



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

Updated: 6/26/2019

**PROJECT INFORMATION**

Project Name : Circle K at Highway 24 & Meridian Road  
 Schedule No.(s) : 5312402016, 5312403003, 5312403004, 5312402015, 5312405003, 5312404003, 5312405005  
 Legal Description : Rezoned and replated land. See SDP submittal for full legal description.

**APPLICANT INFORMATION**

Company : Land Development Consultants, LLC  
 Name : Sofia Hernandez  
 Owner  Consultant  Contractor  
 Mailing Address : 950 S. Cherry St., Suite 512  
 Denver, CO 80246  
 Phone Number : (303) 717-3305  
 FAX Number :  
 Email Address : sofia@ldcaz.com

**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**

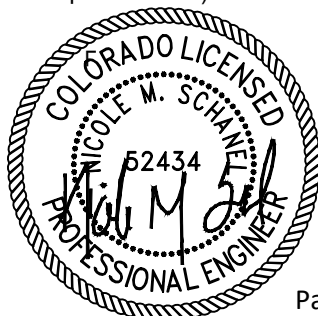
To the best of my knowledge, the information on this application and all additional or supplemental documentation is true, factual and complete. I am fully aware that any misrepresentation of any information on this application may be grounds for denial. I have familiarized myself with the rules, regulations 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)

December 13, 2022

Date

Engineer's Seal, Signature  
And Date of Signature



12/12/22

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

A deviation from the standards of or in Section **2.4.1.C** of the Engineering Criteria Manual (ECM) is requested.

Identify the specific ECM standard which a deviation is requested:

Per section 2.4.1.C: "Access points shall be aligned at 90 degrees to the adjacent road centerline or along a radial line in a cul-de-sac."

State the reason for the requested deviation:

An intersection angle less than 90 degrees is necessary in order to fit with the lot/tract lines already established.

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

The proposed alternate design includes a private access road connecting to the existing Meridian Sol Drive at a 60 degree angle. The design has a 116 ft cross pan, underground culvert and pedestrian ramps for the proposed sidewalk along Meridian Sol Drive. The private access road connects to Meridian Road to the west at a 90 degree angle and both exits from the private access road have stop signs. The private access road speed is proposed to be 25 mph.

**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:

Designing the intersection to be at 90 degrees to the existing Meridian Sol Drive alignment would result in poor site configuration within the established property lines. The proposed site is split into Lot 1 in the north, Lot 2 to the south and Tract A which contains the private access road. To design the private access road to meet at a 90 degree angle would create adverse conditions given the 60' width of Tract A and the alignment of Meridian Road to the west of the site. Currently the site connects to Meridian Road at a 90 degree angle.

With the current configuration, the proposed site development on Lot 1 is able to accommodate the proposed Circle K improvements and the existing Circle K site while maintaining adequate access points to the east and west. The intersection has adequate site distance and does not negatively impact driving conditions entering or existing the proposed site.

**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.

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 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"*

The proposed design revision provides an comparable design to the roadway intersection and enables the site layout to function as intended.

The deviation will not adversely affect safety or operations.

Due to the stop condition of the private access roadway and the site distance of the intersection, safety will not be adversely affected with the proposed design.

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

The intersection and private access road 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 intersection angle will not have an effect on the aesthetic appearance of the two roadways.

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

The intent of having right angles at an intersection is for the safe operation of vehicles and pedestrians using the intersection. Due to the stop condition and sight distance of the proposed design, the intersection should operate per the intent of the ECM without affecting safety.

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.

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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.

Γ Γ

L J

**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.

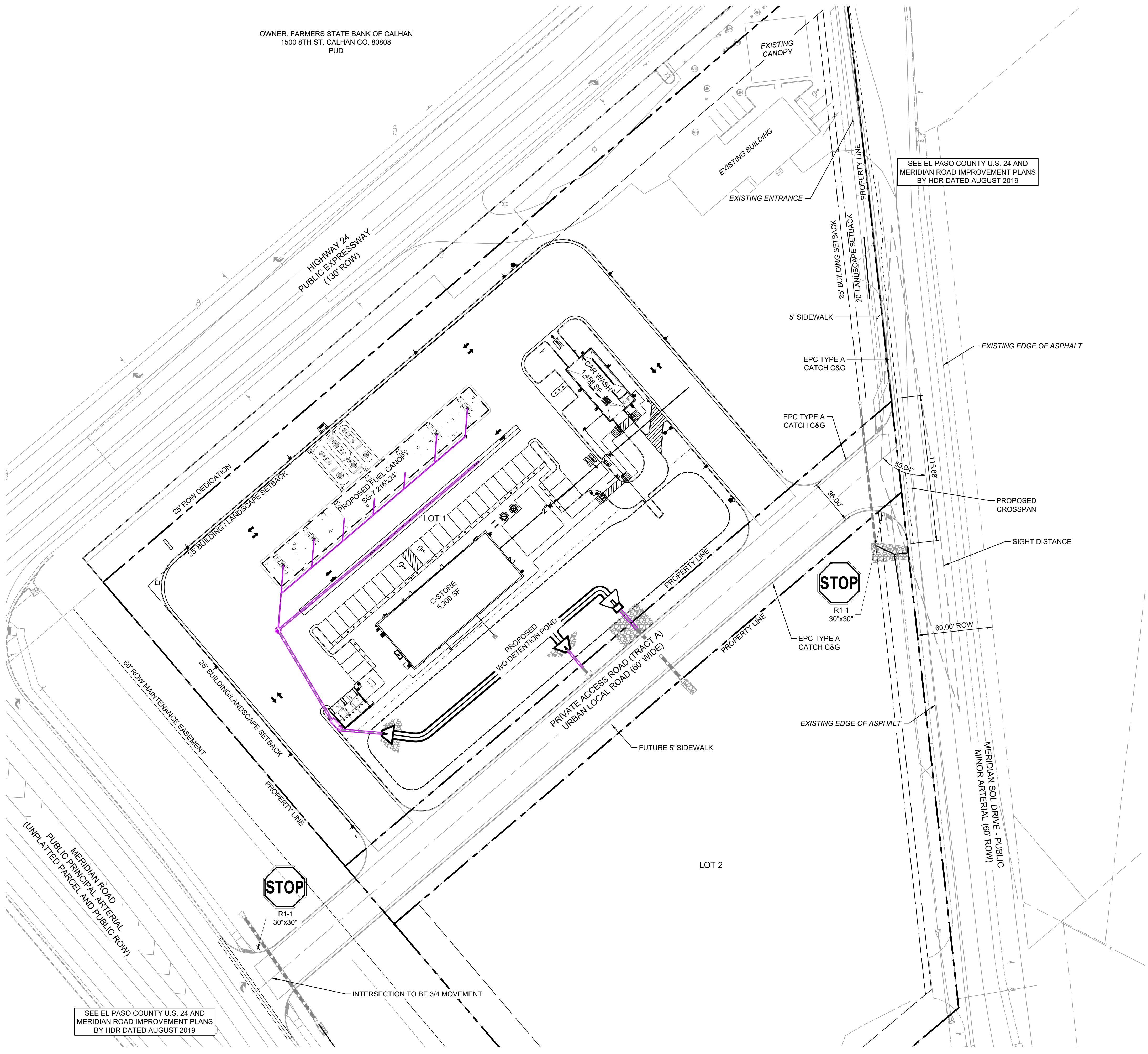


OWNER: FARMERS STATE BANK OF CALHAN  
 1500 8TH ST. CALHAN CO. 80808  
 PUD

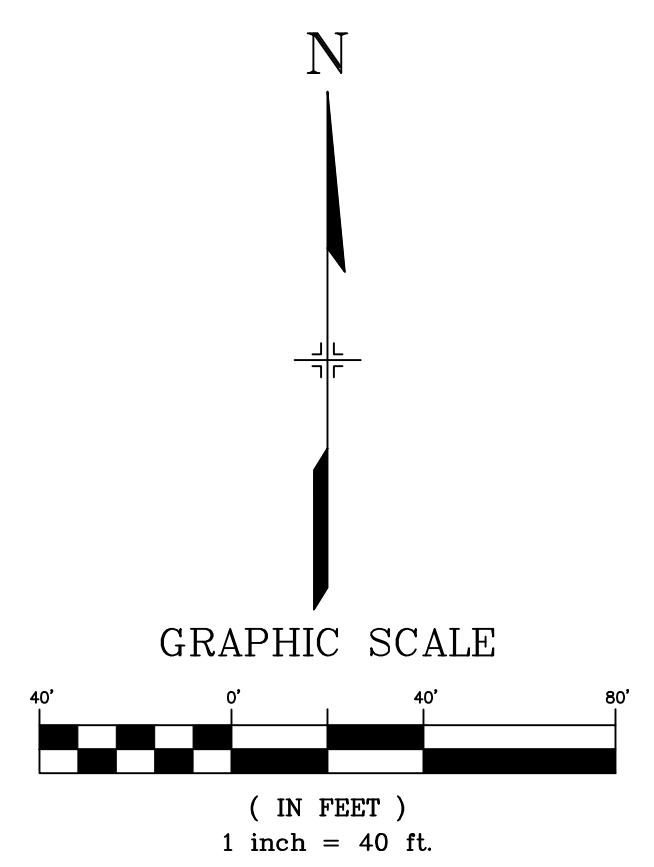
**SITE LEGEND**

- — — — — PROPERTY BOUNDARY LINE
- — — — — SETBACK LINE
- — — — — EASEMENT BOUNDARY LINE
- — — — — PROPOSED CONCRETE CURB & GUTTER
- - - - - SIGHT DISTANCE TRIANGLE

SEE EL PASO COUNTY U.S. 24 AND  
 MERIDIAN ROAD IMPROVEMENT PLANS  
 BY HDR DATED AUGUST 2019



SEE EL PASO COUNTY U.S. 24 AND  
 MERIDIAN ROAD IMPROVEMENT PLANS  
 BY HDR DATED AUGUST 2019



CIRCLE K AT HIGHWAY 24 & MERIDIAN  
 INTERSECTION DEVIATION EXHIBIT  
 DECEMBER 2022  
**Matrix**  
*Excellence by Design*