



**Planning and Community  
Development Department**  
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# DEVIATION REQUEST AND DECISION FORM

Updated: 6/26/2019

Please provide an exhibit or copy of the plan sheet showing the RI location at the end of the deviation.

## PROJECT INFORMATION

Project Name : Village at Lorson Ranch Filing 1  
 Schedule No.(s) : 5515413054  
 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  
  
 Phone Number : (719) 575-0100  
 FAX Number :  
 Email Address : jason.alwine@matrixdesigngroup.com

## ENGINEER INFORMATION

Company : Core Engineering Group  
 Name : Richard Schindler, P.E. Colorado P.E. Number : 33997  
 Mailing Address : 15004 1<sup>st</sup> Avenue S.  
 Burnsville, MN 55306  
  
 Phone Number : (719) 570-1100  
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 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 2.4 of the Engineering Criteria Manual (ECM) is requested.

Identify the specific ECM standard which a deviation is requested:

2.4.1B Access Spacing. Accesses shall be separated by a distance equal to the entering sight distance values in Table 2-35. When turn lanes are present or will be needed in the future, the accesses shall be separated by a sufficient distance so that exclusive turn lanes including tapers will not overlap. Access shall not be permitted within a turn lane. Warrant criteria, design, and construction of turn lanes shall be governed by the requirements contained in Section 2.3.7D.

2.4.1D Access Sight Distances. Accesses and specific turn movements shall not be permitted where the sight distance is not adequate to allow the safe movement of a motorist using or passing the access. Any potentially obstructing objects, such as but not limited to advertising signs, structures, trees, and bushes, shall be designed, placed, and maintained at a height not to interfere with the sight distance needed by any vehicle using the access. Reconstruction of the horizontal and vertical curvature along the roadway or side slopes adjacent to the roadway may be necessary to increase sight distances.

State the reason for the requested deviation:

To permit a right-in only access from Fontaine Boulevard into the Village at Lorson Ranch commercial project.

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

The proposed alternative to the ECM standard is requested because of a desire by the owner/ developer to provide a more direct and secondary access point into the Village at Lorson Ranch project and reduce the amount of commercial traffic using Carriage Meadows Drive (collector).

**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 deviation will help reduce the amount of commercial traffic on Carriage Meadows Drive. Additionally, the right-in only access point is approximately 440' feet from the intersections of Fontaine Boulevard and Carriage Meadows Drive. All of the turn movements will take place in an existing auxiliary lane where speeds are already reduced and nowhere near the design speeds of Fontaine Boulevard.

**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 deviation will achieve the intended result with a comparable or superior design and quality of improvement. The deviation will help reduce the amount of commercial traffic on Carriage Meadows Drive. Additionally, the right-in only access point is approximately 440' feet from the intersections of Fontaine Boulevard and Carriage Meadows Drive. The required entering sight distance of driveways for passenger cars and pickup trucks is 540' on a four-lane roadway at 45 mph. All of the turn movements will take place in an existing auxiliary lane where speeds are already reduced and nowhere near the design speeds of Fontaine Boulevard. The entering site distance is reduced to 420' at 35 mph therefore the entering site distance of approximately 440' should be sufficient. The proposed right-in only will not impair the auxiliary lane design onto Carriage Meadows Drive.

The deviation will not adversely affect safety or operations.

The deviation will not adversely affect safety or operations. The deviation will help reduce the amount of commercial traffic on Carriage Meadows Drive. Additionally, the right-in only access point is approximately 440' feet from the intersections of Fontaine Boulevard and Carriage Meadows Drive. All of the turn movements will take place in an existing auxiliary lane where speeds are already reduced and nowhere near the design speeds of Fontaine Boulevard. An **additional pedestrian crossing will be required along the south side of Fontaine Boulevard at the proposed right-in only driveway**. Appropriate pedestrian safety including adequate entering sight distance will be accommodated. The turn lane for Carriage Meadows Drive will function appropriately and will not create public safety issues.

Is this an additional crossing thru Fontaine, or are you talking about across the RI driveway? Sentence is a little confusing, please clarify. Would not want an additional pedestrian access across Fontaine.

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

The deviation will not adversely affect maintenance and its associated cost as the right-in only access will only add a small amount of additional pavement within the R.O.W.

The deviation will not adversely affect aesthetic appearance.

The requested deviation will not adversely affect aesthetic appearance. The right-in only access from Fontaine Boulevard will be negligible in appearance and only add a small amount of additional pavement within the R.O.W.

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 the additional right-in only access provides adequate intersection sight distance clearance of approximately 440'.  
The required entering sight distance of driveways for passenger cars and pickup trucks is 540' on a four-lane roadway at 45 mph. All of the turn movements will take place in an existing auxiliary lane where speeds are already reduced and nowhere near the design speeds of Fontaine Boulevard. The entering site distance is reduced to 420' at 35 mph therefore the entering site distance of approximately 440' should be sufficient. The proposed right-in only will not impair the auxiliary lane design onto Carriage Meadows Drive.

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 the right-in only access.

**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.

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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.