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DEVIATION REQUEST AND DECISION FORM

Updated: 6/26/2019

PROJECT INFORMATION

Project Name :	Trails at Aspen Ridge Filing No. 4
Schedule No.(s) :	5509305003
Legal Description :	Unplatted Land

APPLICANT INFORMATION

Company :	COLA, LLC
Name :	Tim Buschar
	☒ Owner ☐ Consultant ☐ Contractor
Mailing Address :	555 Middle Creek Pkwy, Suite 380 Colorado Springs, CO 80921
Phone Number :	(719) 382-9433
FAX Number :	
Email Address :	

ENGINEER INFORMATION

Company :	Matrix Design Group		
Name :	Nicole Schanel	Colorado P.E. Number :	52434
Mailing Address :	2435 Research Parkway, Suite 300 Colorado Springs, CO 80920		
Phone Number :	719-575-0100		
FAX Number :			
Email Address :	Nicole_schanel@matrixdesigngroup.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 7/13/23

Engineer's Seal, Signature
And Date of Signature

COLORADO LICENSED
NICOLE M. SCHANEL
52434
7-18-2023
PROFESSIONAL ENGINEER

PCD File No. SF-21-024

DEVIATION REQUEST (Attach diagrams, figures, and other documentation to clarify request)

A deviation from the standards of or in **Section 2.3.4** of the Engineering Criteria Manual (ECM) is requested.

Identify the specific ECM standard which a deviation is requested:

Per Section 2.5.2.C.1 “All “T” intersections shall have a minimum of three access ramps as shown in Figure 2-36. A private access may be used as an access ramp provided it is designed to meet ramp requirements and it is within the intersection and directly across from other ramps”

State the reason for the requested deviation:

Having three access ramps at all “T” intersections is not practical due to the close proximity of some of the “T” intersections and the proposed layout of nearby lots and driveway entrances.

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

For the “T” intersections at Fish Hook Drive & Winner Creek Drive and Blackmer Street & Winner Creek Drive, the intersection spacing between them is only 47’. Only one pedestrian crossing across Winner Creek Drive is proposed to serve both of these intersections.

For the “T” intersection at Winner Creek Drive & Keyhole Drive, the lot layout on the north side of Winner Creek Drive prevents a pedestrian crossing perpendicular to the two landings on the south side of Winner Creek Drive. The proposed alternative is a midblock crossing 55’ to the west of the intersection that better suits the proposed lot layout and driveway configuration.

For the “T” intersections at Bull Run Drive & Schoonover Drive and Keyhole Drive & Schoonover Drive, the intersection spacing between them is only 104’. Only one pedestrian crossing across Schoonover Drive is proposed to serve both of these intersections. The next pedestrian crossing over Schoonover Drive is 367’ away well within the 600’ requirement.

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:

Providing three access ramps at every "T" intersection would not provide additional safety for pedestrians crossing the streets. The spacing between some intersections is small enough that only one crossing will suffice for both intersections. Additionally, relocating a crossing away from the intersection poses no decrease on pedestrian safety and allows increased driveway accessibility for nearby residents.

CRITERIA FOR APPROVAL

Per ECM section 5.8.7 the request for a deviation may be considered if the request is **<u>not based exclusively on financial considerations</u>**. The deviation must not be detrimental to public safety or surrounding property. The applicant must include supporting information demonstrating compliance with **<u>all of the following criteria</u>**:

The deviation will achieve the intended result with a comparable or superior design and quality of improvement.

Per Section 5.8 of the ECM, "*Section 5.8 of the ECM establishes a mechanism whereby an engineering design standard can be modified when if strictly adhered to, would cause <u>unnecessary hardship</u> 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*"

The design revisions provide a superior design to pedestrian traffic paths with relation to the geographical constraints, conventional construction practices, and enables proper pedestrian flow alternatives per EPC criteria.

The deviation will not adversely affect safety or operations.

All intersections still meet the spacing requirements for street crossings. The proposed pedestrian paths and ramp layouts provide safe crossing points while adhering to EPC and ADA criteria.

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

The roadways & sidewalks with the requested deviations will be built in conformance with all other roadway design criteria and will not affect maintenance nor costs.

The deviation will not adversely affect aesthetic appearance.

The reduction of and adjustment to pedestrian crossings will not have an affect on aesthetic appearance of the roadways.

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

The intent and purpose of the three pedestrian crossings is to ensure that pedestrians have a safe and accessible route to cross streets. All crossing routes meet this purpose.

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.

N/A

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.

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.

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

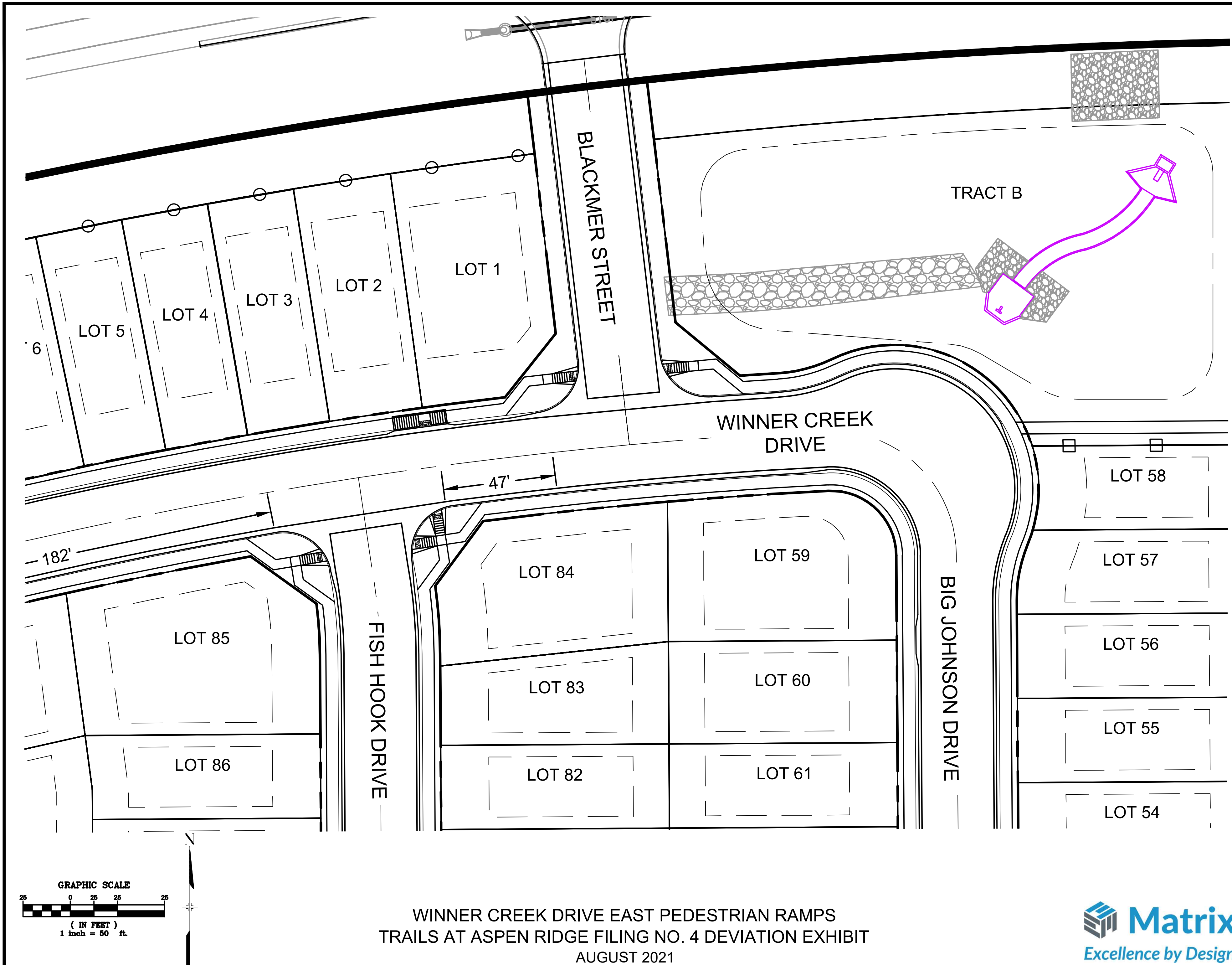
The review shall ensure all criteria for approval are adequately considered and that justification for the deviation is properly documented.

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.



WINNER CREEK DRIVE EAST PEDESTRIAN RAMPS
TRAILS AT ASPEN RIDGE FILING NO. 4 DEVIATION EXHIBIT
AUGUST 2021

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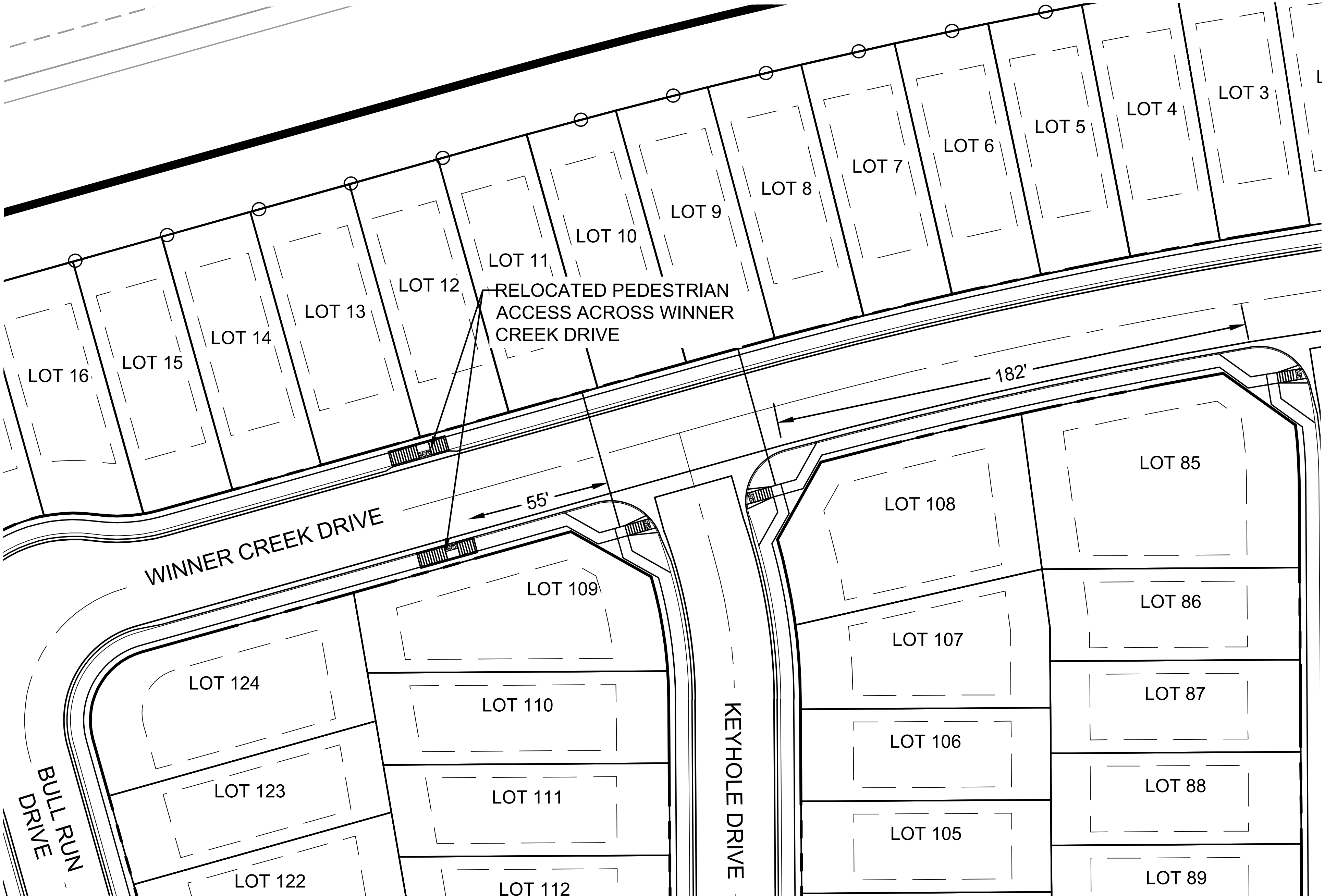

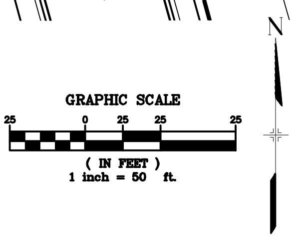

WINNER CREEK DRIVE WEST PEDESTRIAN RAMPS
TRAILS AT ASPEN RIDGE FILING NO. 4 DEVIATION EXHIBIT
AUGUST 2021

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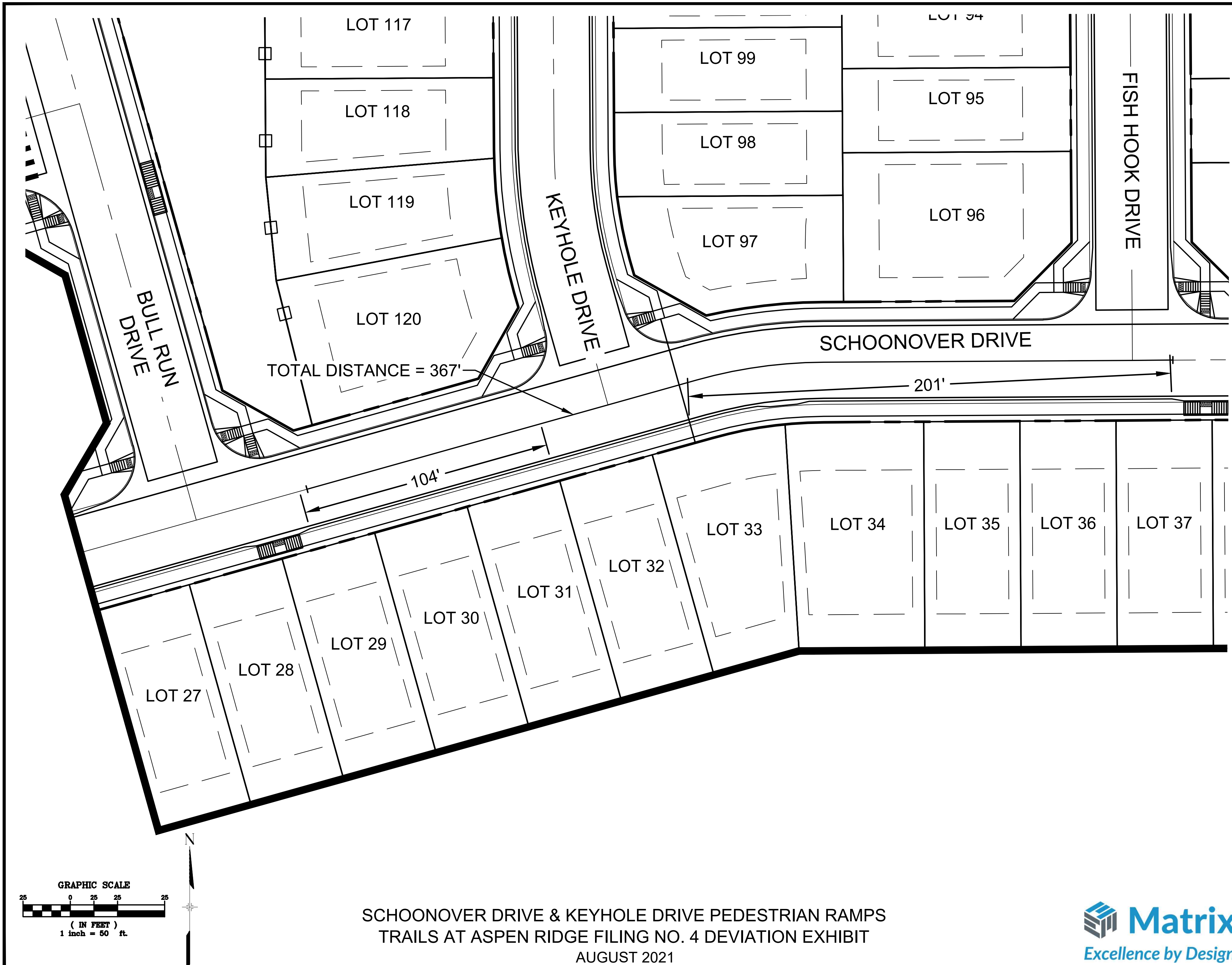

SCHOONOVER DRIVE & KEYHOLE DRIVE PEDESTRIAN RAMPS
TRAILS AT ASPEN RIDGE FILING NO. 4 DEVIATION EXHIBIT
AUGUST 2021

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