



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

PROJECT INFORMATION

Project Name : Knecht Minor Final Plat Subdivision
Schedule No.(s) : 4218000002, 4218000004, & 4218000023
Legal Description : The Northwest Quarter of Section 18, Township 12 South, Range 64 West of the 6th P.M

APPLICANT INFORMATION

Company : David & Jon Knecht
Name : David & Jon Knecht
 Owner Consultant Contractor
Mailing Address : 12425 N. Meridian Rd.
Elbert, CO 80106

Phone Number : (260) 224-4992
FAX Number : N/A
Email Address : davidjknecht@gmail.com

ENGINEER INFORMATION

Company : Kimley-Horn and Associates, Inc.
Name : Kevin Kofford, P.E. Colorado P.E. Number: 57234
Mailing Address : 2 North Nevada Ave. Ste. 900
Colorado Springs, CO 80903

Phone Number : (719) 453-0180
FAX Number : N/A
Email Address : kevin.kofford@kimley-horn.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.

DocuSigned by:
David Knecht 2/26/2025
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 **2.2.5.C – Urban Minor Arterial Access Criteria** of the Engineering Criteria Manual (ECM) is requested.

Identify the specific ECM standard which a deviation is requested:

Section 2.2.5.C of the ECM states the following:
“Spacing of roads accessing an urban minor arterial that will result in a full movement intersection shall be planned at one-quarter mile. However, one parcel access shall be granted to each existing lot, if it does not create safety or operational problems. The parcel access will provide for right turns only. The access may allow for left turns in (three-quarters movement) if the addition of left turns will improve the operation at an adjacent full movement intersection and meet appropriate design standards.”

State the reason for the requested deviation:

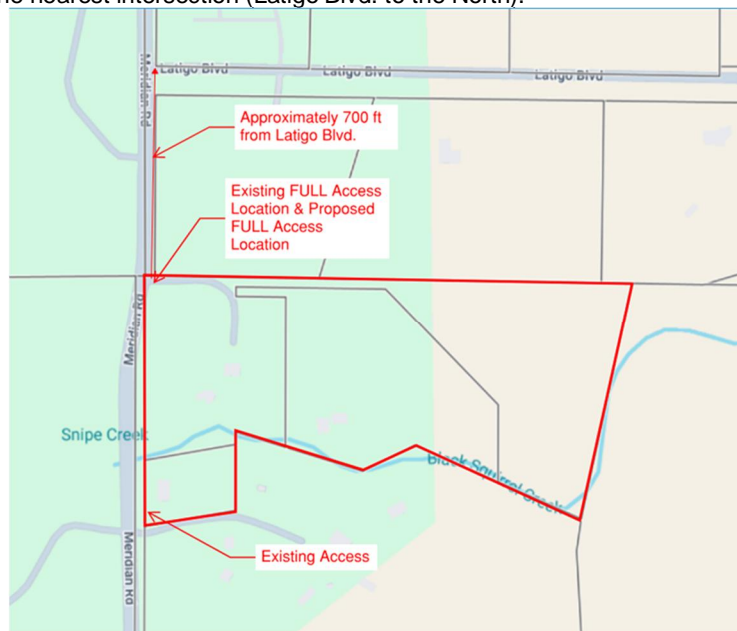
The proposed shared private access road for the proposed minor subdivision is located approximately 700 feet from the nearest intersection (Latigo Blvd. to the North) and is in the location of the existing access. The proposed spacing deviates from the standard which states the required spacing shall be “one-quarter mile” (1,320 ft). The reasons for the requested deviation comprise of topographical and geographical constraints and undue hardship given the proposed access can achieve the same result. Also, moving the intersection further south still would not meet the applicable intersection spacing to be able to still provide access to the parcels on the north side of the Upper Black Squirrel Creek.

The proposed access is the most feasible location due to the following constraints:

1. 100' Existing electric easement, for a large transmission line runs west to east and is located directly south of the existing access
2. The proposed location is closer to the top of the crest curve which lends to better intersection sight distance and stopping sight distance.
3. Significant existing grade difference from the existing bridge over Upper Black Squirrel Creek to the existing/proposed access point. The roadway grade is at 5% coming down towards the bridge and there is a cut slope of 7 feet.
4. Meeting the standard spacing would require the proposed access being across the Upper Black Squirrel Creek, not providing access to the existing and proposed parcels on the north side of the Creek.

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

The proposed shared private full access road will be located in the same location as the existing full access driveway (see below). The proposed road will provide full access to Meridian Rd. and all existing and proposed lots within the proposed minor final plat subdivision. The proposed private full access road meets all applicable design criteria per El Paso County standards and local fire department regulations. The existing access road currently provides access to three (3) existing parcels and is located approximately 700 feet from the nearest intersection (Latigo Blvd. to the North).



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

The El Paso County ECM standards for intersection spacing require a minimum of ¼ mile (1,320 ft). The proposed access is less than the minimum. However, there is not an option available which is capable to meet the minimum spacing requirement even if the proposed access was moved to the south, that would maintain access to the parcels on the north side of Upper Black Squirrel Creek. Spacing the intersection at the full 1,320 ft spacing would put the access on the south side of Upper Black Squirrel Creek, across the bridge. Additionally, there are constraints imposed from the existing conditions and nature of the site. The proposed access provides full view of oncoming vehicles from either direction on Meridian Rd. and meets the intersection sight requirements of 555 feet per Table 2-21 of the ECM and stopping sight distance of 570 feet per Table 2-12 of the ECM with the object height of 2 feet specified in the AASHTO "Geometric Design of Highways and Streets" (the stopping sight distance is not compliant with the 6 inch object height specified in the ECM). See the images below to illustrate this.

Illustration of intersection sight distance for the proposed/ existing access point. Based on the 555 foot distance in Table 2-21 of the ECM.

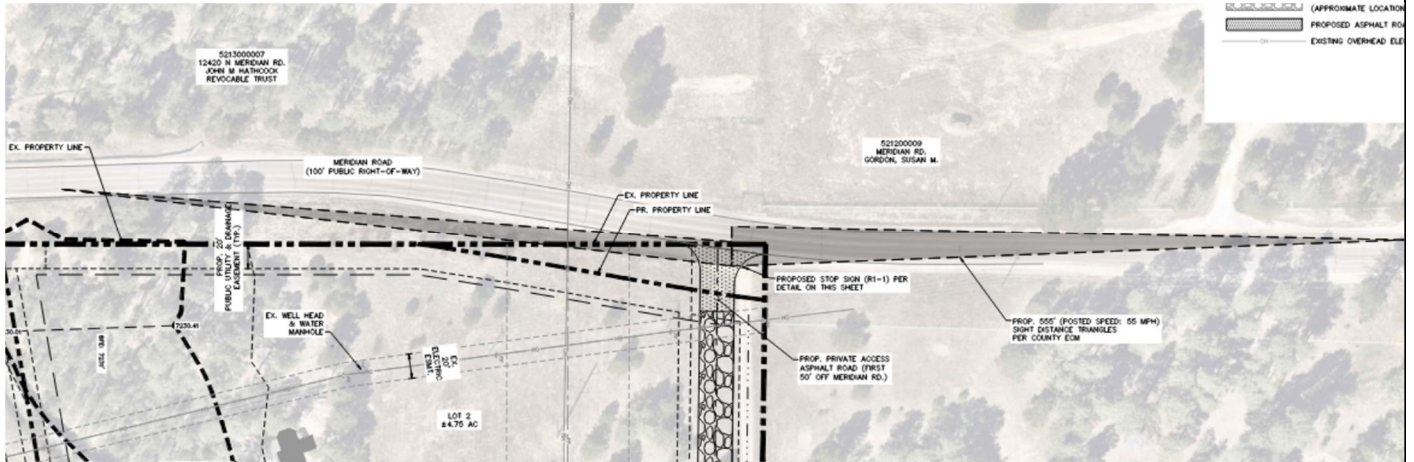
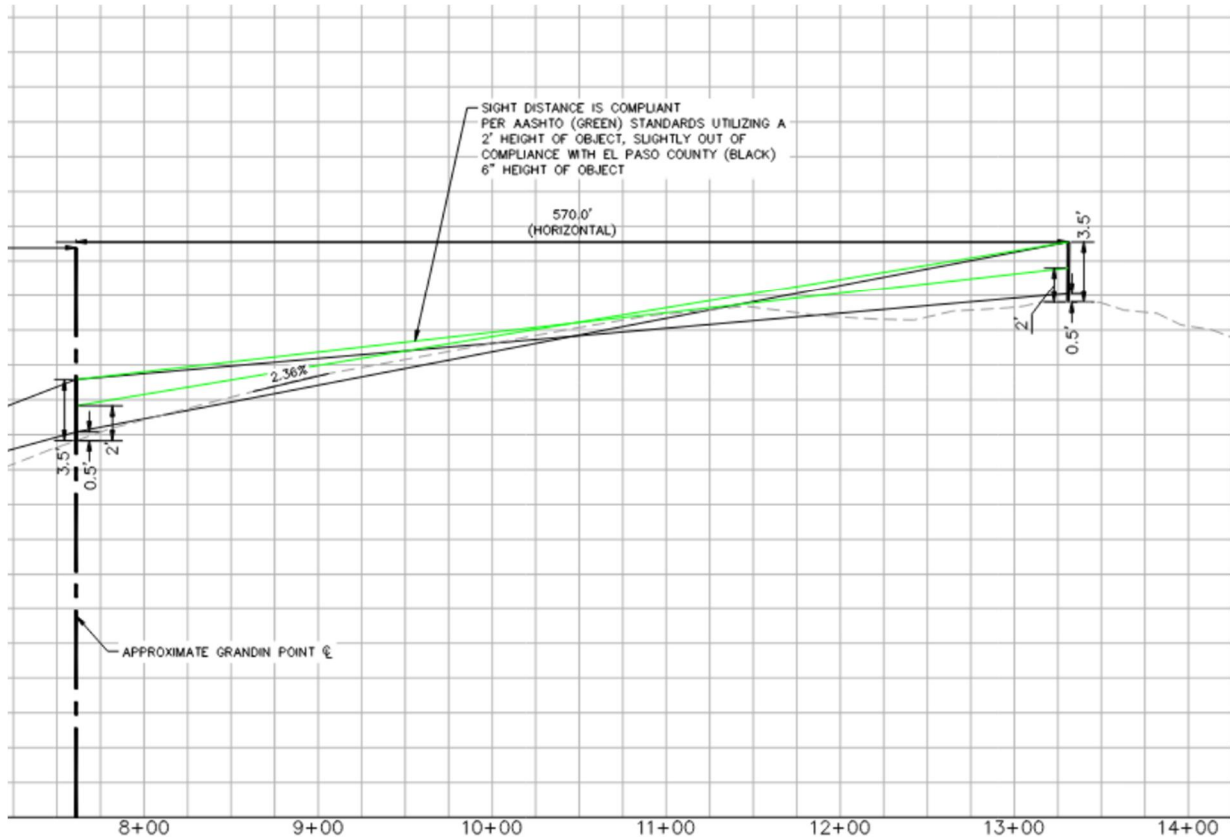


Illustration of stopping sight distance for the proposed/ existing access point. Based on the 570 foot distance in Table 2-12 of the ECM.



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:

Topography and geographical conditions impose an undue hardship that an equivalent alternative that can accomplish the same design objective. There is an existing 100-foot electric easement for a very large electric transmission line, owned and maintained by Tri-State, running through the property from west to east, and an existing 20-foot electric easement, owned and maintained by MVEA, running north to south on the west end of the property. Also, there is a significant grade difference and cut slope of 7 plus feet from the existing grade adjacent to Meridian Rd (see the image below). The electric easements and the change in topography make it extremely difficult to move the access to the south. Moving the access to the south does not provide a functionally better or safer intersection. The same design objective can be accomplished with the location of the proposed access and does not compromise public safety or accessibility given the existing driveway has served the parcels with no problems historically.

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. The existing easements, existing building structures, and existing creek all pose design and construction problems for an access road and even if the proposed access was moved to the south, the intersection spacing requirement still would not be met. This would also cause undue hardship as the owner would need to modify the access drive around the existing historic building structures, trees would need to be removed, electric easements would require unnecessary encroachments, revisions to the existing access easements and excessive cut/fill would be required to accommodate the existing grades adjacent to Upper Black Squirrel Creek.

Picture of topographical challenges:



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 proposed location for the access road will achieve the intended result with comparable design and quality of improvement given that the proposed access is an improvement to the existing conditions and provides a safe, efficient, and stable alternative for the current and future residents of the existing and proposed lots.

The stopping sight distance remains the same as the existing access location and is further demonstrated on the Stopping Sight Distance Exhibit submitted as a standalone document. The proposed sight distance meets applicable criteria per the ECM.

The proposed access has more suitable intersection sight distance and stopping sight distance than a proposed access point further south for the following reasons:

- Horizontal curvature of the roadway to the east makes the intersection sight distance more difficult and a driver has to turn their head fully over their shoulder. They would have to rotate their head an additional 2.7 degrees beyond a 90 degree angle to see a car coming from a distance of 555 feet as specified in Table 2-21 of the ECM (see the image below)
- Vertical curvature with a 5% grade makes the stopping sight distance barely out of compliance of the 570 foot requirement from Table 2-12 of the ECM for both the object heights of 2 feet (AASHTO standard) and 6 inches (EPC standard) (see image below)

Illustration intersection sight distance of 555 feet for a proposed location to the south (not actually proposed but shown only for comparison purposes)

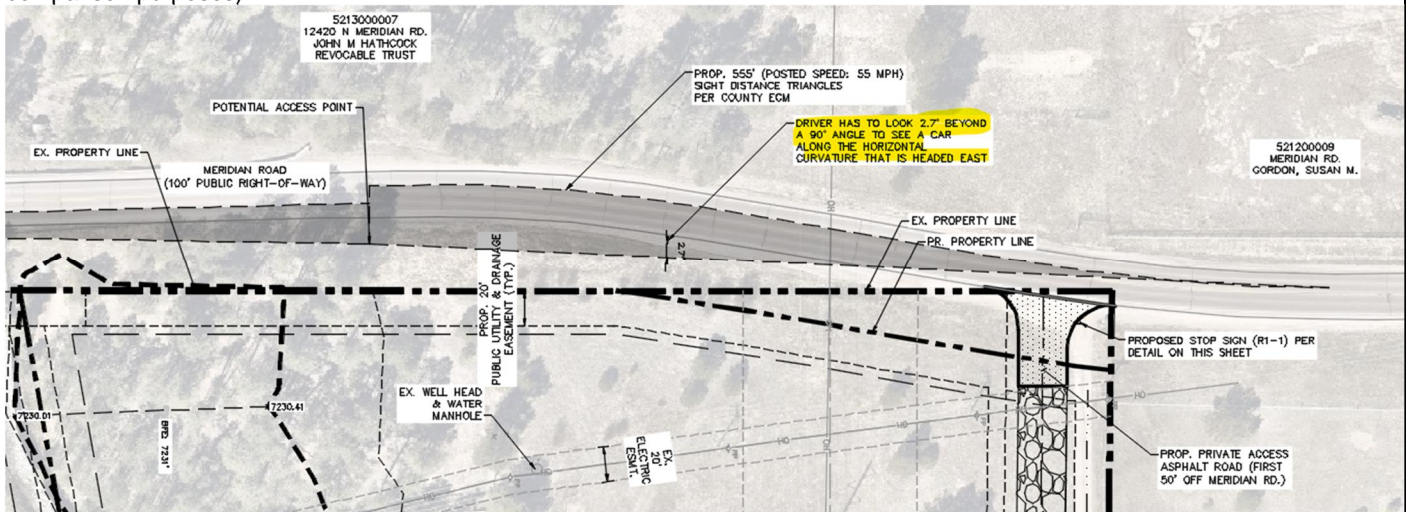
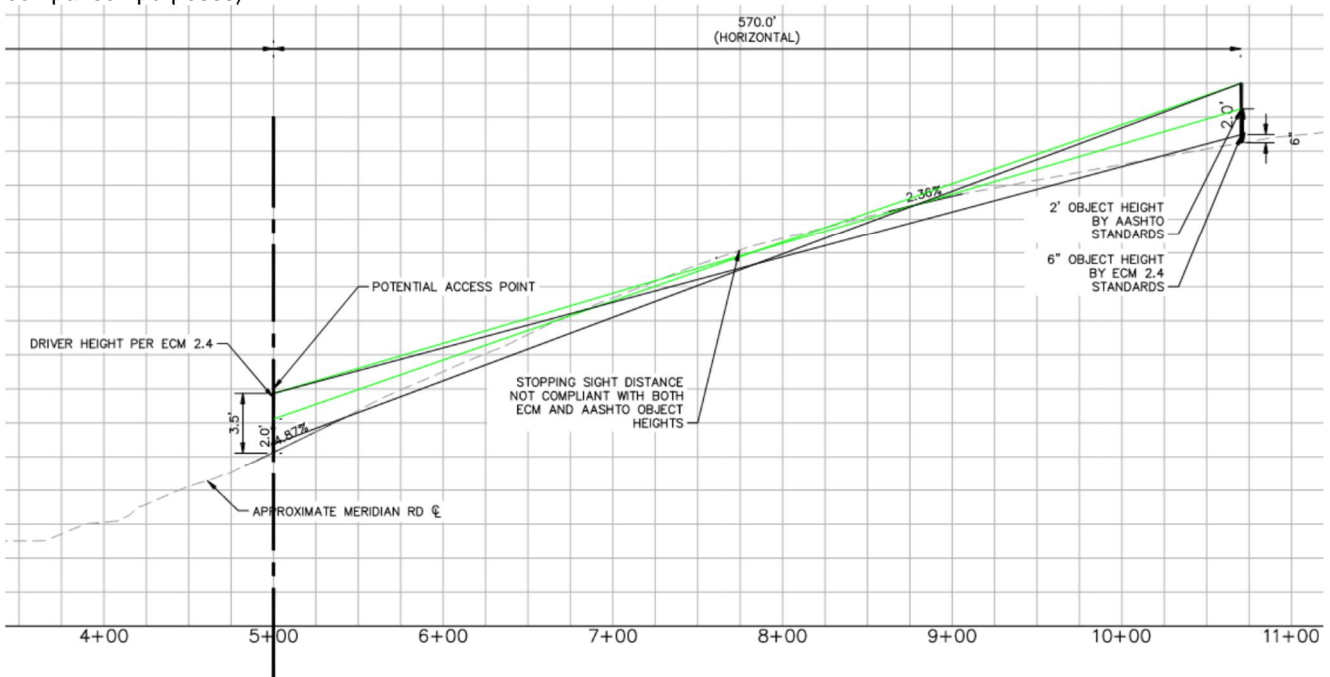


Illustration of stopping sight distance of 570 feet for a proposed location to the south (not actually proposed but shown only for comparison purposes)



The deviation will not adversely affect safety or operations.

Historically, the existing access road has provided a safe alternative for the residents of the existing parcels. There are no known issues for the location of the existing access road. The proposed access road will be in the same location with an upgraded design to geometry, road material, and drainage. The proposed road will meet all applicable design criteria per El Paso County typical section standards and local fire department regulations.

The stopping sight distance remains the same as the existing access location and can meet the 555 foot requirement per the ECM as illustrated in the figures above. Also, the proposed stopping sight distance of 570 feet meets applicable criteria per the ECM, with the AASHTO object height of 2 feet as previously illustrated.

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

The deviation request pertains only to the location of the proposed access road in proximity to the nearest intersection (Latigo Blvd. to the north). The deviation will not adversely affect maintenance and its associated cost because the proposed access road is design per El Paso County typical section standards. The first 50 feet off Meridian Rd. will be paved asphalt and the remainder will be gravel. There is also a proposed roadside ditch to convey stormwater runoff to match historic patterns along the road as to mitigate the potential for any erosional issues. The proposed access road exceeds the existing conditions in terms of design and engineering.

The deviation is for approval of access location and is not anticipated to adversely impact roadway maintenance and its associated cost.

The deviation will not adversely affect aesthetic appearance.

The deviation is for the approval of access location and is not anticipated to adversely impact aesthetic appearance. The proposed location is within the same location as the existing site access and will be paved asphalt transitioning to gravel.

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

The deviation meets the design intent and purpose of the ECM standards. The proposed shared private road is intended to provide access to the future residents of the proposed minor final plat subdivision. The design of the proposed private road adheres to the typical section standards of the ECM (Rural Local Roadway) and local fire department regulations for access and circulation.

The stopping sight distance remains the same as the existing access location and can meet the 555 foot requirement per the ECM as illustrated in the figures above. Also, the proposed stopping sight distance of 570 feet meets applicable criteria per the ECM, with the AASHTO object height of 2 feet as previously illustrated.

Additionally, moving the access further south would still be in compliance with the ECM standards of meeting ¼ mile minimum distance between intersections. Therefore, the proposed access location eliminates the conflicts stated above regarding a suitable location.

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.

No stormwater water quality or detention facilities are proposed as a part of this project. Therefore, the control measures associated with Part I.E.3 and Part I.E.4 of the County's MS4 permit are not 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.

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L J

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.