



Planning and Community
Development Department
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Colorado Springs, Colorado 80910
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DEVIATION REQUEST AND DECISION FORM

Updated: 6/26/2019

SM Rocha LLC
Response to Comments
August 2026

PROJECT INFORMATION

Project Name : The Markets at Bent Grass
Schedule No.(s) : TBD
Legal Description : TBD

APPLICANT INFORMATION

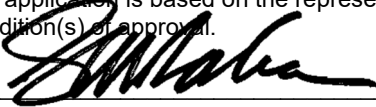
Company : Evergreen Development
Name : Sean Murphy
☒ Owner ☐ Consultant ☐ Contractor
Mailing Address : 2390 E Camelback Rd, Ste 140
Phoenix, AZ 85016
Phone Number : 303-757-0401
FAX Number :
Email Address : smurphy@evgre.com

ENGINEER INFORMATION

Company : SM Rocha LLC
Name : Fred Lantz (Alternate Contact: Mike Rocha) Colorado P.E. Number : 23410
Mailing Address : 8700 Turnpike Dr., Ste 240
Westminster, CO 80031
Phone Number : 303-458-9798 ext. 104
FAX Number :
Email Address : fred@smrocha.com, Alternate Email Address: mike@smrocha.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.

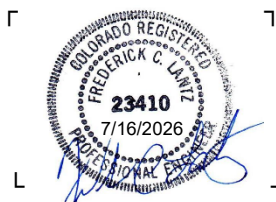


Signature of owner (or authorized representative)

7/16/2026

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 **2.4.1.B** of the Engineering Criteria Manual (ECM) is requested.

Identify the specific ECM standard which a deviation is requested:

1. Section 2.3, Table 2-6 describes one-mile intersection spacing requirements along Expressways.
2. Section 2.4, Table 2-35 indicates 425 feet access spacing requirements along collector roadways with a 25 MPH posted speed limit and a WB-67 design vehicle.
3. Section 2.3, Table 2-7 describes 35 MPH posted speed limit requirements for non-residential collector roadways.
4. Section 2.1.3, Standard Drawings (Rural Minor Collector SD 2-12, Rural Major Collector SD 2-13), and Table 2-2 requirement of 4-foot shoulder in cross section.

provide exhibit showing locations

State the reason for the requested deviation:

SMR: Exhibit included in Attachment B of Deviation Request letter.

1. Resolution 18-186 currently provides direct Bent Grass Meadows Drive restrictions. However, full-movement conditions are essential to better provide reasonable access to existing and future development areas along Bent Grass Meadows Drive and Woodmen Frontage Road.
2. To provide adequate commercial development viability, access locations are proposed so as to accommodate a minimum of two lots per access. If access is positioned to meet minimum spacing criteria per the County's ECM, the development area would likely only be able to accommodate two or three primary access locations serving large lots only. Such a layout is considered to be ineffectual in meeting the needs for adequate site-circulation to serve typical commercial development and balanced distribution of site traffic to and from the established area roadways.
3. A reduced posted speed limit (25 mph) will assist in facilitating site generated traffic in a safer manner since this segment of Bent Grass Meadows Drive will not be accommodating traffic over medium to long distances as non-residential collector roadways typically do.
4. A requested approval of a 3-foot shoulder in lieu of the 4-foot shoulder as required under the Rural Collector Road standard.

Explain the proposed alternative and compare to the ECM standards (May provide applicable SMR: Additional description added. as basis):

1. A new full-movement intersection onto E Woodmen Road is being proposed as a Continuous Green T-intersection (CGT) approximately one-half mile west of Meridian Road and one-half mile east of Golden Sage Road. Proposed CGT intersection to work in tandem with City planned CGT intersection at Golden Sage Road.
 2. Internal access drives are being proposed onto Bent Grass Meadows Drive approximately 280 feet to 470 feet apart.
 3. A posted speed limit of 25 mph is proposed along new east/west Woodmen Road Frontage / Bent Grass Meadows Drive roadway segment (from east/west project limits). Existing north/south limits of Bent Grass Meadows Drive to remain 35 mph.
- These proposed roadway design elements are in contrast to minimum spacing and posted speed limits requirements defined within Sections 2.3 and 2.4.

4. The proposed 3-foot shoulder matches the existing condition along Woodmen Frontage Road and provides a consistent transition to the existing roadway while providing for 12-foot travel lanes. This condition is limited and occurs between Stations 35+50 and 38+10, as shown on the Preliminary Plan, east of new roundabout along new Bent Grass Meadows Drive at the connection to existing Woodmen Frontage Road at eastern limits of proposed development. The shoulder within this limited

SMR: Exhibit included in Attachment B of Deviation Request letter.

(maybe also use striped 11' lanes on rural x-section of frontage road?)

Provide an exhibit showing approximate locations of 25 MPH signs (ahead of curves seems appropriate)

SMR: Additional discussion added.

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:

In addition to the information previously provided as part of this request, the accompanying deviation request letter and submitted Master Traffic Impact Study collectively provide further justification for the requested deviation. The submitted materials are intended to demonstrate transportation design solutions that support viable commercial development while also addressing the long-term local and regional transportation needs and operational objectives of the surrounding area. As a result, the applicable criteria defined within Section 2.4 of the County's ECM are believed to be adequately addressed.

SMR: Additional discussion added.

Add numbering and justification for each (#1-#4) here or an attached sheet.

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.

This condition is believed to be addressed as described in the attached deviation request letter and submitted Master Traffic Impact Study. Roadway and access configurations presented in concept plan and discussed in the requested deviation were carefully coordinated with County Staff for provision of best design.

SMR: Additional discussion added.

Add specific description for each (#1-#4) here or an attached sheet (or the letter).

The deviation will not adversely affect safety or operations.

This condition is believed to be addressed as described in the attached deviation request letter and submitted Master Traffic Impact Study.

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

This condition is believed to be addressed as described in the attached deviation request letter.

The deviation will not adversely affect aesthetic appearance.

This condition is believed to be addressed as described in the attached deviation request letter. Assumed roadway and access spacing concepts also accommodates County's intent for new roundabout construction on Woodmen Road Frontage.

SMR: Additional discussion added.

Add specific description for each (#1-#4) here or an attached sheet (or the letter).

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

This condition is believed to be addressed as described in the attached deviation request letter and submitted Traffic Impact Study.

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.

This condition is believed to be addressed where 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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Add ECM sections (provide one signature sheet for each deviation #1-#4)

SMR: Additional section description added.

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.

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ECM ADMINISTRATOR COMMENTS/CONDITIONS:

Draft Condition regarding queuing analyses for intersections/access spacing: This approval is pending acceptable queuing and sight distance analyses at the time of construction drawing review.

SMR: Response to this comments provided by Evergreen under separate cover.

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.

this sheet may be removed

SMR: Sheet removed as requested.



SM ROCHA, LLC

TRAFFIC & TRANSPORTATION ENGINEERING CONSULTANTS

July 16, 2026

El Paso County
Department of Public Works
3275 Akers Drive
Colorado Springs, CO 80922

**RE: The Markets at Bent Grass Development
Conceptual Access Spacing Deviation Request**

To Whom it May Concern,

SM ROCHA, LLC is pleased to submit conceptual access spacing information and proposed direct connection to E Woodmen Road and Bent Grass Meadows Drive, for anticipated commercial development located to the northeast corner of Bent Grass Meadows Drive and Woodmen Frontage Road in El Paso County, Colorado.

This letter also serves as a request for deviation to access spacing requirements associated with the proposed development, pursuant to Section 2.4.1.B of the County's Engineering Criteria Manual (ECM)¹. This request is provided in addition to analysis of traffic impacts presented in the study entitled Master Traffic Impact Study (The Markets at Bent Grass), dated July 2026.

Resolution No. 18-186 currently provides for access from Bent Grass Meadows Drive with direct right-in/right-out access onto E Woodmen Road. After analyzing the surrounding development, both existing and proposed east and west of the site, along with the assumed commercial development at the northeast corner of Bent Grass Meadows Drive and E Woodmen Road, we are submitting the proposed direct connection concept for approval. With assumed development it is requested that a full-movement Continuous Green T-Intersection (CGT) be allowed through administrative powers of the resolution to better provide reasonable access to existing and future development areas along Bent Grass Meadows Drive and Woodmen Frontage Road. A copy of the resolution is provided for reference in Attachment A.

A conceptual site layout, including potential access locations, is provided for reference in Attachment B.

¹ El Paso County Engineering Criteria Manual, El Paso County, December 2016.

Proposed Transportation Network

To accommodate the commercial development various modifications to the existing roadways are proposed as follows:

- Provision of a CGT intersection from E Woodmen Road to Woodmen Frontage Road (via new Bent Grass Meadows Drive with roadway segment between Woodmen Road and new roundabout to be later named Switchgrass Drive) is proposed to better facilitate the entry of vehicles to the assumed commercial area and adjacent residential subdivisions to the north and east. This addition is believed likely to assist in reducing volumes that would otherwise need to utilize the signalized intersection of Golden Sage Road with E Woodmen Road to the west, or the roundabout intersection of E Woodmen Road with Woodmen Frontage Road to the east. Pursuant to current classification of E Woodmen Road as an Expressway, it is understood that deviation for intersection spacing would be needed from one-mile spacing to one-half mile spacing.
- Additionally, the proposed CGT intersection described above is part of a coordinated effort between the County and City of Colorado Springs to provide a CGT intersection at Golden Sage Road along with other planned corridor improvements to enhance traffic operations, improve corridor mobility, and help accommodate the significant travel demands anticipated along the Woodmen Road corridor.
- Realignment of Woodmen Frontage Road east of Bent Grass Meadows Drive is proposed to accommodate the direct access intersection from E Woodmen Road as described.
- Based on projections for future Average Daily Traffic (ADT) volumes, Bent Grass Meadows Drive is proposed to provide for a three-lane section along the development area frontage with one southbound through lane, one northbound through lane, and a center two-way-left-turn-lane (TWLTL). Additionally, Woodmen Frontage Road (later named Bent Grass Meadows Drive) is proposed to provide a three-lane cross-section through the development area with one through lane in each direction and one center TWLTL to the transition back to existing road section east of the assume development. Woodmen Frontage Road is also anticipated to have a non-residential collector classification within the development area transitioning to an urban local classification with a two-lane cross-section east of the development area. Posted speed limit within the development area is proposed and requested to be limited to 25 MPH. Posted speed for the north/south portion of Bent Grass Meadows Drive to remain at 35 MPH.

Access Spacing – El Paso County Engineering Criteria Manual

Pursuant to Sections 2.3 and 2.4 of the County's ECM, access drives shall be designed to accommodate various horizontal and vertical curve objectives, including but not limited to adequate spacing, clear sight distance requirements, and clearances from adjacent intersections.

Review of Tables 2-21 and 2-35 of the County's ECM provides minimum access spacing criteria for site accesses. For roadways with posted speed limits of 25 MPH, Tables 2-21 and 2-35 indicate intersection and entering sight distance requirements of 280 feet and 425 feet, respectively. For roadways with posted speed limits of 55 MPH, Table 2-35 indicates an entering sight distance requirement of 715 feet.

35 MPH, sight distance 595' (Table 2-35)

335' intersection sight distance for 30 mph road (table 2-21)

Update per current proposal, north-south BGMD portion

SMR: Additional discussion added. Proposed MPH sign locations described on provided exhibit.

Upon review of the latest concept site plan, a deviation for access spacing is requested as the shortest offset between internal access drives along Bent Grass Meadows Drive is approximately 264 feet, while one-half mile spacing is proposed along E Woodmen Road.

Deviation Requests

To provide adequate commercial development viability, access locations are proposed so as to accommodate a minimum of two lots per access. If access is positioned to meet minimum spacing criteria per the County's ECM, the development area would likely only be able to accommodate two or three primary access locations serving large lots only. Such a layout is considered to be ineffectual in meeting the needs for adequate site-circulation to serve typical commercial development and balanced distribution of site traffic to and from the established area roadways.

The current conceptual site layout was generally modeled after the existing Falcon Marketplace commercial development, located approximately one mile to the east. Falcon Marketplace provides a similar commercial layout, with access points generally spaced 200 to 300 feet apart and approximately one shared access serving every two commercial lots. The proposed conceptual site plan uses this development as a reference while incorporating an enhanced site access configuration intended to improve overall access management and circulation.

The intent of the assumed commercial development is to provide a site layout modeled after the successful adjacent commercial development while incorporating appropriate refinements for the proposed site. Accordingly, a deviation from the County's standard access spacing criteria is requested. It is understood that, due to the conceptual nature of the proposed development, formal approval of any deviation will likely require a finalized Traffic Impact Study demonstrating acceptable access operations. The purpose of this request is to obtain preliminary County guidance regarding an acceptable access spacing framework so that future lot configurations and site development plans can be prepared in general conformance with County requirements.

Conclusion

It is our professional conclusion that the proposed conceptual access locations and roadway alignments are comparable to those of similar commercial developments within the County. A separate site access intersection operations and vehicle queue analysis was completed as part of the Master Traffic Impact Study and demonstrates that the proposed site accesses have long-term (20-year) projected operations at LOS C or better, with only minimal vehicle queuing. Based on these findings, it is believed that the proposed conceptual access plan can be accommodated.

We trust this variance request will assist in the review and approval of future development in the Bent Grass and Woodmen Frontage Road area. We remain available to assist with any additional information or coordination that may be helpful.

deviation

SMR: Revised as requested.

Sincerely,

SM ROCHA, LLC

Traffic and Transportation Engineering

A handwritten signature in black ink, appearing to read "Mike Rocha", written in a cursive style.

Mike Rocha
Principal

Unresolved:
Include and address other
agency comments including
E-911 and the school district.

SMR: Response to this comments provided by
Evergreen under separate cover.

ATTACHMENT A

Resolution 18-186

Boell

RESOLUTION NO. 18 - 186

BOARD OF COUNTY COMMISSIONERS
COUNTY OF EL PASO, STATE OF COLORADO

**A RESOLUTION TO AMEND RESOLUTION NO. 03-144 AND THEREBY TO AMEND
THE EL PASO COUNTY WOODMEN ROAD ACCESS MANAGEMENT PLAN AND
ADMINISTRATIVELY PERMIT A RIGHT-IN ACCESS TO WOODMEN ROAD**

WHEREAS, pursuant to C.R.S §§ 30-11-101(1)(e), 30-11-103, and 30-11-107(1)(e), the Board of County Commissioners of El Paso County, Colorado (hereinafter "Board" or "County"), has the legislative authority to manage the business and concerns of the County and to exercise such other and further powers as are conferred by law when deemed by the Board to be in the best interests of the County and its inhabitants; and

WHEREAS, the Board is further authorized to manage County roads and regulate access to County roads and public highways by C.R.S. § 30-11-107(1)(h), which specifically authorizes the Board to lay out, alter, or discontinue any road running into or through the County and to perform such other duties respecting roads as may be required by law, and C.R.S. § 43-2-147(1)(a), which specifically authorizes the Board to regulate vehicular access to or from any public highway under its jurisdiction from or to property adjoining a public highway in order to protect the public health, safety, and welfare, to maintain smooth traffic flow, and to protect the functional level of public highways; and

WHEREAS, the Board adopted the Woodmen Road Access Management Plan pursuant to Resolution No. 03-144 on April 24, 2003, recorded at Reception No. 203094985 on May 2, 2003, in the records of the El Paso County Clerk and Recorder's Office; and

WHEREAS, on the north side of Woodmen Road, between Golden Sage Road (fka Lizardhead Road) and Meridian Road, the intersection distance is in excess of the one mile spacing which is recommended for expressway classifications as identified in the Woodmen Road Access Management Plan; and

WHEREAS, in recognition of this condition, the Board has determined that it would serve the best interests of the public and is in the best interests of the health, safety, and welfare of the citizens of El Paso County to amend the eighth paragraph of Resolution No. 03-144 and thereby amend the Woodmen Road Access Management Plan to provide one additional right-in-right-out access on the north side of Woodmen Road from Woodmen Road to the Woodmen Frontage Road approximately halfway between the intersections of Golden Sage Road (fka Lizardhead Road) and Meridian Road, which shall be called the Bentgrass access; and

Chuck Broerman
05/09/2018 02:30:22 PM
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Rec \$0.00 Pages

El Paso County, CO



218053103

WHEREAS, the Board, in Resolution No. 03-144, stated that "in the event that the identified full-movement accesses to Woodmen Road may not provide reasonable access for future development, additional right-in or right-in-right-out accesses may be considered on a case-by-case basis, as part of a full development plan submittal and with substantial supporting documentation"; and

WHEREAS, in recognition of the fact that the Bentgrass access does not yet exist, the Board has determined that it would serve the best interests of the public and is in the best interests of the health, safety, and welfare of the citizens of El Paso County to allow for an access to be administratively permitted on the north side of Woodmen Road from Woodmen Road to the Woodmen Frontage Road between Golden Sage Road (fka Lizardhead Road) and Meridian Road located approximately 1,100 feet west of the intersection of Meridian Road and Woodmen Road.

NOW, THEREFORE, BE IT RESOLVED that the Board of County Commissioners of El Paso County, Colorado hereby amends Resolution No. 03-144 and thereby amends the Woodmen Road Access Management Plan by amending the eighth paragraph of Resolution No. 03-144 by adding the following italicized language:

"...McLaughlin Road, a right-in right-out located on the south side of Woodmen, with a minimum of 1400 feet west of Meridian Road, and a right-in right out from Woodmen Road to the Woodmen Frontage Road approximately halfway between the intersections of Golden Sage Road (fka Lizardhead Road) and Meridian Road which shall be called the Bentgrass access; and"

BE IT FURTHER RESOLVED that the County Engineer is hereby authorized to make the appropriate changes to the text of the Woodmen Road Access Management Plan to accomplish the purposes described herein; however, this Resolution amending Resolution No. 03-144 and the amendment to the Woodmen Road Access Management Plan shall be effective immediately.

BE IT FURTHER RESOLVED that all other provisions of Resolution No. 03-144 and the Woodmen Road Access Management Plan not specifically amended by this Resolution remain in full force and effect. To the extent that the provisions of this Resolution conflict with any prior Board Resolution regarding similar matters, including but not limited to Resolution No. 03-144, the provisions of this Resolution and this amendment of the Woodmen Road Access Management Plan shall control.

BE IT FURTHER RESOLVED that the Board authorizes an access permit to be administratively issued with appropriate conditions in accordance with the El Paso County Engineering Criteria Manual for a right-in access located on the north side of Woodmen Road from Woodmen Road to the Woodmen Frontage Road between Golden Sage Road (fka Lizardhead Road) and Meridian Road approximately 1,100 feet west of the centerline of Meridian Road.

BE IT FURTHER RESOLVED that Darryl Glenn, duly elected, qualified member and President of the Board of County Commissioners, or Mark Waller, duly elected, qualified member and President Pro Tempore of the Board of County Commissioners, be and is hereby authorized and appointed on behalf of the Board to execute any and all documents necessary to carry out the intent of the Board as expressed herein.

DONE THIS 8th day of May, 2018 at Colorado Springs, Colorado.

ATTEST:

BOARD OF COUNTY COMMISSIONERS
OF EL PASO COUNTY, COLORADO

By:



Chuck Broerman
County Clerk & Recorder

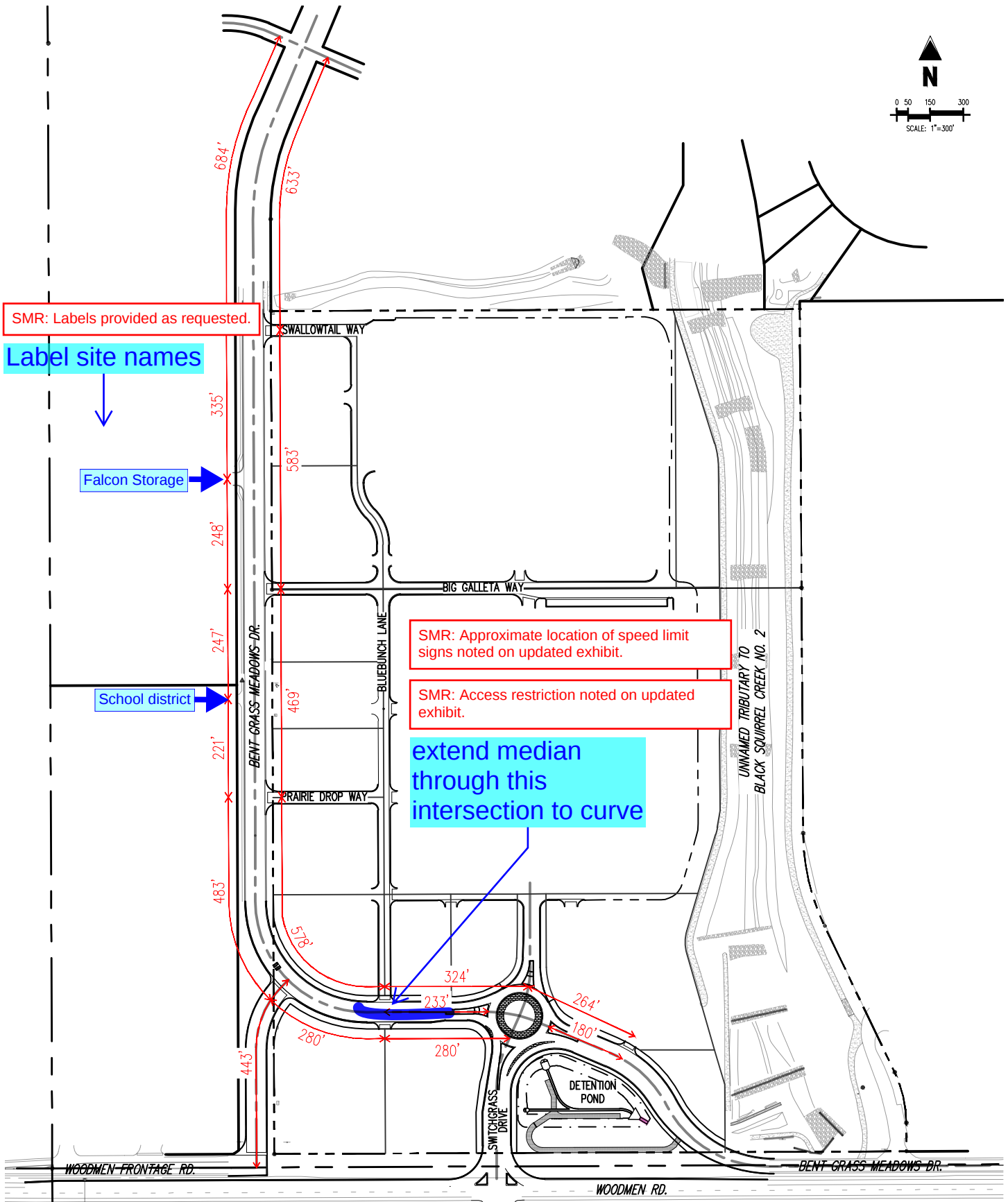
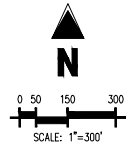
By:



Darryl Glenn, President

ATTACHMENT B

Conceptual Site Layout



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CONECPTUAL SITE PLAN
NEC OF WOODMEN RD. & BENT GRASS MEADOWS DR.
FALCON, COLORADO
ACCESS SPACING DEVIATION REQUEST

Project No:	EDI000102
Drawn By:	ELB
Checked By:	JAO
Date:	07/13/2026

Galloway
1155 Kelly Johnson Blvd., Suite 305
Colorado Springs, CO 80920
719.900.7220
GallowayUS.com
Galloway & Company, LLC