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DEVIATION REQUEST AND DECISION FORM

Updated: 6/26/2019

PROJECT INFORMATION – MID-BLOCK RAMP DEVIATION REQUEST

Project Name : Mayberry, Colorado Springs Phase 1 PUD
Schedule No.(s) : 34141-02-005
Legal Description : Mayberry, Colorado Springs Phase 1 PUD

APPLICANT INFORMATION

Company : Mayberry Communities LLC
Name : John Mick
☒ Owner ☐ Consultant ☐ Contractor
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ENGINEER INFORMATION

Company : JPS Engineering, Inc.
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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



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

A deviation from the standards of or in Section **2.5.2** of the Engineering Criteria Manual (ECM) is requested.

Identify the specific ECM standard which a deviation is requested:

ECM Section 2.5.2.C.4 Pedestrian Facilities: Mid-Block Ramps on Local Roadways

ECM Section 2.5.2.C.4. states that "Access ramps on local roadways shall be spaced no greater than 600 feet apart." The proposed deviations consist of eliminating mid-block pedestrian ramps along Union Pacific Way and El Reno Lane. The proposed deviations are depicted on the PUD Preliminary Site Plan Drawings (Sh. 7 of 13; see attached exhibit).

State the reason for the requested deviation:

The proposed deviations are requested based on the fact that pedestrian ramps have been designed at the westerly intersection with Besseyi Way and the trail crossings at the east subdivision boundary, providing a maximum spacing of approximately 950 feet. Recognizing the relatively low traffic volumes anticipated for these local roadways, the proposed pedestrian ramp spacing provides for reasonable crossings in general conformance with the intent of this standard.

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

Pedestrian ramps have been designed along Union Pacific Way and El Reno Lane at the westerly intersection with Besseyi Way and at the trail crossings at the east subdivision boundary, providing a maximum spacing of approximately 950 feet. Recognizing the relatively low traffic volumes anticipated for these local roadways, the proposed pedestrian ramp spacing provides for reasonable crossings in general conformance with the intent of this standard.

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 proposed elimination of mid-block ramps along these two streets provides enhanced pedestrian safety by minimizing the number of crossing locations.

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 deviations will result in a comparable or superior roadway design. The proposed pedestrian ramp spacing provides for reasonable crossings in general conformance with the intent of this standard.

The deviation will not adversely affect safety or operations.

The proposed roadway improvements will be constructed to County standards, and the requested deviations will not adversely affect safety or operations. The proposed elimination of mid-block ramps along these two streets provides enhanced vehicle and pedestrian safety by minimizing the number of crossing locations.

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

Maintenance will not be adversely affected based on the proposed deviations. Elimination of additional mid-block pedestrian ramps will reduce future County maintenance costs.

The deviation will not adversely affect aesthetic appearance.

Aesthetic appearance will not be adversely affected based on the proposed deviations.

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

The proposed pedestrian ramp spacing provides for reasonable crossings which meet the design intent and purpose of the applicable ECM standards.

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 deviation request has no impact on control measure requirements of the County's MS4 permit. The site meets the County's MS4 and (2) full-spectrum detention ponds are proposed for the Phase 1 PUD development.

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 of the ECM is hereby granted based on the justification provided.

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APPROVED
Engineering Department

03/17/2022 11:19:14 AM

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**EPC Planning & Community
Development Department**

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:

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.

