



Planning and Community
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DEVIATION REQUEST AND DECISION FORM

Updated: 6/26/2019

PROJECT INFORMATION

Project Name :	Sterling Ranch Homestead North Preliminary Plan
Schedule No.(s) :	5228000030
Legal Description :	See Exhibit B – Legal Description

APPLICANT INFORMATION

Company :	SR Land, LLC.
Name :	Jim Morley
	<input checked="" type="checkbox"/> Owner <input type="checkbox"/> Consultant <input type="checkbox"/> Contractor
Mailing Address :	20 Boulder Crescent, Suite 102, COLORADO SPRINGS, COLORADO, 80903
Phone Number :	(719) 491-3024
FAX Number :	N/A
Email Address :	Jmorley3870@aol.com

ENGINEER INFORMATION

Company :	JR ENGINEERING	Colorado P.E. Number :	32314
Name :	MIKE BRAMLETT		
Mailing Address :	5475 TECH CENTER DRIVE, SUITE 235, COLORADO SPRINGS, COLORADO 80919		
Phone Number :	719-593-2593		
FAX Number :	N/A		
Email Address :	MBRAMLETT@JRENGINEERING.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)

1/31/2022
Date

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 2.3.2 Design Standards** of the Engineering Criteria Manual (ECM) is requested for the Homestead North Intersection Spacing.

Identify the specific ECM standard which a deviation is requested:

Per Table 2.7, Urban Local Intersection spacing requirement of 175 feet for an Urban Local street and 150 feet for an Urban Local Low Volume street.

State the reason for the requested deviation:

The intersection spacing along Wheatland Drive between Perry Owens Dr. and Robert Allison Cir. is 129.1 feet.

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

See Exhibit A for a sketch of the preliminary plan and intersection spacing.

Robert Allison Circle is a short Cul-de-sac serving 5 lots. Robert Allison Circle was placed in this align to provide an effect lot layout that is harmonious to the topography and nearby creek.

Robert Allison Circle and Wheatland Drive north of Robert Allison Circle is classified as a "Local Low Volume" roadway.

The TIS study prepared by LSC reflects this alignment and notes no concerns with the intersection spacing given the low ADT volumes in the area.

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:

Robert Allison Circle is designed to drain stormwater back to Wheatland. To place the cul-de-sac farther north would change the alignment and likely force the cul-de-sac to drain towards the east and Sand Creek and would require significant storm piping to route the stormwater flows along the creek open space and into the proposed detention pond to the south. Sanitary piping would also have to be excessively deep to serve the downsloping lots on the cul-de-sac.

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.

This request is not based on financial considerations. The proposed intersection serves 5 residential lots and has a low volume of traffic.

The deviation will not adversely affect safety or operations.

The deviation will not adversely affect safety or operations.

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

Maintenance of the El Paso County roadways will not be impacted.

The deviation will not adversely affect aesthetic appearance.

The deviation has a beneficial impact on the aesthetic appearance.

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

Yes, the deviation meets the design intent and purpose of the ECM standards and is a balance of the various ECM standards for transportation and stormwater drainage.

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.

Yes, the deviation meets the control measure requirements of Part I.E.3 and Part I.E.4 of the County's MS4 permit, this project is proposing Water Quality facilities as required by the criteria.

REVIEW AND RECOMMENDATION:

Approved by the ECM Administrator

This request has been determined to have met the criteria for approval. A deviation from Section 2.3.2 of the ECM is hereby granted based on the justification provided.

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APPROVED
Engineering Department

05/16/2022 2:47:07 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:

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.

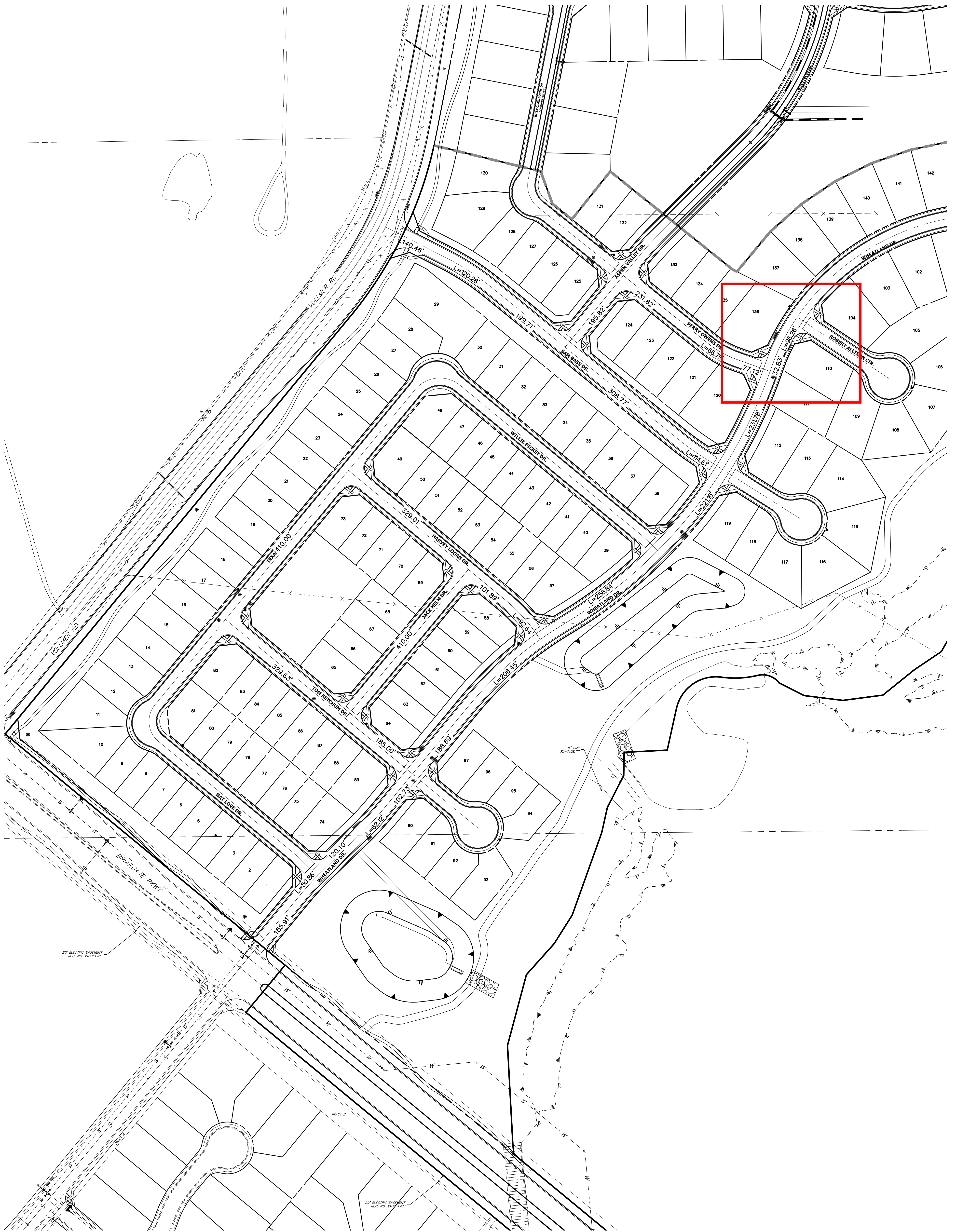
1.6. LIMITS OF APPROVAL

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.

HOMESTEAD NORTH INTERSECTION SPACING



100 50 0 100 200
ORIGINAL SCALE: 1" = 100'

INTERSECTION SPACING
HOMESTEAD NORTH
JOB NO. 25188.00
03-02-2021
SHEET 1 OF 1

 **J-R ENGINEERING**
A Westrian Company

Centennial 303-740-9393 • Colorado Springs 719-593-2593
Fort Collins 970-491-9888 • www.jrengineering.com

EXHIBIT A

**HOMESTEAD NORTH AT STERLING RANCH
PROPERTY DESCRIPTION**

PROPERTY DESCRIPTION

A PARCEL OF LAND BEING A PORTION OF SECTION 27, SECTION 28 AND SECTION 33, ALL IN TOWNSHIP 12 SOUTH, RANGE 65 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF EL PASO, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BASIS OF BEARINGS: THE EAST LINE OF SECTION 33, TOWNSHIP 12 SOUTH, RANGE 65 WEST OF THE 6TH PRINCIPAL MERIDIAN, BEING MONUMENTED BY A 3-1/4" ALUMINUM CAP STAMPED "LS 10376 2006" AT THE NORTHEAST CORNER AND BY A 2-1/2" ALUMINUM CAP STAMPED "LS 11624" AT THE SOUTHEAST CORNER, SAID LINE BEING ASSUMED TO BEAR S01°30'51"W.

COMMENCING AT THE NORTHEAST CORNER OF SECTION 33, TOWNSHIP 12 SOUTH, RANGE 65 WEST OF THE 6TH PRINCIPAL MERIDIAN;

THENCE ON THE NORTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 33, S89°29'10"W A DISTANCE OF 1,191.33 FEET, TO THE POINT OF BEGINNING;

THENCE DEPARTING SAID NORTH LINE, THE FOLLOWING SIX (6) COURSES:

1. S19°42'21"W A DISTANCE OF 184.86 FEET;
2. S32°15'45"W A DISTANCE OF 71.66 FEET;
3. S41°47'19"W A DISTANCE OF 88.37 FEET;
4. S14°57'52"W A DISTANCE OF 155.36 FEET;
5. S03°04'57"E A DISTANCE OF 208.19 FEET;
6. S05°19'07"E A DISTANCE OF 22.87 FEET;

THENCE ON 15.00 FEET SOUTHERLY OF AND PARALLEL TO THE NORTHERLY LINE OF THE 160' ACCESS AND UTILITY EASEMENT RECORDED UNDER RECEPTION NO. 214100441 IN THE RECORDS OF THE EL PASO COUNTY CLERK AND RECORDER, THE FOLLOWING THREE (3) COURSES:

1. S50°26'12"E A DISTANCE OF 725.53 FEET, TO A POINT OF CURVE;
2. ON THE ARC OF A CURVE TO THE LEFT, HAVING A RADIUS OF 1,935.00 FEET, A CENTRAL ANGLE OF 26°05'19" AND AN ARC LENGTH OF 881.07 FEET, TO A POINT OF TANGENT;
3. S76°31'31"E A DISTANCE OF 347.57 FEET, TO A POINT ON THE EASTERLY LINE OF THE 80' ACCESS AND UTILITY EASEMENT RECORDED UNDER RECEPTION NO 214100441 IN THE RECORDS OF THE EL PASO COUNTY CLERK AND RECORDER;

THENCE ON THE EASTERLY AND SOUTHERLY LINES OF SAID EASEMENT, THE FOLLOWING THREE (3) COURSES:

1. S13°28'29"W A DISTANCE OF 1,333.84 FEET, TO A POINT OF CURVE;

2. ON THE ARC OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 1,540.00 FEET, A CENTRAL ANGLE OF 62°50'51" AND AN ARC LENGTH OF 1,689.22 FEET, TO A POINT OF;
3. S76°19'20"W A DISTANCE OF 2,208.31 FEET;

THENCE DEPARTING SAID SOUTHERLY EASEMENT LINE, N13°40'40"W A DISTANCE OF 80.00 FEET, TO A POINT ON THE SOUTHERLY LINE OF STERLING RANCH FILING NO. 1 RECORDED UNDER RECEPTION NO. 218714151 AND A POINT ON THE NORTHERLY LINE OF SAID 80' ACCESS AND UTILITY EASEMENT;

THENCE ON THE NORTHERLY AND WESTERLY LINES OF SAID EASEMENT, THE FOLLOWING THREE (3) COURSES:

1. N76°19'20"E A DISTANCE OF 2,208.31 FEET, TO A POINT OF CURVE;
2. ON THE ARC OF A CURVE TO THE LEFT, HAVING A RADIUS OF 1,460.00 FEET, A CENTRAL ANGLE OF 62°50'51" AND AN ARC LENGTH OF 1,601.47 FEET, TO A POINT OF TANGENT;
3. N13°28'29"E A DISTANCE OF 1,203.84 FEET;

THENCE ON A LINE 15.00 FEET NORTHERLY OF AND PARALLEL TO THE SOUTHERLY LINE OF SAID 160' ACCESS AND UTILITY EASEMENT, THE FOLLOWING THREE (3) COURSES:

1. N76°31'31"W A DISTANCE OF 267.57 FEET, TO A POINT OF CURVE;
2. ON THE ARC OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 2,065.00 FEET, A CENTRAL ANGLE OF 26°05'19" AND AN ARC LENGTH OF 940.26 FEET, TO A POINT OF TANGENT;
3. N50°26'12"W A DISTANCE OF 1,355.04 FEET, TO THE SOUTHEASTERLY CORNER OF BRIARGATE PARKWAY AS SHOWN ON THE PLAT OF SAID STERLING RANCH FILING NO. 1;

THENCE ON THE EASTERLY AND NORTHERLY RIGHT-OF-WAY LINES OF SAID BRIARGATE PARKWAY, THE FOLLOWING TWO (2) COURSES:

1. N39°33'48"E A DISTANCE OF 130.00 FEET;
2. N50°26'12"W A DISTANCE OF 770.00 FEET;

THENCE DEPARTING SAID NORTHERLY RIGHT-OF-WAY LINE, THE FOLLOWING TWENTY (20) COURSES:

1. N39°33'48"E A DISTANCE OF 1161.81 FEET, TO A POINT OF NON-TANGENT CURVE;
2. ON THE ARC OF A CURVE TO THE LEFT WHOSE CENTER BEARS N51°21'08"W, HAVING A RADIUS OF 870.00 FEET, A CENTRAL ANGLE OF 14°22'05" AND AN ARC LENGTH OF 218.17 FEET, TO A POINT OF NON-TANGENT CURVE;
3. ON THE ARC OF A CURVE TO THE LEFT WHOSE CENTER BEARS N65°16'19"W, HAVING A RADIUS OF 814.82 FEET, A CENTRAL ANGLE OF 12°28'32" AND AN ARC LENGTH OF 177.42 FEET, TO A POINT OF NON-TANGENT;
4. S76°13'25"E A DISTANCE OF 185.19 FEET;
5. S76°20'29"E A DISTANCE OF 50.05 FEET;
6. S11°07'11"W A DISTANCE OF 3.91 FEET;
7. S20°05'15"E A DISTANCE OF 68.42 FEET;
8. S51°17'41"E A DISTANCE OF 52.77 FEET;

9. N38°42'19"E A DISTANCE OF 130.03 FEET;
10. S51°16'53"E A DISTANCE OF 128.03 FEET;
11. S51°17'40"E A DISTANCE OF 80.48 FEET;
12. S51°18'16"E A DISTANCE OF 124.15 FEET;
13. S63°15'15"E A DISTANCE OF 10.26 FEET;
14. N39°48'59"E A DISTANCE OF 110.92 FEET;
15. N48°27'49"E A DISTANCE OF 87.13 FEET;
16. N55°58'31"E A DISTANCE OF 87.13 FEET;
17. N63°35'09"E A DISTANCE OF 87.13 FEET;
18. N71°09'48"E A DISTANCE OF 87.13 FEET;
19. N78°01'26"E A DISTANCE OF 79.85 FEET;
20. N79°18'16"E A DISTANCE OF 441.05 FEET, TO A POINT ON THE WEST LINE OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 27, TOWNSHIP 12 SOUTH, RANGE 65 WEST OF THE 6TH PRINCIPAL MERIDIAN;

THENCE ON SAID WEST LINE, S00°53'15"E A DISTANCE OF 220.84 FEET, TO THE NORTHWEST CORNER OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 27;

THENCE ON THE NORTH LINE OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 27, N87°34'53"E A DISTANCE OF 73.60 FEET;

THENCE DEPARTING SAID NORTH LINE, THE FOLLOWING TWENTY-ONE (21) COURSES:

1. S04°00'08"W A DISTANCE OF 38.86 FEET;
2. S23°30'33"W A DISTANCE OF 96.02 FEET;
3. S17°58'09"W A DISTANCE OF 105.84 FEET;
4. S07°20'33"W A DISTANCE OF 248.45 FEET;
5. S27°44'47"W A DISTANCE OF 82.16 FEET;
6. S51°16'10"W A DISTANCE OF 361.44 FEET;
7. S29°35'35"W A DISTANCE OF 198.68 FEET;
8. S56°06'51"W A DISTANCE OF 68.55 FEET;
9. S51°10'06"W A DISTANCE OF 86.23 FEET;
10. S82°29'37"W A DISTANCE OF 85.63 FEET;
11. N82°52'49"W A DISTANCE OF 82.74 FEET;
12. N63°10'02"W A DISTANCE OF 59.72 FEET, TO A POINT OF NON-TANGENT CURVE;

13. ON THE ARC OF A CURVE TO THE LEFT WHOSE CENTER BEARS S52°33'19"W, HAVING A RADIUS OF 43.53 FEET, A CENTRAL ANGLE OF 66°07'59" AND AN ARC LENGTH OF 50.25 FEET, TO A POINT OF REVERSE CURVE;
14. ON THE ARC OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 208.41 FEET, A CENTRAL ANGLE OF 21°27'48" AND AN ARC LENGTH OF 78.07 FEET, TO A POINT OF REVERSE CURVE;
15. ON THE ARC OF A CURVE TO THE LEFT, HAVING A RADIUS OF 85.46 FEET, A CENTRAL ANGLE OF 85°24'40" AND AN ARC LENGTH OF 127.39 FEET, TO A POINT OF TANGENT;
16. S12°28'27"W A DISTANCE OF 90.70 FEET;
17. S87°04'53"W A DISTANCE OF 91.55 FEET;
18. S01°04'54"W A DISTANCE OF 49.42 FEET;
19. S27°12'58"W A DISTANCE OF 75.48 FEET;
20. S12°38'34"W A DISTANCE OF 55.41 FEET;
21. S19°42'21"W A DISTANCE OF 0.70 FEET, TO THE POINT OF BEGINNING.

CONTAINING A CALCULATED AREA OF 3,385,206 SQUARE FEET OR 77.7136 ACRES.

EXHIBIT ATTACHED AND BY THIS REFERENCE MADE A PART HEREOF.

PROPERTY DESCRIPTION STATEMENT

I, JARROD ADAMS, A PROFESSIONAL LAND SURVEYOR LICENSED IN THE STATE OF COLORADO, DO HEREBY STATE THAT THE ABOVE PROPERTY DESCRIPTION AND ATTACHED EXHIBIT WERE PREPARED UNDER MY RESPONSIBLE CHARGE, AND ON THE BASIS OF MY KNOWLEDGE, INFORMATION AND BELIEF, ARE CORRECT.

JARROD ADAMS, PROFESSIONAL LAND SURVEYOR
COLORADO NO. 38252
FOR AND ON BEHALF OF JR ENGINEERING, LLC

