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DEVIATION REQUEST AND DECISION FORM

Updated: 6/26/2019

PROJECT INFORMATION

Project Name :	Falcon Reserve
Schedule No.(s) :	5225400001
Legal Description :	See Attached

APPLICANT INFORMATION

Company :	Matrix Design Group
Name :	Ross Friend
	☐ Owner ☒ Consultant ☐ Contractor
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Phone Number :	(719) 575-0100
FAX Number :	
Email Address :	Ross.Friend@matrixdesigngroup.com

ENGINEER INFORMATION

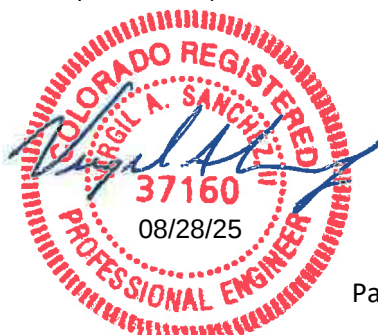
Company :	M&S Civil Consultants, Inc.	Colorado P.E. Number :
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FAX Number :		
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OWNER, APPLICANT, AND ENGINEER DECLARATION

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 08/28/25

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 2.2.5 (*D*) of the Engineering Criteria Manual (ECM) is requested.

Identify the specific ECM standard which a deviation is requested:

Roadway Access Criteria: On minor collector roadways, the closest local roadway intersection to an arterial roadway shall be 330 feet (right-of-way line of arterial to centerline of local roadway).

State the reason for the requested deviation:

To permit a proposed urban local roadway and an existing collector roadway to intersect ROW to centerline closer than 330' at the intersection of Liberty Grove Drive and Stapleton Drive. The proposed urban local roadway will line up with existing Waterbury Drive and is approximately 275' from centerline to the existing ROW of Stapleton Drive or 230' to the future ROW.

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

The proposed alternative to the ECM standard is requested because the required roadway spacing of 330' is not achievable while still maintaining the logical extension of existing Waterbury 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 330' intersection spacing requirement is not achievable while still maintaining the logical extension of existing Waterbury Drive. Proposed Waterbury Drive, the intersecting road, is proposed as an urban local roadway. The existing intersection of Waterbury Drive and Liberty Grove Drive currently exists at less than the required 330' spacing, approximately 230'.

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 design as proposed will achieve the intended result and is comparable in design as it will match an existing roadway that is part of the Paint Brush Hills neighborhood and has been functioning for quite a while.

The deviation will not adversely affect safety or operations.

The modification to permit roadway intersections less than 330' will not adversely affect safety or operations as this intersection is not designed as a through street, limiting traffic to mostly residents. Given the limited traffic and cut through options, the shortened intersection spacing is not expected to cause any queuing constraints. In addition, pedestrian safety will not be compromised by the shortened intersection spacing.

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

All public roads will be designed and built to EPC Standards to be owned and maintained by El Paso County. The reduced intersection spacing will not affect maintenance and costs.

The deviation will not adversely affect aesthetic appearance.

The requested deviation will not adversely affect aesthetic appearance. To a driver or pedestrian, the difference between intersection spacing will look relatively the same. The requested deviation will not add any additional intersections. Given the limited traffic and cut through options, the shortened intersection spacing is not expected to cause sequencing issues or queuing constraints.

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

The deviation will meet the design intent and purpose of the ECM as this intersection is not designed as a through 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.

Water quality requirements will be met regardless of the intersection spacing.

REVIEW AND RECOMMENDATION:

Approved by the ECM Administrator

This request has been determined to have met the criteria for approval. A deviation from Section 2.2.5 (D) 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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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.

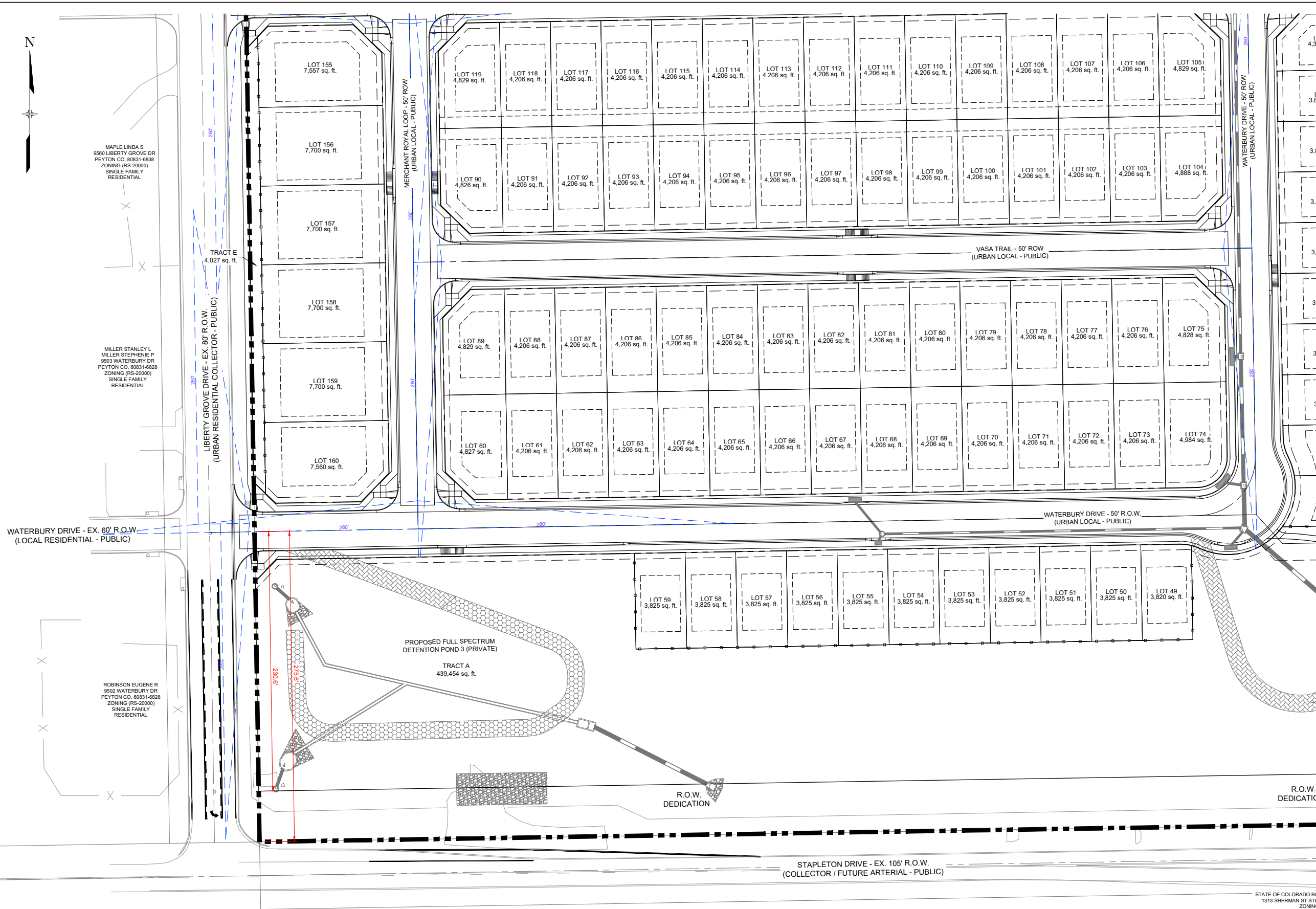
1.6. LIMITS OF APPROVAL

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.

FILE LOCATION: S:\21.1129.008 FALCON RESERVE\100 DWG\109 EXHIBIT\FALCON RESERVE DEVIATION 2 EXHIBIT.DWG



CONSULTANTS:

PLANNER/ LANDSCAPE ARCHITECT:

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OWNER/DEVELOPER:

BABCOCK LAND CORP

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APPROVAL:

KEY MAP:

PROJECT:

**FALCON RESERVE
PRELIMINARY PLAN**

EL PASO COUNTY, CO

REVISION HISTORY:

NO.	DATE	DESCRIPTION	BY

DRAWING INFORMATION:

PROJECT NO: 21.1129.008

DRAWN BY: RAF

CHECKED BY: JRA

APPROVED BY: JRA

SHEET TITLE:

DEVIATION EXHIBIT

DEV1

SHEET 01 OF 01

FILE NO.: SP252