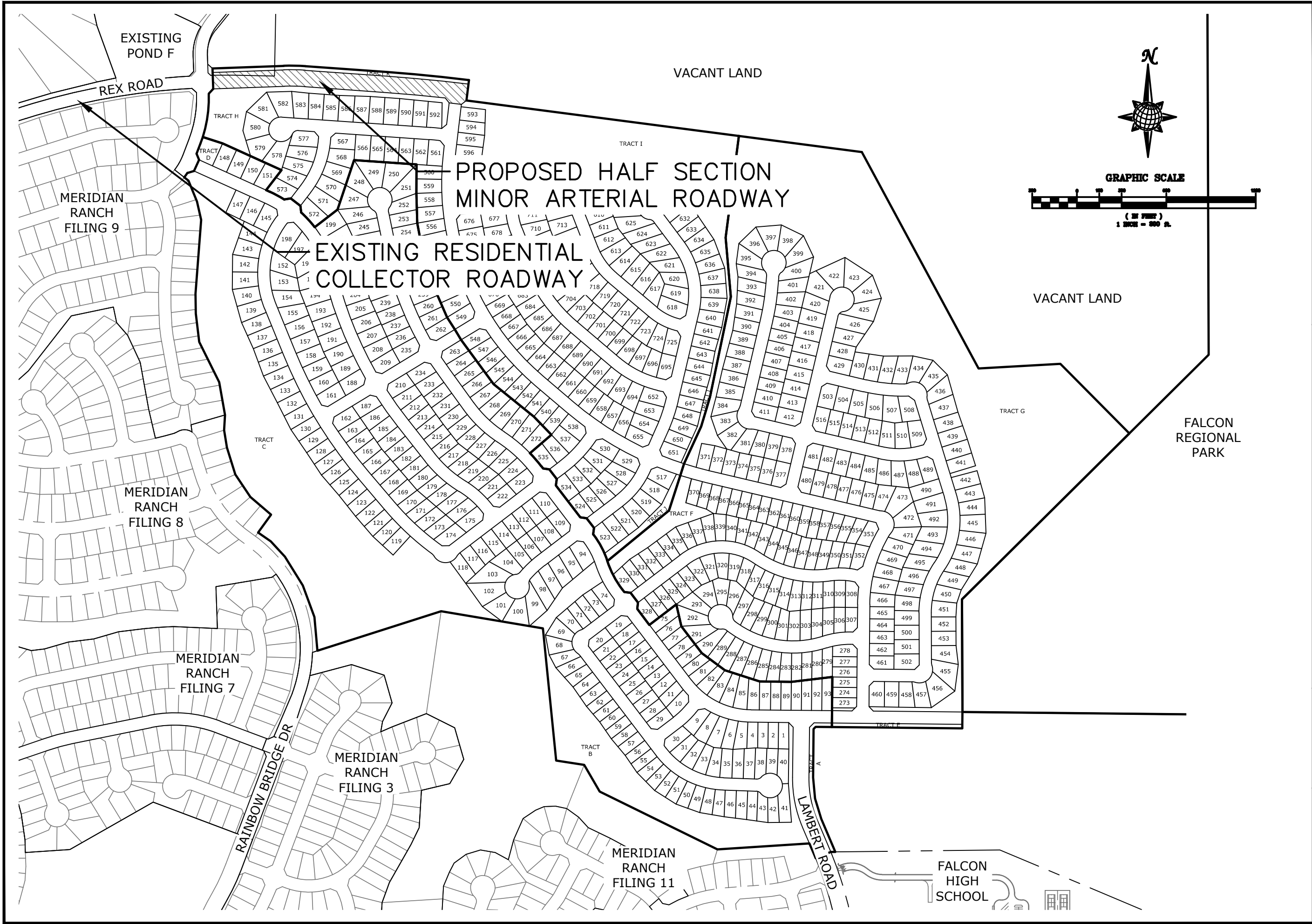
THE FOLLOWING SEVEN (7) COURSES ARE ON SAID BOUNDARY LINE:

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).



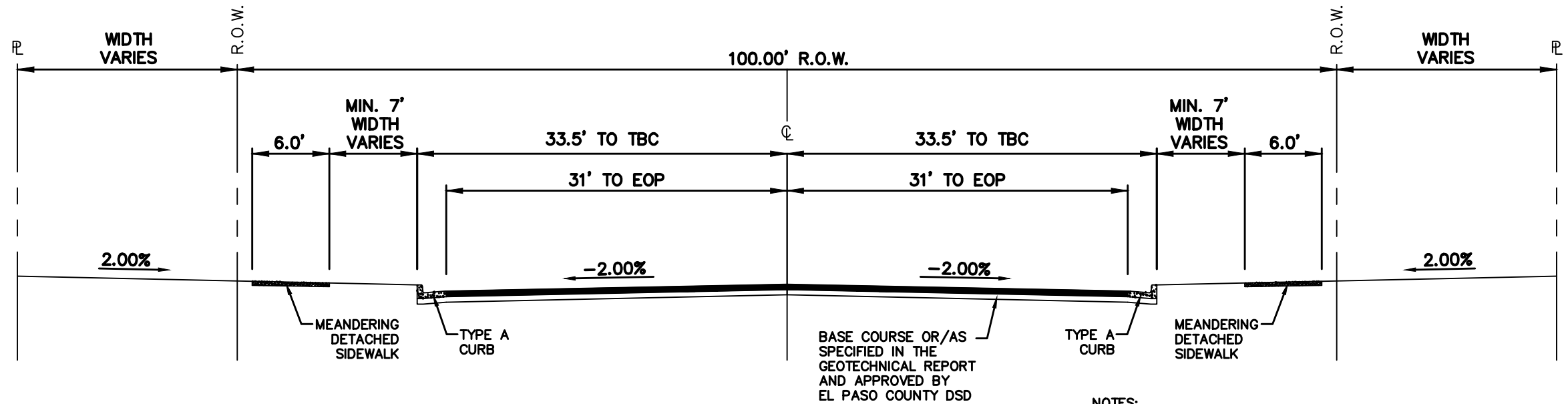


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FAX: 719.495.2457

**ROLLING HILLS RANCH PUD**  
MINOR ARTERIAL DEVIATION  
LOCATION MAP

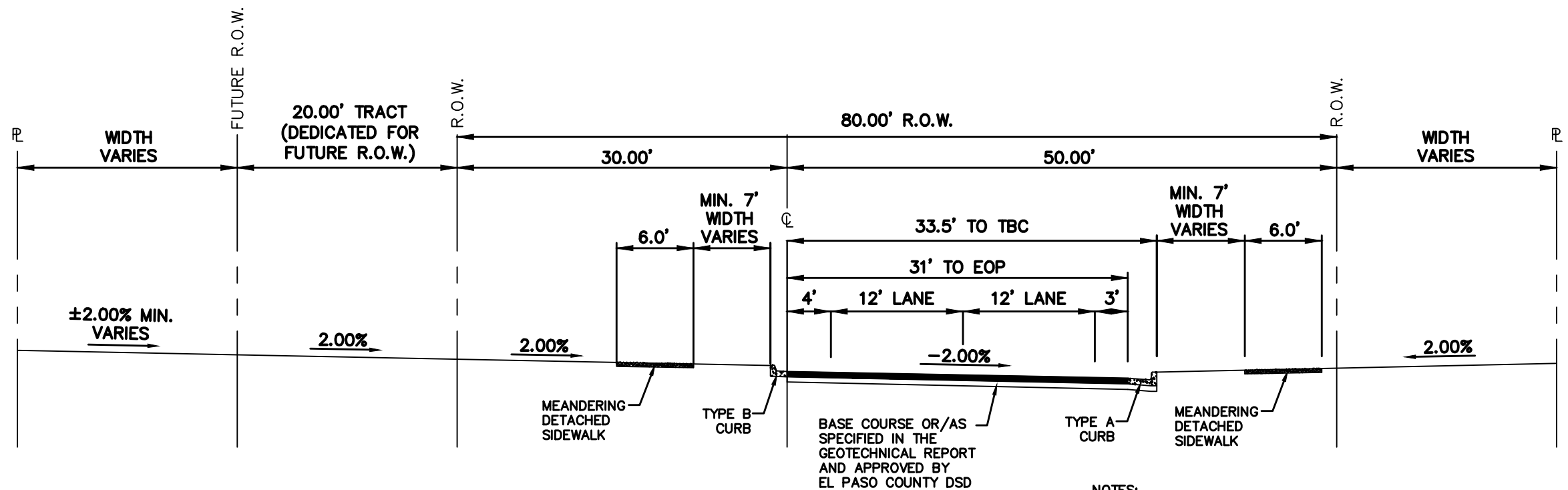
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**REX ROAD**  
**MINOR ARTERIAL**  
SCALE : N.T.S.

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



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

NOTES:  
1. ASPHALT DETERMINED BY HVEEM METHOD  
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**ROLLING HILLS RANCH PUD**  
REX ROAD HALF SECTION  
MINOR ARTERIAL DEVIATION

|              |          |  |            |          |
|--------------|----------|--|------------|----------|
| Scale        | AS SHOWN |  | Drawn by   | LOG      |
|              |          |  | Checked by | TAK      |
| Sheet Number | A        |  | Date       | OCT 2019 |

