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DEVIATION REQUEST AND DECISION FORM

Updated: 6/26/2019

PROJECT INFORMATION

Project Name : Estates at Rolling Hills Ranch Filing 2
Schedule No.(s) : 4200000401, 4200000407
Legal Description : See Attached

APPLICANT INFORMATION

Company : Tech Contractors
Name : Tom Kerby
☐ Owner ☒ Consultant ☐ Contractor
Mailing Address : 11886 Stapleton Dr
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
Mailing Address : 11886 Stapleton Dr
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Phone Number : 719.495.7444
FAX Number : n/a
Email Address : tom@meridianranch.com

Colorado P.E. Number : 31429

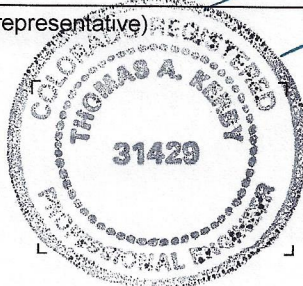
OWNER, APPLICANT, AND ENGINEER DECLARATION

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

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 **2.5.2.C.4** of the Engineering Criteria Manual (ECM) is requested.

Identify the specific ECM standard which a deviation is requested:

2.5.2.C.4 Access ramps on local roadways shall be spaced no greater than 600 feet apart. Where spacing is greater than 600 feet, mid-block access ramps shall be provided at spacings that minimize travel distances between access ramps. Private accesses may be used for these access points where the access is designed to meet access ramp requirements. The pavement markings and signing required by the ECM and MUTCD shall be provided for mid-block access ramps.

State the reason for the requested deviation:

The PUD modification to remove the need for a midblock crossing is consistent with the following considerations identified in Section 4.2.6.F.2.h of the Land Development Code:

- **Provision of a more efficient pedestrian system** – pedestrian circulation within Meridian Ranch is focused on the provided trail system, which connects the residential areas to the parks and open space. The project is designed to encourage the use of the trail system, rather than the sidewalks, where possible. On the streets where mid-block crossings are not provided, there are no pedestrian destinations or trails that would necessitate a midblock crossing to connect to amenities.
- **Provision of additional open space** – by encouraging the residents to use the trail system, the project provides better access to the open space in the development.

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

The deviation would eliminate mid-block pedestrian crossings between on the following street: Rex Road, Crescent Creek Drive, Sunrise Ridge Drive and Highland Crest 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 change is desired to achieve a specific design characteristic within the project. The development has a focus on the trail system that meanders in an out of open space and local park space, the desire is to encourage the use of the trails instead of the interior sidewalks. The design limits the use of mid-block pedestrian crossings that can create safety hazards by blocking or hindering sight lines and placing pedestrians in danger. The design concept also creates an aesthetically pleasing, consistent sidewalk offset from the curb to sidewalk. Pedestrians will generally cross the street at any location regardless of the presence of a pedestrian ramp due to the typically low traffic volume found on local streets. A suggested revision would be to revise the criteria such that mid-block pedestrian ramps are required as deemed necessary to provide access to schools, shopping, transportation facilities or other community facilities and services similar to the City of Colorado Springs standards.

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.

Provision of a more efficient pedestrian system – pedestrian circulation within Meridian Ranch is focused on the provided trail system, which connects the residential areas to the parks and open space. The project is designed to encourage the use of the trail system, rather than the sidewalks, where possible. On all the streets where mid-block crossings are not provided, there are no pedestrian destinations or trails that would necessitate a midblock crossing to connect to amenities.

The deviation will not adversely affect safety or operations.

The design enhances safety by eliminating potential dangerous mid-block crossings, where pedestrians enter the roadway from behind parked vehicles where lines of sight are limited or blocked. The deviation will also eliminate mid-block ramps where changes in direction of the sidewalk and/or grade could produce a tripping or stumbling hazard.

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

The deviation will not adversely affect the maintenance cost or the ability for maintenance vehicles to work on the street or within the right-of-way. Reducing mid-block pedestrian ramps will reduce the cost of maintenance due to eliminating signage and pavement markings.

The deviation will not adversely affect aesthetic appearance.

The deviation will improve the aesthetic appearance by creating unswerving smooth offset line of the sidewalk from curb.

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

The deviation meets the design intent and purposes of the ECM standards by meeting all other aspects of the standards with respect road design, road safety and pedestrian safety. There is no Federal ADA maximum distances allowed between pedestrian crossing along street that would necessitate mid-block pedestrian ramps.

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 design does not inhibit the program requirements with respect to water quality and storm water runoff during construction and future permanent facilities.

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:

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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 19 AND 20,
IN TOWNSHIP 12 SOUTH, RANGE 64 WEST OF THE 6TH PRINCIPAL MERIDIAN, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEASTERN MOST CORNER OF TRACT B OF THE ESTATES AT ROLLING HILLS RANCH FILING NO. 1, RECORDED WITH RECEPTION NO. _____ IN THE RECORDS OF EL PASO COUNTY, POINT BEING ON THE NORTHEAST 1/4 OF SAID SECTION 19;

1. THENCE S89°18'07"E ALONG SAID SECTION 19 A DISTANCE OF 40.70 FEET TO THE NORTHWEST CORNER OF SAID SECTION 20;
2. THENCE S89°25'43"E, ALONG THE NORTHERN LINE OF SAID SECTION 20 A DISTANCE OF 2532.88 FEET;
3. THENCE S00°34'17"W A DISTANCE OF 340.00 FEET;
4. THENCE S06°47'53"E A DISTANCE OF 290.00 FEET;
5. THENCE S11°14'55"E A DISTANCE OF 525.00 FEET;
6. THENCE N82°33'58"W A DISTANCE OF 235.05 FEET;
7. THENCE S07°26'02"W A DISTANCE OF 480.00 FEET;
8. THENCE N82°33'58"W A DISTANCE OF 168.00 FEET;
9. THENCE S07°26'02"W A DISTANCE OF 60.00 FEET;
10. THENCE S52°26'02"W A DISTANCE OF 31.11 FEET;
11. THENCE S07°26'02"W A DISTANCE OF 336.00 FEET;
12. THENCE S37°33'58"E A DISTANCE OF 31.11 FEET;
13. THENCE S07°26'02"W A DISTANCE OF 60.00 FEET;
14. THENCE S52°26'02"W A DISTANCE OF 31.11 FEET;
15. THENCE S07°26'02"W A DISTANCE OF 196.00 FEET;
16. THENCE S37°33'58"E A DISTANCE OF 31.11 FEET;
17. THENCE S07°26'02"W A DISTANCE OF 80.00 FEET;
18. THENCE N82°33'58"W A DISTANCE OF 518.76 FEET TO A CURVE TO THE LEFT;
19. 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 N82°43'19"W A DISTANCE OF 40.44 FEET;
20. THENCE S51°52'47"W A DISTANCE OF 31.03 FEET;
21. THENCE N83°16'41"W A DISTANCE OF 60.00 FEET;
22. THENCE N38°26'09"W A DISTANCE OF 31.03 FEET TO A NON-TANGENT CURVE TO THE LEFT;
23. THENCE ON THE ARC OF SAID CURVE, HAVING A RADIUS OF 7440.00 FEET, A DELTA ANGLE OF 02°14'02", AN ARC LENGTH OF 290.08 FEET, WHOSE LONG CHORD BEARS N84°47'44"W A DISTANCE OF 290.06 FEET;
24. THENCE N85°54'45"W A DISTANCE OF 400.64 FEET TO A CURVE TO THE LEFT;
25. THENCE ON THE ARC OF SAID CURVE, HAVING A RADIUS OF 900.00 FEET, A DELTA ANGLE OF 06°09'39", AN ARC LENGTH OF 96.77 FEET, WHOSE LONG CHORD BEARS N88°59'34"W A DISTANCE OF 96.73 FEET;
26. THENCE S87°55'36"E A DISTANCE OF 348.00 FEET TO A POINT ON THE EASTERLY BOUNDARY OF SAID THE ESTATES AT ROLLING HILLS RANCH FILING NO. 1;

THE FOLLOWING FOURTEEN (14) COURSES ARE ON SAID BOUNDARY LINE:

27. THENCE N02°04'24"W A DISTANCE OF 100.00 FEET;
28. THENCE N47°04'24"W A DISTANCE OF 31.11 FEET;
29. THENCE N02°04'24"W A DISTANCE OF 45.00 FEET TO A CURVE TO THE RIGHT;
30. THENCE ON THE ARC OF SAID CURVE, HAVING A RADIUS OF 220.00 FEET, A DELTA ANGLE OF 40°46'08", AN ARC LENGTH OF 156.54 FEET, WHOSE LONG CHORD BEARS N18°18'40"E A DISTANCE OF 153.26 FEET;
31. THENCE N38°41'44"E A DISTANCE OF 231.44 FEET;
32. THENCE N51°18'16"W A DISTANCE OF 60.00 FEET;
33. THENCE S83°41'44"W A DISTANCE OF 31.11 FEET;
34. THENCE N51°18'16"W A DISTANCE OF 170.23 FEET;
35. THENCE N38°41'44"E A DISTANCE OF 150.00 FEET;
36. THENCE N00°00'00"E A DISTANCE OF 254.85 FEET;
37. THENCE N30°02'34"W A DISTANCE OF 180.68 FEET;
38. THENCE N35°00'00"W A DISTANCE OF 540.00 FEET;
39. THENCE N00°00'00"E A DISTANCE OF 232.89 FEET;
40. THENCE N00°00'00"E A DISTANCE OF 108.00 FEET;
41. THENCE N00°00'00"E A DISTANCE OF 332.03 FEET TO THE POINT OF BEGINNING.

THE ABOVE PARCEL OF LAND CONTAINS 117.211 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).