



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

Updated: 6/26/2019

PROJECT INFORMATION

Project Name : Hillside at Lorson Ranch
 Schedule No.(s) : 5500000370, 5500000371, 5500000405, 5500000281, 5500000282, & 5500000283
 Legal Description : See Attached

APPLICANT INFORMATION

Company : Matrix Design Group
 Name : Jason Alwine
 Owner Consultant Contractor
 Mailing Address : 2435 Research Parkway, Suite 300, Colorado Springs, CO 80920

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 FAX Number :
 Email Address : jason.alwine@matrixdesigngroup.com

ENGINEER INFORMATION

Company : Core Engineering Group
 Name : Richard Schindler, P.E. Colorado P.E. Number : 33997
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 Burnsville, MN 55306

 Phone Number : (719) 570-1100
 FAX Number :
 Email Address : Rich@ceg1.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) Date

 Engineer's Seal, Signature ┌
 And Date of Signature └

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

A deviation from the standards of or in Section 2.3.1 of the Engineering Criteria Manual (ECM) is requested.

Identify the specific ECM standard which a deviation is requested:

Roadway Design Criteria. Guideline: Road widths, placement of sidewalks, patterns of roads, and number of intersections are related to safe and efficient access to abutting lands.

Appendix F. Detail SD_2-2. Urban Local Roadway

State the reason for the requested deviation:

Allow only one five-foot-wide sidewalk along the north side of Sawtooth Ridge Way and Wahluke Drive to eliminate long lengths of sidewalk along the fronts of the 2.5 acre lots.

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

The proposed alternative is to construct a five-foot-wide sidewalk on the north side of Sawtooth Ridge Way and Wahluke Drive only. The ECM standard is for both sidewalks to be constructed along an urban local roadway.

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 current standard will impose an undue hardship on the 2.5-acre lot homeowners. Each homeowner would be burdened with excessive snow and weed removal along their portion of sidewalk frontage. A typical homeowner within the Hillside at Lorson Ranch would only need to maintain an approximate 50-foot length of sidewalk while the 8 large lot homeowners would need to maintain approximately 600 feet. The sidewalk along the north side of Sawtooth Ridge Way and Wahluke Drive will provide adequate pedestrian access routes to open spaces, pocket parks and other facilities as well as connections to all other roadways within Hillside at Lorson Ranch.

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.

Eliminating the sidewalk along the south side of Sawtooth Ridge Way and Wahluke Drive will not hinder pedestrian movements throughout the development and will achieve the intended result with a comparable design. The sidewalk along the north side of Sawtooth Ridge Way and Wahluke Drive will provide adequate pedestrian access routes to open spaces, pocket parks and other facilities as well as connections to all other roadways within Hillside at Lorson Ranch.

The deviation will not adversely affect safety or operations.

The proposed deviation will not adversely affect safety or operations. The sidewalk along the north side of Sawtooth Ridge Way and Wahluke Drive will provide adequate pedestrian access routes to open spaces, pocket parks and other facilities as well as connections to all other roadways within Hillside at Lorson Ranch. Eliminating the sidewalk along the south side of Sawtooth Ridge Way and Wahluke Drive will not hinder pedestrian movements throughout the development.

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

Maintaining less linear footage of sidewalk will be less expensive.

The deviation will not adversely affect aesthetic appearance.

Eliminating the sidewalk along the south side of Sawtooth Ridge Way and Wahluke Drive will not visually affect the roadway's appearance.

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 elimination of the southern sidewalk along Sawtooth Ridge Way and Wahluke Drive will not impede pedestrian movements.

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 sidewalk elimination as the development is designed with a comprehensive storm water detention system.

REVIEW AND RECOMMENDATION:

Approved by the ECM Administrator

This request has been determined to have met the criteria for approval. A deviation from Section 2.5.2.(C2) 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 2.5.2.(C2) of the ECM is hereby denied.

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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

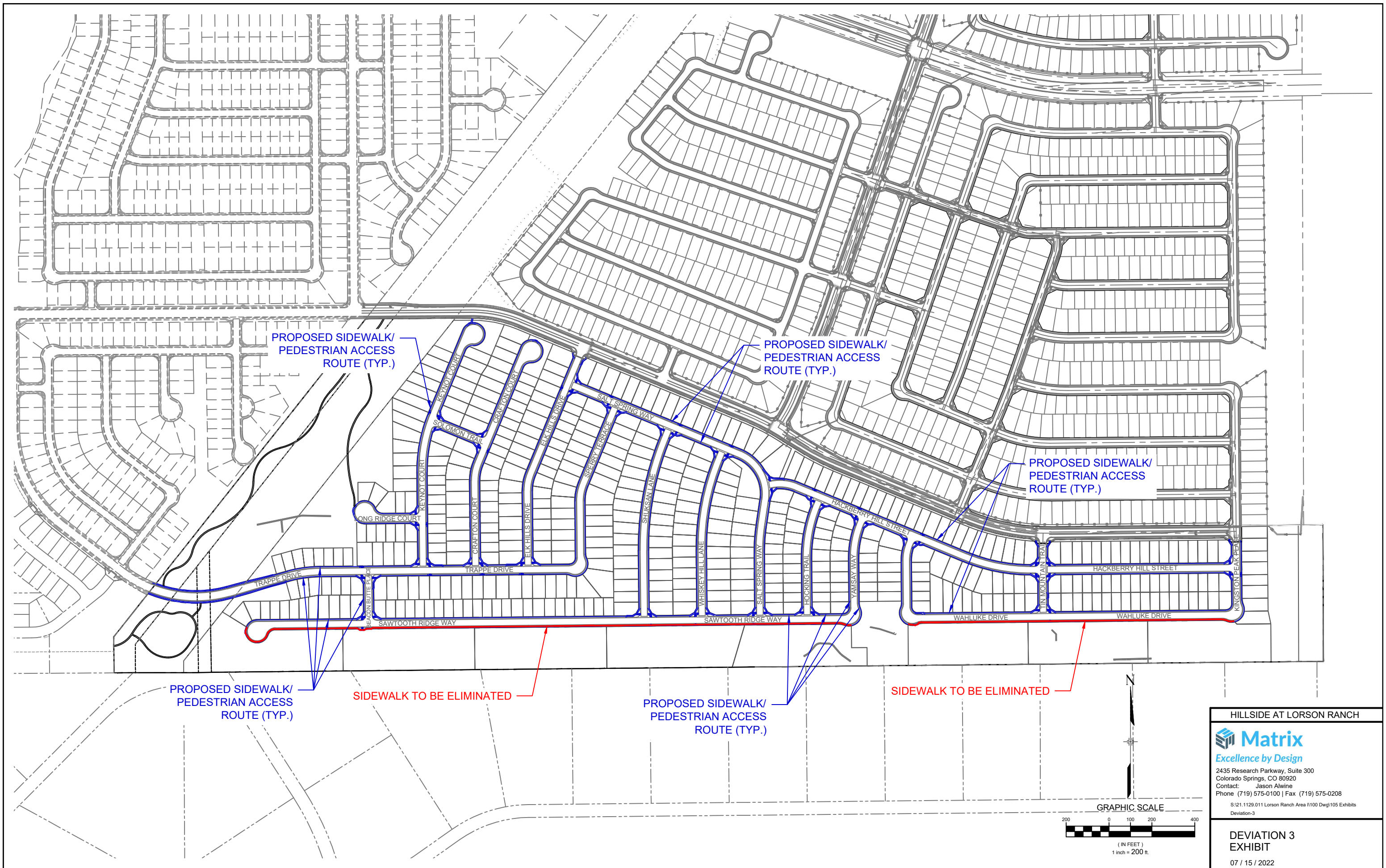
The review shall ensure all criteria for approval are adequately considered and that justification for the deviation is properly documented.

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.



PROPOSED SIDEWALK/
PEDESTRIAN ACCESS
ROUTE (TYP.)

PROPOSED SIDEWALK/
PEDESTRIAN ACCESS
ROUTE (TYP.)

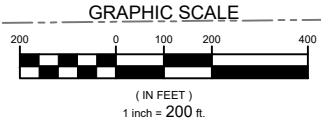
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SIDEWALK TO BE ELIMINATED

PROPOSED SIDEWALK/
PEDESTRIAN ACCESS
ROUTE (TYP.)

SIDEWALK TO BE ELIMINATED



HILLSIDE AT LORSON RANCH

Matrix
Excellence by Design

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Deviation-3

**DEVIATION 3
EXHIBIT**

07 / 15 / 2022