



**Planning and Community
Development Department**
2880 International Circle
Colorado Springs, Colorado 80910
Phone: 719.520.6300
Fax: 719.520.6695
Website www.elpasoco.com

**DEVIATION REQUEST
AND DECISION FORM**

Updated: 6/26/2019

Revise to include an exhibit at the end of the form.

PROJECT INFORMATION

Project Name : 11505 Meridian Market View – Public Storage
 Schedule No.(s) : 5312101017
 Legal Description : Lot 2, Falcon Highlands Market Place, Filing No.2

APPLICANT INFORMATION

Company : Galloway & Company Inc.
 Name : Troy Kelts
 Owner Consultant Contractor
 Mailing Address : 5500 Greenwood Plaza Blvd
 Greenwood Village, CO 80111
 Phone Number : 303-770-8884
 FAX Number :
 Email Address : troykelts@gallowayus.com

ENGINEER INFORMATION

Company : Galloway
 Name : Brian Horan Colorado P.E. Number : 0053042
 Mailing Address : 5500 Greenwood Plaza Blvd, Suite 200
 Greenwood Village, CO 80111
 Phone Number : 303-770-8884
 FAX Number :
 Email Address : BrianHoran@GallowayUS.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) 4/19/2023 Date

Engineer's Seal, Signature
And Date of Signature



Remove and revise to DEV-235

DEVIATION REQUEST (Attach diagrams, figures, and other documentation to

A deviation from the standards of or in Section **2.3.7.B.** of the Engineering Crite

Staff recommends revising criteria to table 2-7. Under that table it states that access is not allowed for collectors when access is provided somewhere else. Criteria referenced in this deviation does not explain what the applicant wants permission for.

Identify the specific ECM standard which a deviation is requested:

2.3.7.B Intersection Spacing and General Access Standards

Full movement intersections and major accesses spacing shall meet the requirements in Section 2.2.5. While access to a major roadway should be avoided, right-in/right-out and three quarter movement accesses may be permitted as a deviation if they meet the criteria for sight distances, turn lane requirements, grades and do applicant shall have the burden of proof that no other "viable or practical" alternative be supported by a traffic study or memorandum that provides information proposed deviation minimizes negative safety and other operational im

Revise section to include an estimate of how much traffic is on Foxtail Meadow Lane since it should have more traffic than Meridian Market View. Also explain how creating a new access to Meridian Market View would create a hardship for the applicant. Right now the plat note does not prohibit access to that road.

State the reason for the requested deviation:

A deviation from the above standard is requested to allow access onto would pose an operational safety hardship on the site for large vehicle customers and emergency vehicles to safely access the property. Without access to Foxtail Meadow Lane, large trucks, vehicles with trailers and emergency vehicles may have to circulate the entirety of the perimeter of the site to use the access via the private drives shared with Walmart and Culvers, which presents increased opportunity for operational hazards and accidents around the site. The existing configuration of the adjacent retail properties to the north and east combined with the restricted access along Meridian Road results in the internal private drive, Meridian Market View, being a major means for access and egress for these adjacent properties. The existing traffic on Meridian Market View present service limitations for emergency vehicles, large trucks, and vehicles with trailers. The access to Foxtail Meadow Lane allows for a large percentage of customer vehicles to avoid exiting or entering the site from the north or east which serves a high volume of Walmart patrons and Culvers users.

Provide a letter from the fire department if they are asking for better access to Foxtail Meadows.

Explain the proposed alternative and compare to the ECM standards (May provide a as basis):

The proposed alternative to no access is a limited access to Foxtail Meadow Lane. T exceptions to standards if the proposed alternative provides operational or safety ber alternative is not explicitly restricted in the ECM.

Per section 2.2.5 Roadway Access Criteria D. Collector Standards - single family residence access is restricted but no other land use is restricted access to Collectors. Other roadway classifications describe accesses being limited if access to lower functional classification roadways is available but not within the Collector guidance. Additionally, Foxtail Meadow Lane provides connection between Woodmen Road and Rolling Thunder Way in a segment approximately a quarter mile long. It serves as intersection access to future development as well as loading vehicles for the Walmart. Due to the low volume of the proposed use and the functional characteristics of Foxtail Meadow Lane no operational or safety concerns exist with the proposed access to Foxtail Meadow Lane.

Per table 2-7 access is not allowed on collectors if access is provided somewhere else. Revise to remove incorrect statements.

Revise to explain what type of limited access is being proposed.

Revise to provide safety benefits for allowing access to Foxtail Meadows.

Explain in the justification box below how topography, ROW, and geography create a hardship for access to this site.

LIMITS OF CONSIDERATION

(At least one of the conditions listed below must be met for this deviation request)

- 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:

A number of factors contribute to the justification of this request.

1. The access meets sight distance requirements
2. Foxtail Meadow Lane carries low volume at slow speed so no operational or safety concerns are anticipated
3. Access to Foxtail Meadow Lane allows for a large percentage of customer vehicles to avoid exiting or entering the site from the north or east which serves a high volume of Walmart patrons and Culvers users.

Explain why Meridian Market cannot be used due to topography.

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 deviation will achieve the intended result with a comparable or superior design and quality of improvement. Any traffic that would use the proposed Foxtail Meadow Lane access would likely use an access to the north. This alternative prevents additional turning movements and is comparable to an access to the north without the hardship of significant grade challenges.

So far grade challenges have not been discussed anywhere in the deviation. Explain what grade challenges exist on the site and how they would require access onto Foxtail Meadows.

The deviation will not adversely affect safety or operations.

The deviation will not adversely affect safety or operations. Traffic to self storage uses is minimal. Site generated traffic will not adversely affect safety or operations on Foxtail Meadow Lane. Development would not significantly impact surrounding roadways.

How much traffic would the development create?

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

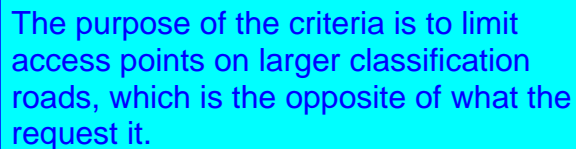
The deviation will not adversely affect maintenance and its associated cost. The proposed alternative represent no impact to maintenance or cost from the standard.

The deviation will not adversely affect aesthetic appearance.

The deviation will not adversely affect aesthetic appearance. The proposed alternative represents no impact to the aesthetic appearance from the standard. The full movement intersection to the south will serve as access to future development.

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

The deviation meets the design intent and purpose of the ECM standards. Namely the access does not adversely affect safety or operations of the site or network and granting the deviation likely represents an improvement to both safety and operations for access to this property.



The purpose of the criteria is to limit access points on larger classification roads, which is the opposite of what the request it.

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 deviation meets the control measure requirements of Part I.E.3 and Part I.E.4 of the County's MS4 permit, as applicable.

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.

Γ

Γ

L

┘

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

┘

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.