



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

Updated: 6/26/2019

PROJECT INFORMATION:

The Hills at Lorson Ranch (CDR 20-007) Pedestrian Ramp Deviation

Schedule No: 5500000371, 5500000403

Project Name : The Hills at Lorson Ranch

Schedule No.(s) : 5500000371, 5500000403

Legal Description :

**The Hills at Lorson Ranch
BOUNDARY LEGAL DESCRIPTION (123.167 ACRES)**

A PARCEL OF LAND IN THE NORTH HALF (N 1/2) SECTION 24 AND IN THE SOUTH HALF (S 1/2) SECTION 13, T15S, R65W OF THE 6TH P.M., EL PASO COUNTY, COLORADO MORE PARTICULARLY DESCRIBED AS FOLLOWS;

BEGINNING AT THE SOUTHEAST CORNER OF "LORSON RANCH EAST FILING NO. 1" AS RECORDED UNDER RECEPTION NO. 219714285 IN THE EL PASO COUNTY, COLORADO RECORDS;

THENCE N38°22'41"E ALONG THE EASTERLY LINE THEREOF AND ITS NORTHERLY EXTENSION, SAID LINE BEING THE NORTHWESTERLY LINE OF THAT 100 FOOT TRI-STATE GENERATION AND TRANSMISSION ASSOCIATION INC. EASEMENT DESCRIBED IN BOOK 2665 PAGE 715 OF THE EL PASO COUNTY RECORDS, 1352.92 FEET TO THE SOUTHERLY CORNER OF THE MOUNTAIN VIEW ELECTRIC ASSOCIATION (MVEA) SUBSTATION AS RECORDED UNDER RECEPTION NO. 206041590;

THENCE CONTINUING N38°22'41"E ALONG THE SOUTHEASTERLY LINE OF SAID MVEA SUBSTATION, 295.16 FEET;
THENCE N38°22'41"E A DISTANCE OF 447.40 FEET TO THE SOUTH RIGHT-OF-WAY LINE OF FONTAINE BOULEVARD AS PLATTED IN "LORSON RANCH EAST FILING NO. 1"

THENCE ALONG SAID RIGHT-OF-WAY LINE THE FOLLOWING THREE (3) COURSES;

- (1) THENCE S70°06'29"E, A DISTANCE OF 34.95 FEET;
- (2) THENCE N18°59'47"E, A DISTANCE OF 99.98 FEET;
- (3) THENCE N38°22'35"E, A DISTANCE OF 0.03 FEET TO THE SOUTHWEST CORNER OF TRACT J, "LORSON RANCH EAST FILING NO. 1";

THENCE ALONG THE LINES OF SAID TRACT J THE FOLLOWING FOUR (4) COURSES;

- (1) THENCE N38°22'35"E, ALONG THE EASTERLY LINE THEREOF 345.15 FEET;
- (2) THENCE N58°24'10"W, A DISTANCE OF 314.29 FEET;
- (3) THENCE N43°26'13"W, A DISTANCE OF 336.42 FEET;
- (4) THENCE N0°00'00"E, A DISTANCE OF 440.98 FEET TO THE SOUTH LINE OF "LORSON RANCH EAST FILING NO. 3" AS RECORDED UNDER RECEPTION NO. 220714474 IN THE EL PASO COUNTY RECORDS;

THENCE ALONG THE SOUTHERLY LINES THEREOF THE FOLLOWING SIX (6) COURSES;

- (1) THENCE N87°26'51"E, A DISTANCE OF 11.92 FEET;
- (2) THENCE 304.57 FEET ALONG A CURVE TO THE LEFT, SAID CURVE HAVING A RADIUS OF 704.79 FEET, A CENTRAL ANGLE OF 24°45'36", THE CHORD OF 302.21 FEET BEARS N75°30'05"E;
- (3) THENCE N63°33'19"E, A DISTANCE OF 194.38 FEET;
- (4) THENCE N67°51'09"E, A DISTANCE OF 113.39 FEET;
- (5) THENCE N65°49'40"E, A DISTANCE OF 232.85 FEET;
- (6) THENCE 90.04 FEET ALONG A CURVE TO THE RIGHT, SAID CURVE HAVING A RADIUS OF 533.00 FEET, A CENTRAL ANGLE OF 9°40'45", THE CHORD OF 89.94 FEET BEARS N21°59'18"W;

THENCE S57°31'41"E, A DISTANCE OF 30.77 FEET;

THENCE S22°54'14"E, A DISTANCE OF 56.00 FEET;

THENCE S7°28'57"W, A DISTANCE OF 33.43 FEET;

THENCE 213.93 FEET ALONG A CURVE TO THE LEFT, SAID CURVE HAVING A RADIUS OF 533.00 FEET, A CENTRAL ANGLE OF 22°59'49", THE CHORD OF 212.50 FEET BEARS S40°31'27"E;

THENCE S52°01'21"E, A DISTANCE OF 254.46 FEET TO THE NORTHWESTERLY LINE OF AFORESAID 100 FOOT TRI-STATE GENERATION AND TRANSMISSION ASSOCIATION INC. EASEMENT;

THENCE S37°58'39"W, ALONG SAID NORTHWESTERLY LINE 2.00 FEET;

THENCE S52°01'21"E, A DISTANCE OF 185.54 FEET;

THENCE 210.78 FEET ALONG A CURVE TO THE LEFT, SAID CURVE HAVING A RADIUS OF 970.00 FEET, A CENTRAL ANGLE OF 12°27'02", THE CHORD OF 210.37 FEET BEARS S58°14'52"E;

THENCE S64°28'23"E, A DISTANCE OF 122.30 FEET;

THENCE N78°34'24"E, A DISTANCE OF 33.27 FEET;

THENCE S64°28'23"E, A DISTANCE OF 50.00 FEET;
THENCE S27°31'10"E, A DISTANCE OF 33.27 FEET;
THENCE S64°28'23"E, A DISTANCE OF 56.25 FEET;
THENCE 141.30 FEET ALONG A CURVE TO THE RIGHT, SAID CURVE HAVING A RADIUS OF 630.00 FEET, A CENTRAL ANGLE OF 12°51'04", THE CHORD OF 141.01 FEET BEARS S58°02'51"E;
THENCE S51°37'19"E, A DISTANCE OF 94.90 FEET;
THENCE N83°22'41"E, A DISTANCE OF 33.94 FEET;
THENCE S51°37'19"E, A DISTANCE OF 62.00 FEET;
THENCE S38°22'41"W, A DISTANCE OF 159.73 FEET;
THENCE 267.95 FEET ALONG A CURVE TO THE LEFT, SAID CURVE HAVING A RADIUS OF 868.00 FEET, A CENTRAL ANGLE OF 17°41'14", THE CHORD OF 266.89 FEET BEARS S29°32'04"W;
THENCE S23°47'26"E, A DISTANCE OF 29.39 FEET;
THENCE S18°59'47"W, A DISTANCE OF 50.00 FEET;
THENCE S61°35'11"W, A DISTANCE OF 30.06 FEET;
THENCE S18°59'47"W, A DISTANCE OF 567.87 FEET;
THENCE S26°00'13"E, A DISTANCE OF 36.77 FEET;
THENCE S18°59'47"W, A DISTANCE OF 93.91 FEET;
THENCE S63°59'47"W, A DISTANCE OF 25.46 FEET;
THENCE S18°59'47"W, A DISTANCE OF 119.41 FEET;
THENCE S23°17'08"W, A DISTANCE OF 106.97 FEET;
THENCE S18°59'47"W, A DISTANCE OF 307.87 FEET;
THENCE S23°45'41"E, A DISTANCE OF 29.46 FEET;
THENCE S18°59'47"W, A DISTANCE OF 50.00 FEET;
THENCE S61°45'15"W, A DISTANCE OF 29.46 FEET;
THENCE S18°59'47"W, A DISTANCE OF 396.74 FEET;
THENCE S23°45'41"E, A DISTANCE OF 29.46 FEET;
THENCE S18°59'47"W, A DISTANCE OF 50.00 FEET;
THENCE S61°45'15"W, A DISTANCE OF 29.46 FEET;
THENCE S18°59'47"W, A DISTANCE OF 134.57 FEET;
THENCE 62.79 FEET ALONG A CURVE TO THE RIGHT, SAID CURVE HAVING A RADIUS OF 1,032.00 FEET, A CENTRAL ANGLE OF 3°29'10", THE CHORD OF 62.78 FEET BEARS S20°44'22"W;
THENCE S22°28'57"W, A DISTANCE OF 349.86 FEET;
THENCE 90.69 FEET ALONG A CURVE TO THE RIGHT, SAID CURVE HAVING A RADIUS OF 632.00 FEET, A CENTRAL ANGLE OF 8°13'18", THE CHORD OF 90.61 FEET BEARS S26°35'36"W;
THENCE S30°42'15"W, A DISTANCE OF 26.72 FEET;
THENCE S13°07'56"E, A DISTANCE OF 27.70 FEET;
THENCE S33°01'53"W, A DISTANCE OF 64.00 FEET;
THENCE N56°58'07"W, A DISTANCE OF 9.29 FEET;
THENCE 178.22 FEET ALONG A CURVE TO THE LEFT, SAID CURVE HAVING A RADIUS OF 968.00 FEET, A CENTRAL ANGLE OF 10°32'56", THE CHORD OF 177.97 FEET BEARS N62°14'35"W;
THENCE N67°31'03"W, A DISTANCE OF 789.35 FEET;
THENCE S73°54'03"W, A DISTANCE OF 32.07 FEET;
THENCE N67°31'03"W, A DISTANCE OF 50.00 FEET;
THENCE N28°50'34"W, A DISTANCE OF 32.01 FEET;
THENCE N67°31'03"W, A DISTANCE OF 263.79 FEET;
THENCE 226.85 FEET ALONG A CURVE TO THE LEFT, SAID CURVE HAVING A RADIUS OF 568.00 FEET, A CENTRAL ANGLE OF 22°53'00", THE CHORD OF 225.35 FEET BEARS N78°57'32"W;
THENCE S89°35'58"W, A DISTANCE OF 490.91 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS AN AREA OF 5,365,144 S.F. (123.167 ACRES MORE OR LESS).

APPLICANT INFORMATION

Company : Lorson, LLC and Love In Action
 Name : Jeff Mark
 Owner Consultant Contractor
 Mailing Address : 212 N. Wahsatch Avenue, Suite 301, Colorado Springs, CO 80903

 Phone Number : 719-635-3200
 FAX Number : 719-635-3244
 Email Address : jmark@thelandhuisco.com

ENGINEER INFORMATION

Company : Core Engineering Group
 Name : Richard Schindler, P.E. Colorado P.E. Number : 33997
 Mailing Address : 15004 1st Avenue S, Burnsville, MN 55306

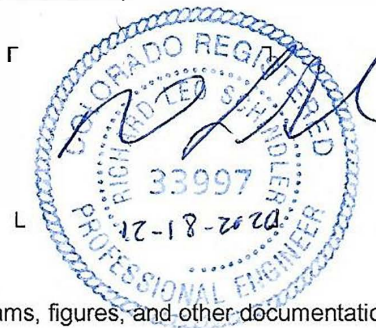
 Phone Number : 719-659-7800
 FAX Number :
 Email Address : rich@ceg1.com

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.

 _____ Date 12-18-2020
 Signature of owner (or authorized representative)

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 **ECM Section 2.5.2 (C2)** of the Engineering Criteria Manual (ECM) is requested.

Identify the specific ECM standard which a deviation is requested: Pedestrian Ramps at 4-way intersections

Identify the specific ECM standard which a deviation is requested: Pedestrian Ramps at 3-way and 4-way intersections

Eliminate two pedestrian ramps for crossing streets. The ECM Section 2.5.2 (C2) states eight pedestrian ramps shall be constructed at 4-way intersections. We are proposing to eliminate two ramps from this type of intersection to provide for a safer intersection that meets ADA slopes.

We propose to eliminate the two eastern ramps that provide for a crossing of Grayling Dr (collector street) at Scrub Jay Trail which does not have a stop condition.

The 4-way intersection ramp elimination also occurs at Roundtail Way/Lake Trout Dr, Roundtail Way/Splake St and Godwit Ln/Sanderling St. All these streets are local streets.

State the reason for the requested deviation:

Elimination of the two ramps is requested to improve the safety of the intersections and to provide crossings that meet ADA slopes. We propose to eliminate two of the pedestrian ramps which cross streets that do not have a stop condition.

The 4-way intersection eliminated ramps remove a pedestrian crossing of a streets that do not have a stop condition and do not meet ADA requirements for cross-slope grades at pedestrian ramps.

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

4-Way Intersections: Installation of all corner ramps at these intersections increases the pedestrian crossings of a street without a stop condition and the grading cannot meet ADA requirements along the ADA curb returns. However, these intersections still provide 6 different access points and do not limit pedestrian movements across the intersection. All of the intersections are in proximity of other intersection with all ramps installed as required.

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:

Due to the geometric street layout and pedestrian movements, providing the additional two ramps at non-stop conditions creates an unsafe crossing. All of the intersections are in proximity of other intersection with all ramps installed as required.

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.

Elimination of the two ramps will provide a superior design with safer pedestrian crossing facilities.

These intersections still provide pedestrian access points across the intersection. All of the intersections are in proximity of other intersection with all ramps installed as required.

The deviation will not adversely affect safety or operations.

Two less pedestrian ramps will not visually affect the intersection’s appearance nor prevent adequate, safe pedestrian movements.

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

Maintaining two less pedestrian ramps per intersection will be less expensive.

The deviation will not adversely affect aesthetic appearance.

Two less pedestrian ramps will not visually affect the intersection's appearance

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

Elimination of two ramps at each intersection will not impede pedestrian movements and will result in elimination of an unsafe pedestrian crossing of a non-stop condition street.

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.

Two less pedestrian ramps still meets requirements of the county's 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 2.5.2 of the ECM is hereby granted based on the justification provided.

┌ **APPROVED** ┐
Engineering Department ┐
01/05/2021 7:37:55 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:

1.1. PURPOSE

The purpose of this resource is to provide a form for documenting the findings and decision by the ECM Administrator concerning a deviation request. The form is used to document the review and decision concerning a requested deviation. The request and decision concerning each deviation from a specific section of the ECM shall be recorded on a separate form.

1.2. BACKGROUND

A deviation is a critical aspect of the review process and needs to be documented to ensure that the deviations granted are applied to a specific development application in conformance with the criteria for approval and that the action is documented as such requests can point to potential needed revisions to the ECM.

1.3. APPLICABLE STATUTES AND REGULATIONS

Section 5.8 of the ECM establishes a mechanism whereby an engineering design standard can be modified when if strictly adhered to, would cause unnecessary hardship or unsafe design because of topographical or other conditions particular to the site, and that a departure may be made without destroying the intent of such provision.

1.4. APPLICABILITY

All provisions of the ECM are subject to deviation by the ECM Administrator provided that one of the following conditions is met:

- The ECM standard is inapplicable to a particular situation.
- Topography, right-of-way, or other geographical conditions or impediments impose an undue hardship on the applicant, and an equivalent alternative that can accomplish the same design objective is available and does not compromise public safety or accessibility.
- A change to a standard is required to address a specific design or construction problem, and if not modified, the standard will impose an undue hardship on the applicant with little or no material benefit to the public.

1.5. TECHNICAL GUIDANCE

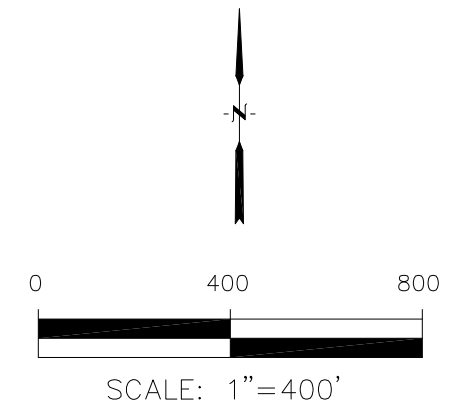
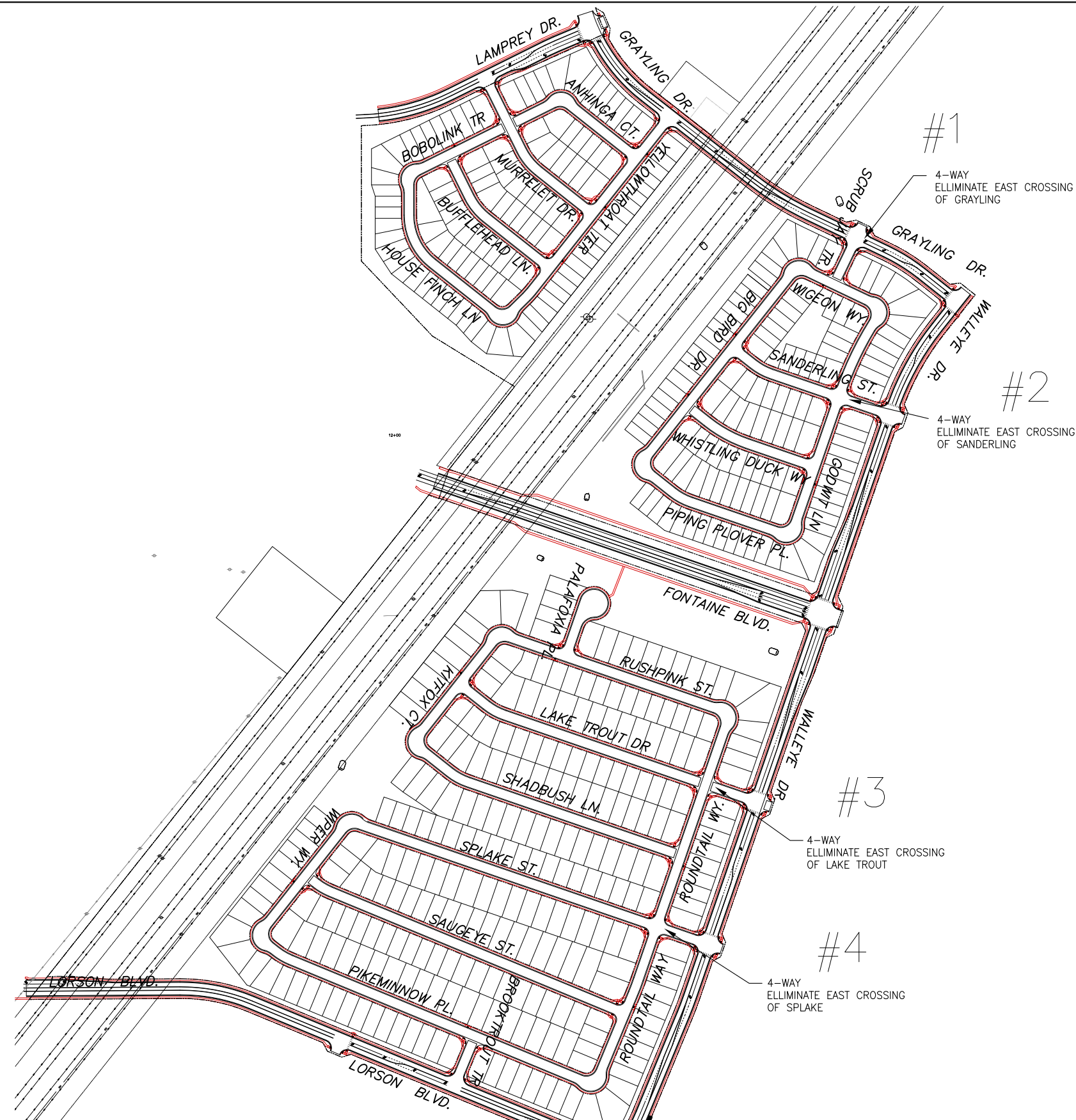
The review shall ensure all criteria for approval are adequately considered and that justification for the deviation is properly documented.

1.6. LIMITS OF APPROVAL

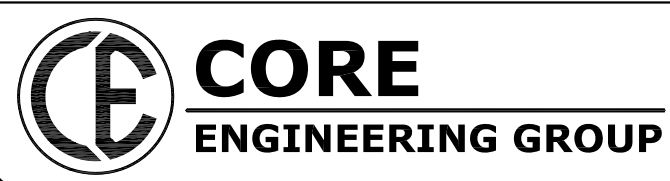
Whether a request for deviation is approved as proposed or with conditions, the approval is for project-specific use and shall not constitute a precedent or general deviation from these Standards.

1.7. REVIEW FEES

A Deviation Review Fee shall be paid in full at the time of submission of a request for deviation. The fee for Deviation Review shall be as determined by resolution of the BoCC.



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PUD/SP 20-003

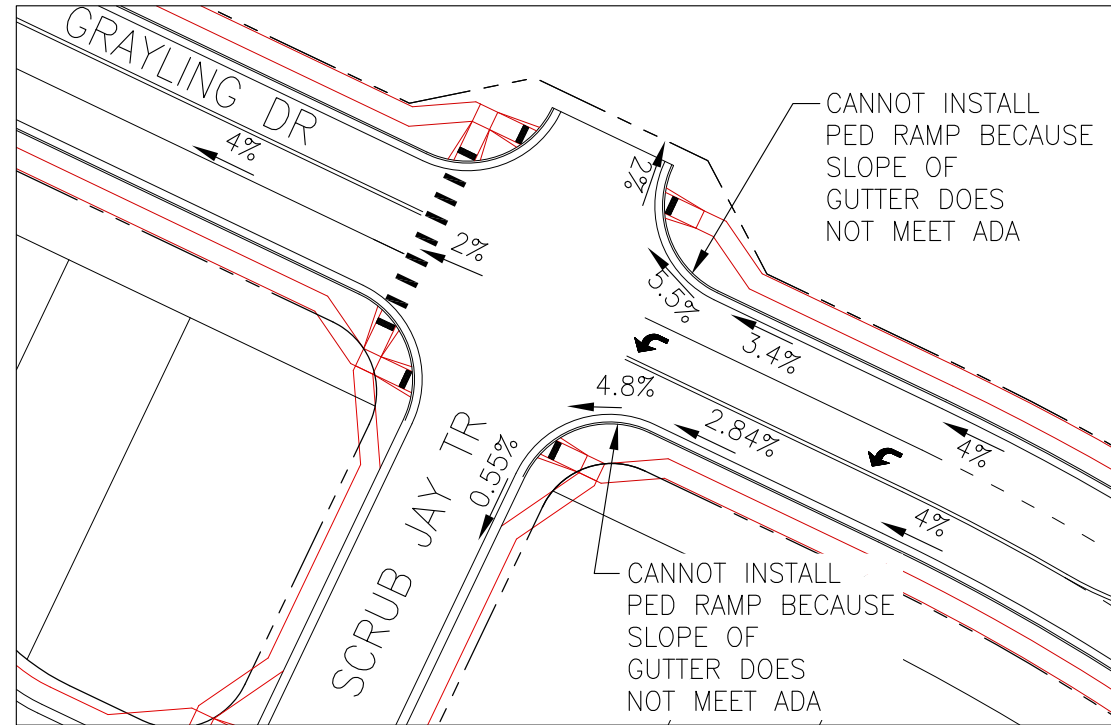


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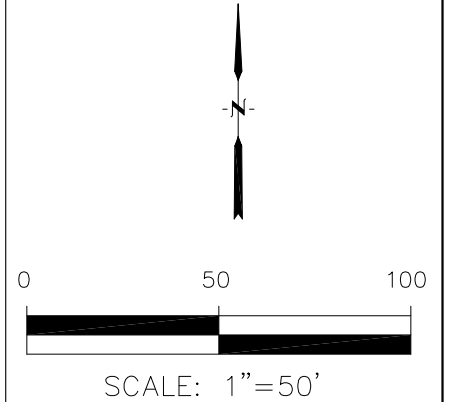
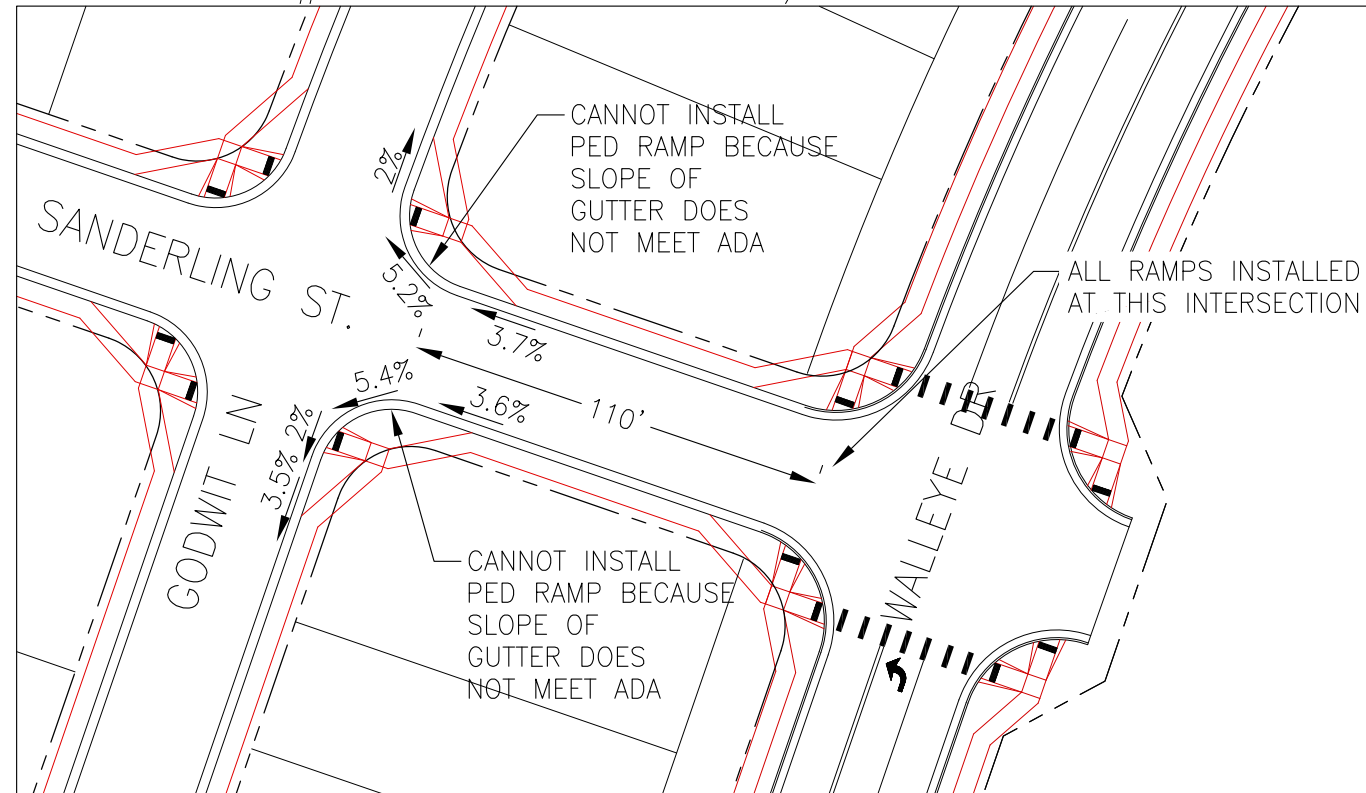
Deviation for Removing Pedestrian Ramps
The Hills at Lorson Ranch

DATE: DEC 18, 2020	JOB NO: 100.061
SCALE: AS SHOWN n/a	FIGURE NO: 1 of 2

#1 - SCRUB JAY/GRAYLING

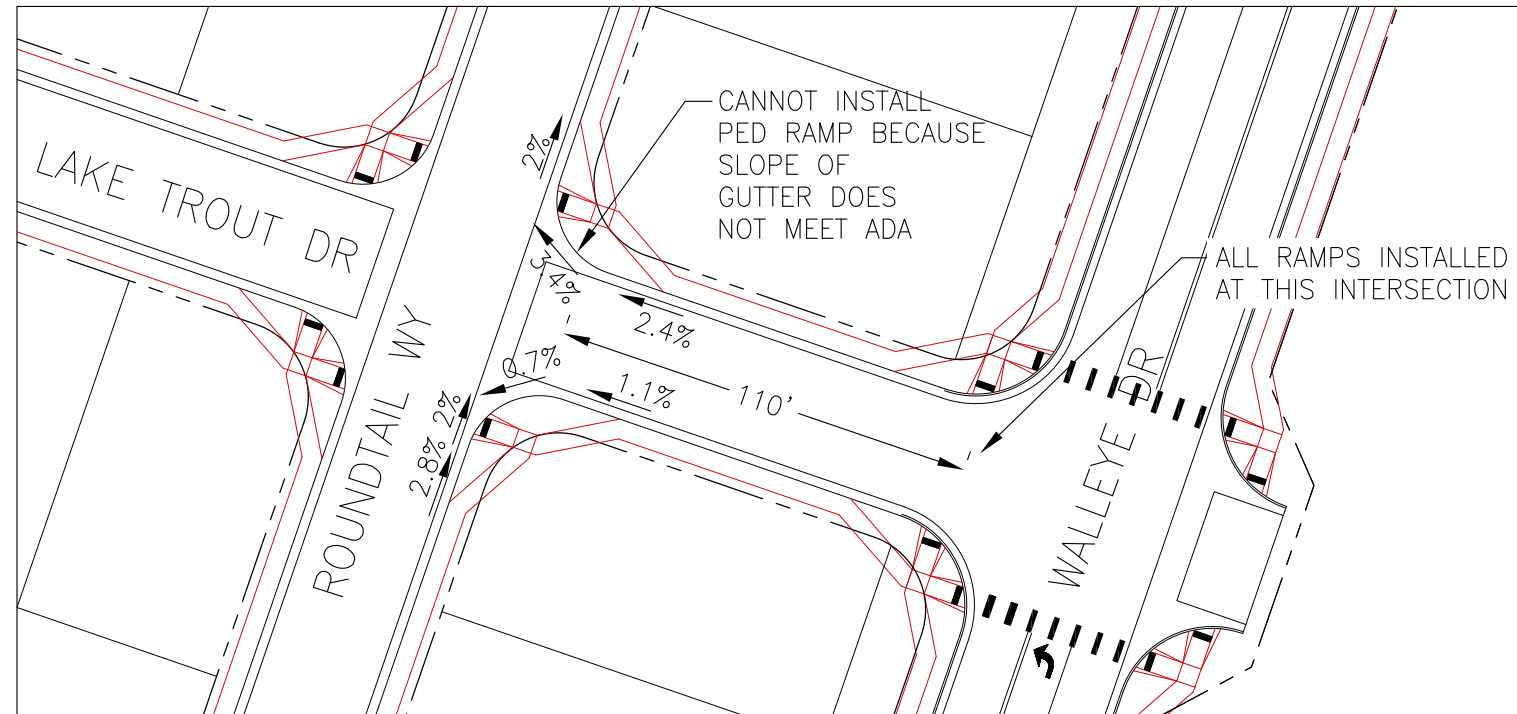


#2 - SANDERLING/GODWIT

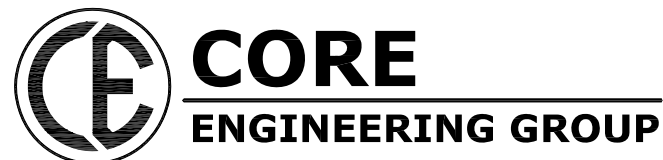
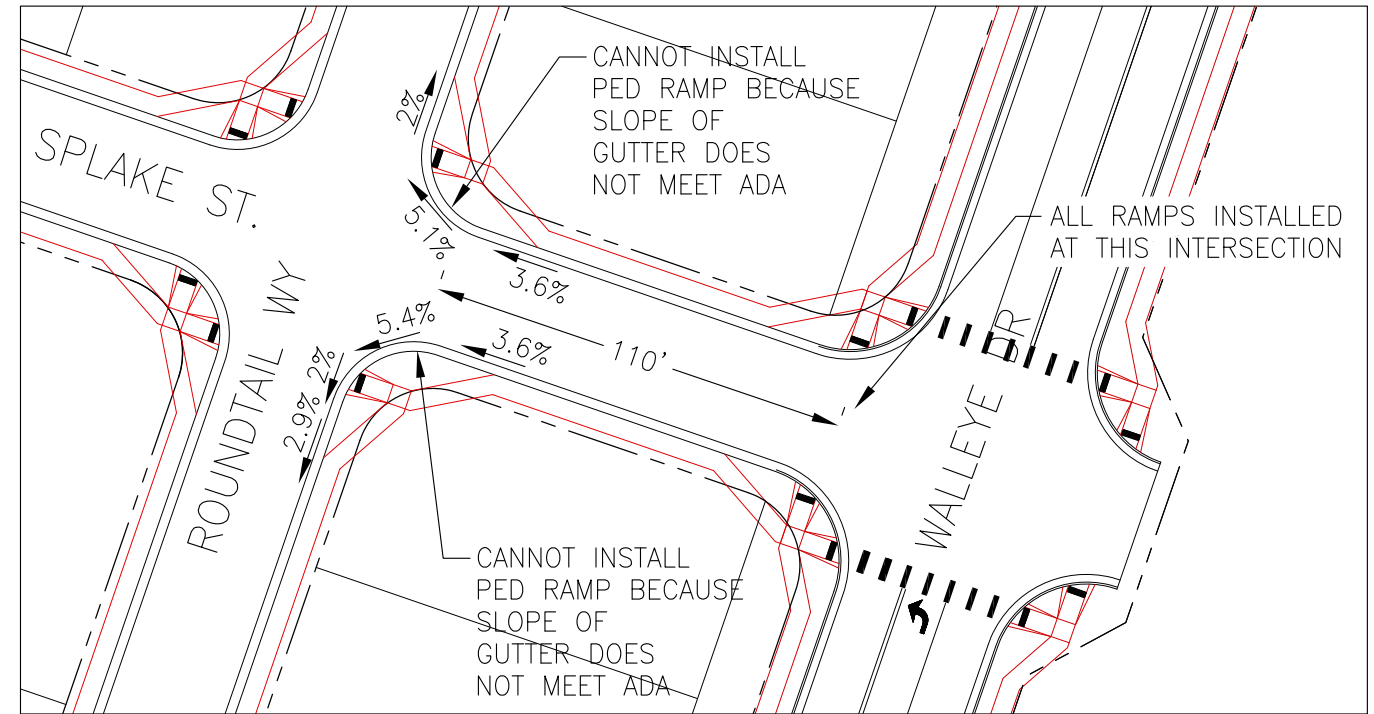


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#3 - ROUNDTAIL/LAKE TROUT



#4 - ROUNDTAIL/SPLAKE



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Deviation for Removing Pedestrian Ramps
The Hills at Lorson Ranch

DATE:	DEC 18, 2020	JOB NO:	100.061
SCALE:	AS SHOWN n/a	FIGURE NO:	2 of 2