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May 27, 2026

VIA electronic submittal

El Paso County Planning and Community Development Department  
2880 International Circle, Suite 110  
Colorado Springs, CO 80910

**Re: Request for ECM Deviations for Ben Lomand Mountain Village Subdivision,  
Northwest El Paso County (along County Line Road).**

To whom it may concern:

Our firm represents the United Congregational Church (“CHURCH”), the owner of approximately ±341.1 acres of land (“CHURCH PROPERTY”) located within northwest El Paso County, Colorado. The Church Property is located in portions of Sections 3, 4, and 5, Township 11 South, Range 67 West of the 6th P.M., immediately East of the Town of Palmer Lake and South of County Line Road (PINs 7103000028, 7104000001, 7104000002, 7104001010, 7104200012, 7104237002, and 7105424044). The Church Property is commonly known as 3195 County Line Road, Monument, Colorado 80132.

On behalf of the Church, we respectfully submit this request for deviations from the Engineering Criteria Manual, in anticipation of developing the Ben Lomand Mountain Village Subdivision, which is the subject of a concurrent application for preliminary plan approval.

**A. Contact Information**

Contact information for the owner, applicant, and project team is as follows. The applicant requests that all members of the project team be copied on all correspondence related to this project.

<u>Owner / Applicant</u>	<u>Engineer</u>	<u>Attorney</u>
United Congregational Church Pastor Roger Sung and Mary Sung 3195 County Line Rd. Monument, CO 80132 <a href="mailto:ptggmountain@gmail.com">ptggmountain@gmail.com</a> (719) 332-2607	Atwell Daniel J. Madison, PE, 7600 E. Orchard Rd., Ste. 150 N Greenwood Village, CO 80111 <a href="mailto:dmadison@atwell.com">dmadison@atwell.com</a> (303) 531-3217	Fairfield and Woods, P.C. Todd G. Messenger, Esq., 1801 California St., Ste. 2600 Denver, CO 80202 <a href="mailto:tmessenger@fwlaw.com">tmessenger@fwlaw.com</a> (303) 894-4469

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**B. Current Zoning of the Property**

The Church Property consists of seven parcels, all of which are zoned RR-2.5.

Parcel ID	Area (acres)	Jurisdiction	Existing Zoning
7105424044	14.3	Unincorporated El Paso County	RR-2.5
7104200012	147.1	Unincorporated El Paso County	RR-2.5
7104237002	0.9	Unincorporated El Paso County	RR-2.5
7104000002	38.2	Unincorporated El Paso County	RR-2.5
7104000001	49.2	Unincorporated El Paso County	RR-2.5
7104001010	45.7	Unincorporated El Paso County	RR-2.5
7103000028	45.7	Unincorporated El Paso County	RR-2.5

**C. Details of the Specific Request**

The Church Property comprises approximately ±341.1 acres of land. The proposed subdivision will result in: (1) 72 single-family residential lots ranging from 2.05 acres to more than 2.5 acres (two of which will be set aside for United Congregational Church facilities during development of the subdivision); (2) two lots (Lots 1 and 1A) for a new Religious Institution or potentially Community Building (as those terms are defined in the El Paso Land Development Code (“LDC”) at Section 1.15); (3) tracts for private roads, stormwater retention, and drainage, and (4) approximately 100 acres of conservation area that will serve as a sanctuary for wildlife (Tract A).<sup>1</sup> Individual lots will be served by individual wells and on-site wastewater treatment systems (“OWTS”). The anticipated subdivision will be accessed from multiple intersections on County Line Road on the north side of the Church Property. The existing fire road access locations will remain in place. The proposed Lots 34 and 36 are currently developed with a church building and related youth center, respectively. However, the preliminary plan contemplates that they will ultimately be redeveloped with single-family detached dwellings.

Several deviations from County engineering standards are necessary to accomplish the conservation design of the proposed subdivision, provide access for fire suppression and fuels management, and minimize cuts and fills in a way that respects the existing topography and blends in with surrounding residential development on steep lots on the South side of the ridge. Justifications for those deviations are provided in this letter as well.

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<sup>1</sup> See Preliminary Plan Set, Ben Lomand Mountain Village.

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## **D. Deviations From County Engineering Design Standards**

The Applicant requests three deviations from the ECM: road grades,<sup>2</sup> cul-de-sac length,<sup>3</sup> and road centerline radius.<sup>4</sup> These are addressed in turn below.

### **1. Request for Deviation from Maximum Road Slope**

A deviation from ECM standards is requested pursuant to the standards set forth in ECM § 1.9. The maximum allowable road slope is eight percent, and 10 percent is permitted at the County's discretion.<sup>5</sup> The proposal includes slopes up to 12 percent without accounting for intersection tabling and vertical curves.<sup>6</sup> The inclusion of intersection tabling and vertical curves may require slopes up to 16 percent in certain areas, which is consistent with certain segments of nearby Capella Drive (LIDAR flown to evaluate the Church Property showed a slope of 16.4% on a segment of Capella Drive). The proposal meets the requirements for a deviation from the ECM, as follows.

- i. The Deviation Will Achieve the Intended Result with a Comparable or Superior Design and Quality of Improvement.*

The proposed roadway alignments have been specifically designed to respond to the Church Property's natural terrain while minimizing excessive grading, slope disturbance, and retaining wall impacts. The requested deviation allows the roadway to follow existing contours—and existing fire access and forest maintenance routes—in a manner that reduces cut-and-fill activity and preserves natural landforms. The proposed roadway will have site-appropriate pavement design, drainage infrastructure, and roadway safety measures that collectively achieve a comparable or superior design outcome relative to strict compliance. The roadway configuration represents an integrated engineering solution tailored to the site's unique physical conditions while maintaining high-quality infrastructure improvements and improving fire access.

- ii. The Deviation Will Not Adversely Affect Safety or Operations.*

The proposed road grades will not adversely affect public safety or roadway operations. The roadways have been designed to maintain adequate sight distance, emergency vehicle access, and safe vehicular circulation. Road sections are designed to reduce icing and runoff impacts. The

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<sup>2</sup> ECM § 2.3.2, Table 2-5.

<sup>3</sup> ECM § 2.3.8(A).

<sup>4</sup> ECM § 2.3.2, Table 2-5.

<sup>5</sup> ECM § 2.3.2, Table 2-5.

<sup>6</sup> See Preliminary Plan Set, Ben Lomand Mountain Village, at 14-17.

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roadways that are the subject of the request align with or improve existing emergency access / forestry management roads, and requirements and turning movements have been evaluated and can be accommodated without additional deviations. The deviations will allow for improvements to existing fire access roads, which will improve public safety.

*iii. The Deviation Will Not Adversely Affect Maintenance and Its Associated Cost.*

The proposed deviation will not adversely affect roadway maintenance or increase long-term maintenance costs beyond those typically associated with hillside roadway infrastructure. The roadway design incorporates standard construction materials and accepted engineering practices suitable for steep terrain applications. Drainage improvements, pavement specifications, and slope stabilization measures are designed to support long-term durability and maintenance efficiency. The proposed roadway can be maintained using conventional maintenance practices and equipment.

*iv. The Deviation Will Not Adversely Affect Aesthetic Appearance.*

The proposed deviation results in a roadway alignment that better preserves the site's natural topography and visual character than a strictly compliant alternative. By reducing the need for extensive grading and large retaining structures, the proposed design minimizes visual scarring and disturbance of existing landforms. The roadway design is sensitive to the surrounding hillside environment and reduces the visual impacts typically associated with excessive earthwork. This is because an alternative design that complied with the ECM would require switchbacks that would create a significant amount of scarring and deforestation on the North side of Ben Lomand Mountain. In sum, the proposed deviation is necessary to protect and preserve the visually striking features of the Ben Lomand Mountain area.

*v. The Deviation Meets the Design Intent and Purpose of the ECM.*

The proposed deviation satisfies the underlying intent and purpose of the ECM by providing safe, functional, and durable roadway infrastructure appropriate for the site conditions. Although the roadway exceeds the standard maximum grade in limited areas, the design continues to support safe access, enhance emergency response capability, support and enhance forestry management, and provide for orderly development. Strict application of the standard would require disproportionate grading and site disturbance inconsistent with the broader objectives of sound hillside design and environmental stewardship. Moreover, the proposed road grade is consistent with the grade of nearby Capella Drive, a road that carries higher volumes of traffic.

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- vi. *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 roadway design complies with all applicable stormwater permit control measure requirements associated with both construction activities and long-term roadway operation and maintenance. The deviation will not impair the Church's ability to implement or maintain required erosion control, sediment control, drainage, or water quality measures required under the applicable stormwater permit.

Construction-phase best management practices ("BMPs"), including stabilized construction entrances, inlet protection, sediment basins, perimeter controls, temporary stabilization, and phased grading measures, will be implemented to minimize erosion and sediment transport associated with hillside construction activities. The proposed roadway alignment reduces excessive grading and disturbed land area, thereby limiting erosion potential and improving the effectiveness of stormwater control measures during construction.

Post-construction stormwater facilities have been designed to safely convey runoff from the roadway improvements while maintaining long-term water quality treatment and drainage performance. Permanent stabilization measures, drainage infrastructure, and maintenance access have been incorporated into the design to support ongoing compliance with stormwater permit obligations and roadway maintenance requirements.

## **2. Request for Deviation from Minimum Road Centerline Radius**

A deviation from ECM standards is requested pursuant to the standards set forth in ECM § 1.9. The applicant requests approval of a deviation from the minimum road centerline radius requirement to allow reduced horizontal curvature in limited roadway segments due to the site's constrained hillside topography. The minimum centerline radius is 300 feet.<sup>7</sup> The proposal includes an 80-foot radius road leading to southern portions of Church Property, which connects to roads having 150-foot and 175-foot radii.<sup>8</sup> The proposal meets the requirements for a deviation from the ECM, as follows.

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<sup>7</sup> ECM § 2.3.2, Table 2-5.

<sup>8</sup> See Preliminary Plan Set, Ben Lomand Mountain Village at 7-9 (streets B, E, and F having centerline radii less than 300 feet).

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*i. The Deviation Will Achieve the Intended Result With a Comparable or Superior Design and Quality of Improvement.*

The proposed roadway curvature has been carefully designed to follow the site's natural contours and minimize environmental disturbance. The deviation reduces the need for excessive grading, retaining walls, and vegetation removal that would otherwise result from strict compliance with the prescribed centerline radius standard. The proposed road layout on the hillside and hilltop follows the existing fire access and forest maintenance roads. By utilizing the existing road alignments, the design reduces the impact to the existing natural features of the land and reduces the number of trees impacted. In sum, the proposed roadway design achieves a high-quality improvement responsive to the site's physical characteristics while maintaining functional and safe roadway infrastructure.

*ii. The Deviation Will Not Adversely Affect Safety or Operations.*

The reduced centerline radius will not adversely affect roadway safety or operations. The proposed private roadway has been designed for low-speed residential traffic conditions consistent with the character and expected traffic volumes of the development. Appropriate sight distance, roadway width, signage, pavement markings, and emergency vehicle maneuverability have been incorporated into the design. The proposed curvature encourages reduced vehicle speeds and supports safe roadway operations within the hillside setting.

*iii. The Deviation Will Not Adversely Affect Maintenance and Its Associated Cost.*

The proposed roadway alignment will not create unusual maintenance demands or additional long-term maintenance costs. The roadway can be maintained using conventional methods and equipment consistent with standard private roadway maintenance practices. The deviation reduces excessive grading and slope stabilization requirements that could otherwise increase long-term maintenance obligations associated with hillside disturbance.

*iv. The Deviation Will Not Adversely Affect Aesthetic Appearance.*

The proposed roadway alignment better preserves the natural terrain, visual character, and natural resource values of the site by reducing unnecessary earthwork and disturbance. A strictly compliant roadway radius would require broader cuts into existing slopes and increased alteration of natural landforms. The proposed design provides a more context-sensitive roadway layout that integrates with the surrounding topography. Moreover, the proposed deviation is necessary to protect and preserve the visually striking features of the Ben Lomand Mountain area.

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v. *The Deviation Meets the Design Intent and Purpose of the ECM.*

The proposed deviation continues to satisfy the fundamental intent of the ECM by providing safe and functional vehicular access appropriate for the anticipated traffic conditions and terrain constraints. The roadway design reflects accepted engineering principles for low-speed hillside roadway systems. The deviation represents the minimum necessary relief to accommodate the property's unique physical conditions while preserving the overall objectives of the standards.

vi. *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 deviation satisfies all applicable Stormwater Permit control measure requirements for both construction-phase and post-construction stormwater management activities. The reduced centerline radius will not adversely affect implementation, operation, or long-term maintenance of required stormwater BMPs or drainage infrastructure.

The roadway alignment has been designed to minimize grading disturbance and preserve existing hillside conditions to the greatest extent practicable, thereby reducing erosion potential and sediment generation during construction. Required construction-phase stormwater control measures, including erosion-control BMPs, sediment containment practices, temporary stabilization measures, and runoff management controls, will be implemented in accordance with the approved stormwater permit and erosion-control plans.

Post-construction drainage facilities, conveyance systems, and water-quality treatment measures have been integrated into the roadway design to ensure safe runoff management and continued compliance with applicable stormwater regulations. The deviation reduces unnecessary land disturbance and supports effective long-term maintenance of roadway drainage and stormwater control facilities.

### **3. Request for Deviation from Maximum Cul-de-sac Length**

A deviation from ECM standards is requested pursuant to the standards set forth in ECM § 1.9. The Applicant requests approval of a deviation from the maximum permitted cul-de-sac length requirement to allow an extended cul-de-sac necessary to provide access to development areas constrained by the site's topography and environmental conditions. The maximum cul-de-sac

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length is 1,600 feet in rural conditions.<sup>9</sup> The proposed plan includes a cul-de-sac length of 1,736.06 feet.<sup>10</sup> The proposal meets the requirements for a deviation from the ECM, as follows.

- i. *The Deviation Will Achieve the Intended Result With a Comparable or Superior Design and Quality of Improvement.*

The proposed cul-de-sac configuration provides an efficient and context-sensitive roadway design that minimizes unnecessary grading, roadway construction, and environmental disturbance. Extending the cul-de-sac length allows development to occur in a manner responsive to the site's physical constraints while reducing impacts to adjacent slopes and natural features. The roadway design includes a fully compliant turnaround area and associated infrastructure improvements that provide functionality equivalent to or better than a strictly compliant alternative roadway configuration. Strict application of the code would result in additional, and more severe grading to provide additional connectivity within the site.

- ii. *The Deviation Will Not Adversely Affect Safety or Operations.*

The proposed cul-de-sac length will not adversely affect public safety or roadway operations. The roadway has been designed to accommodate emergency vehicle access, turning movements, and safe residential traffic circulation. Traffic volumes associated with the development are expected to remain low and consistent with residential roadway operations. The cul-de-sac turnaround area has been designed to support fire apparatus maneuverability and emergency response access without additional deviations.

- iii. *The Deviation Will Not Adversely Affect Maintenance and Its Associated Cost.*

The proposed deviation will not create excessive maintenance burdens or unusual operational costs. The roadway and turnaround area will be constructed using standard engineering specifications and can be maintained using conventional maintenance practices and equipment. The extended cul-de-sac reduces the need for additional roadway segments and associated infrastructure that could otherwise increase long-term maintenance obligations.

- iv. *The Deviation Will Not Adversely Affect Aesthetic Appearance.*

The proposed cul-de-sac layout better preserves the natural character of the site by limiting roadway expansion into steep hillside areas. Strict compliance with the cul-de-sac length standard

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<sup>9</sup> ECM § 2.3.8.A.

<sup>10</sup> Preliminary Plan Set, Ben Lomand Mountain Village at 7-9 (the distance from the intersection of Street B and Street F to the western terminus of Street F).

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could require additional roadway connections, grading, and vegetation removal that would result in greater visual and environmental impacts. The proposed design minimizes disturbance and maintains a development pattern compatible with the surrounding terrain. Moreover, the proposed deviation is necessary to protect and preserve the visually striking features of the Ben Lomand Mountain area.

v. *The Deviation Meets the Design Intent and Purpose of the ECM.*

The proposed deviation satisfies the overall intent and purpose of the Engineering Standards by providing safe and practical roadway access while responding appropriately to the site's unique topographic conditions. The roadway system maintains functional circulation, emergency access capability, and infrastructure reliability. The requested deviation constitutes the minimum necessary relief to achieve reasonable site access without creating the need for additional deviations.

vi. *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 extended cul-de-sac complies with all applicable Stormwater Permit control measure requirements associated with construction activities and permanent roadway infrastructure. The deviation will not impair the installation, operation, inspection, or long-term maintenance of required stormwater management facilities or erosion-control measures.

Construction-related stormwater impacts will be managed through implementation of approved BMPs, including sediment-control measures, temporary stabilization practices, slope protection measures, inlet protection, and phased earthwork sequencing designed to minimize erosion and sediment discharge from disturbed hillside areas. By limiting the need for additional roadway extensions and associated grading, the proposed cul-de-sac configuration reduces overall site disturbance and supports more effective stormwater management during construction.

Permanent stormwater infrastructure associated with the roadway improvements has been designed to accommodate runoff conveyance, drainage control, and long-term maintenance access in accordance with applicable stormwater permit requirements. The proposed design supports continued compliance with post-construction stormwater management obligations while minimizing adverse impacts to surrounding slopes and drainage patterns.

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We look forward to working with you to process this application. If you have any questions or require further information, please do not hesitate to contact me.

Sincerely,  
FAIRFIELD AND WOODS, P.C.



Todd Messenger

TGM:ds