



**Planning and Community
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DEVIATION REQUEST AND DECISION FORM

Updated: 6/26/2019

PROJECT INFORMATION

Project Name : Paint Brush Hills Metropolitan District – Site Development Plan for the Equipment Storage Facility

Schedule No.(s) :

Legal Description : THE PAINT BRUSH HILLS SITE DEVELOPMENT PLAN LEGAL DESCRIPTION CONTAINS A PORTION OF:
TRACT A, PAINT BRUSH HILLS FILING NO. 13C.
A PORTION OF THE WEST HALF OF SECTION 25, AND THE EAST HALF OF PORTION 26, ALL IN
TOWNSHIP 25 SOUTH, RANGE 65 WEST OF THE SIXTH PRINCIPAL MERIDIAN, BEING MORE
PARTICULARLY DESCRIBED AS FOLLOWS:
TRACT A AS PLATTED IN PAINT BRUSH HILLS FILING NO. 13C RECORDED UNDER RECEPTION NO.
216713. RECORDS OF EL PASO COUNTY, COLORADO.
CONTAINING A CALCULATED AREA OF 605920 SQUARE FEET OR 13.91 ACRES.
PARCEL B, PAINT BRUSH HILLS METROPOLITAN EXEMPTION PLAT.
RECORDED AT RECEPTION NO. 216713738 OF THE RECORDS OF THE CLERK AND RECORDERS
OFFICE OF EL PASO COUNTY, COLORADO SITUATED IN THE NORTHWEST QUARTER OF SECTION
25. TOWNSHIP 12 SOUTH, RANGE 65 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF EL
PASO, STATE OF COLORADO.
CONTAINING AN AREA OF APPROXIMATELY 9,583 SQUARE FEET OR 0.220 ACRES.

APPLICANT INFORMATION

Company : Paint Brush Hills Metropolitan District

Name : Robert Guevara

Owner Consultant Contractor

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ENGINEER INFORMATION

Company : Kimley-Horn and Associates Inc.

Name : Adam Monchak

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PCD File
PPR2321

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

Provide required signatures
and stamp

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

A deviation from the standards of or in Section **2.2.5(D)** of the Engineering Criteria Manual (ECM) is requested.

Identify the specific ECM standard which a deviation is requested:

The requested deviation is for access to a collector road (ECM Section 2.2.5).

State the reason for the requested deviation:

The deviation is being requested because the project is not introducing a new access point or increasing traffic on the collector road (Londonderry Drive). The existing site includes a well house and a pump house. The project includes a new equipment storage shed. The equipment stored on site will be largely used for the site itself. The existing driveway is a dirt driveway which will be improved to gravel as part of the project. Traffic will not be impacted because it will still be operations staff who already access the site.

Discuss and explain why the access has to come from the collector to the site. Explain why other access options are not feasible. Explain how many daily trips (ADT) are associated with the site. Provide detail on the type of truck pick up or any single unit trucks.

Please provide more clear justification for each key section.
Address notes below
Address posted do not enter signs
and no left turn as mitigation

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

The existing dirt driveway approach is being replaced with gravel. The gravel begins on private property and thus will not encourage additional traffic.

Because the driveway is existing and traffic patterns will not be impacted by the project, it is being requested that existing conditions can remain.

Address access spacing, sight distance and how it compares to ECM standards.

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:

Traffic on Londonderry Drive will not be impacted by the updates. The driveway approach on Londonderry will have improved materials, but traffic will not be impacted.
 The proposed building on site is a storage shed. The shed is not intended to be used for items that would require frequent maintenance trips in and out of the site.
 Traffic to the site will continue to be maintenance vehicles and trucks for the pump house and well site. **A few trips a year** to move mowers etc from the equipment storage facility to other PBHMD sites is possible, but would be a less than monthly occurrence.

Explain the ADT and number of daily or weekly trips in and out of the site. Discuss why access cannot come from other locations. Discuss the type of vehicles and time of day access will be used.

CRITERIA F

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 improves the existing driveway. Gravel provides a more formal drive than dirt.
 Traffic patterns will not be impacted, but the maintenance vehicles accessing the site on **a regular basis** will have an improved approach.

The deviation will not adversely affect safety or operations.

The deviation will not adversely affect safety or operations because no additional traffic impacts are anticipated, the types of vehicles currently using the driveway will not change, and in general, the existing conditions will not be impacted.

This should address entering sight distance and turning movements into and out the private driveway entrance. Explain any needed signage

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

The gravel driveway is on private property and will not be maintained by El Paso County.

Explain how this will not impact El Paso County maintenance and cost.
Explain that damage to curb and gutter and sidewalk will be repaired at the Metros cost.

The deviation will not adversely affect aesthetic appearance.

The proposed improvements are located on private property and will not significantly impact aesthetic appearance on Londonderry Drive. In fact, the gravel driveway will be an improved aesthetic from the existing dirt driveway.

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

The existing condition is private driveway with no acceleration or deceleration lane. The existing conditions are not changing, so the intent of the standards are met as they have been in the existing conditions.

Explain how this private drive entrance meets access spacing requirements and entering sight distance from ECM Table 2-35
Explain that the access driveway does not require turn lanes

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 MS4 permit is not applicable to this site.

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:

Prohibited left turns against east bound traffic will be considered as part of the deviation with only RIRO turns.

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.