



Planning and Community  
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## DEVIATION REQUEST AND DECISION FORM

Updated: 6/26/2019

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### PROJECT INFORMATION

Project Name : Eagleview Subdivision

Schedule No.(s) : 5226000001), 5226000001)

Legal Description : N2NW4 EX WLY 620.0 FT SEC 26-12-65,S2NW4 EX WLY 620.0 FT SEC 26-12-65

### APPLICANT INFORMATION

Company : PT Eagleview LLC

Name : Joseph W. Desjardin, PE

☒ Owner ☒ Consultant ☐ Contractor

Mailing Address : 1864 Woodmoor Drive, Suite 100  
Monument, CO 80132

Phone Number : 719-476-0800

FAX Number : N/A

Email Address : JDesJardin@proterraco.com

A request for a deviation from the maximum length criteria will not be considered without an express written endorsement from the Fire District in which the proposed cul-de-sac is located.

Attached a written endorsement from the Fire District

### ENGINEER INFORMATION

Company : LSC Transportation Consultants, Inc.

Name : Jeffrey C. Hodsdon

Colorado P.E. Number : 31684

Mailing Address : 2504 E. Pikes Peak Ave, Suite 304  
Colorado Springs, CO 80909

Phone Number : 719-633-2868

FAX Number : 719-633-5430

Email Address : jeff@LSCtrans.com

Explain how secondary access will be provided to subdivi

### 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.

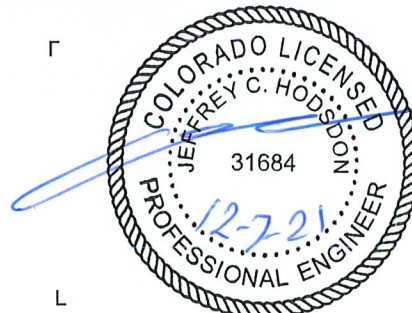
✓ *Joseph W. Desjardin*

Signature of owner (or authorized representative)

*12/06/2021*

Date

Engineer's Seal, Signature  
And Date of Signature



Revise to SP-21-006

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

A deviation from the standards of or in Sections **2.3.8.A** of the Engineering Criteria Manual (ECM) is requested.

Identify the specific ECM standard which a deviation is requested:

**2.3.8.A Roadway Terminations - Cul-de-Sacs**

The ECM criteria states that rural cul-de-sacs/non-through-roads shall have a maximum length of 1,600 feet.

State the reason for the requested deviation:

The deviation is needed as the cul-de-sac/non-through-street lengths proposed would exceed the ECM standard. There are currently no other/secondary road connections providing access to this parcel.

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

The requested alternative is to allow the following cul-de-sac/non-through-road lengths, which include the length of road within the project plus the distance north on Raygor Road to Burgess Road.

The deviation would only be needed until the Raygor connection south to Stapleton is established in the future (assuming Stapleton/Briargate also constructed), or another road connection is made.

- The request is to allow non-through streets with the following lengths:
  - Cul-de-sac "A" – 2,917 feet northeast of Raygor Rd
  - Cul-de-sac "B" – 2,690 feet northeast of Raygor Rd
  - Cul-de-sac "C" – 2,548 feet northeast of Raygor Rd
  - Cul-de-sac "D" – 2,993 feet northeast of Raygor Rd
- The cul-de-sac termination for each proposed internal street (relative to Raygor Road) would **exceed** the ECM standard of 1,600 feet by the following lengths:
  - Cul-de-sac "A" – 1,317 feet
  - Cul-de-sac "B" – 1,090 feet
  - Cul-de-sac "C" – 948 feet
  - Cul-de-sac "D" – 1,393 feet
- The proposed cul-de-sacs are shown in the attached exhibit (Figure 2 of the TIS).
- A letter from the fire district would be required as part of the request, such a letter may contain other elements

Update cul-de-sac names per the preliminary plan

Remove last bullet point.

A secondary emergency access is required. The applicant needs to approach the developer of Paintbrush Hills Fil 14 to acquire a temporary access easement for a secondary emergency only access or any other land owner in the vicinity such as the church property to the south west the property to the west on Arroya Ln to may be able to provide a secondary emergency access.

The prior preliminary plan (SP-06-021) included the following condition of approval.

7. Prior to Building Permit approval by the Development Services Department, an emergency access road meeting Engineering Criteria Manual requirements shall be included in the Subdivision Improvements Agreement and Estimate of Guaranteed Funds and collateralized, and shall be constructed south of the existing Stapleton Drive, connecting to the public road system to the east; or Raygor Road is connected to the new Stapleton Drive to the south by others.

- There are currently no other/secondary road connections or available ROW providing access to this parcel.

The prior preliminary plan staff report appears to indicate that the property owner south of Stapleton Dr is willing to work with this development to provide secondary access.

The applicant has proposed to construct a secondary emergency access for the neighborhood, from Stapleton Drive to the extension of Keating Drive, in Paint Brush Hills Filing No. 11. The property owner directly to the south of Stapleton Drive has provided a letter indicating that it will be acceptable to construct this road on their property. Final details for the proposed emergency access road, including roadway design criteria, drainage crossing design, easement requirements, and gate location(s) (if any), will be determined at the Final Plat stage. Staff would not support waiver # 3 without this emergency access constructed, due to the number of lots served by the single Raygor Road access.

## 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.

- Although these would only be a single route in/out of the area of Raygor between Arroya and Burgess, there would be multiple connections from the south via an emergency access. This will allow passenger, recreational vehicle, and segment of Flamingo to be blocked/inaccessible to be blocked/inaccessible.
- The deviation would only be needed until the Raygor connection south to Stapleton is established in the future (assuming Stapleton/Briargate also constructed), or another road connection is made.

Update. See comment on the previous page.

An emergency access is needed as the interim condition.

remove 1st bullet point. Letter must be included with the deviation request

The deviation will not adversely affect safety or operations.

- A letter from the fire district would be required as part of the request.
- The intersection level of service for northbound traffic at Burgess/Raygor is projected to be LOS C for the northbound approach based on the short-term total traffic condition (B during the afternoon peak hour) with all traffic using Raygor at Burgess for access/egress.

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

- The deviation will not adversely affect maintenance cost as only the project traffic would be added to Raygor in the short term (whereas if another connection were established, additional traffic could potentially be added to Raygor (as in the long term, at which point, the deviation would no longer apply).

The deviation will not adversely affect aesthetic appearance.

- Aesthetic appearance would not be altered with this deviation as the roads connecting to the site would remain unchanged. The road connections into the site from Raygor would be improved along with the construction of the subdivision roads.

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

- A letter from the fire district would be required as part of the request.
- The deviation would only be needed until the Raygor connection south to Stapleton is established in the future (assuming Stapleton/Briargate also constructed), or another road connection is made.

Identify the timing for these future connection.

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 requested deviation meets control measure requirements of Part I.E.3 and Part I.E.4 of the MS4 Permit. Grading and Erosion Control Plans and SWMP Report will provide protection of existing conditions and erosion control measures per standards.

**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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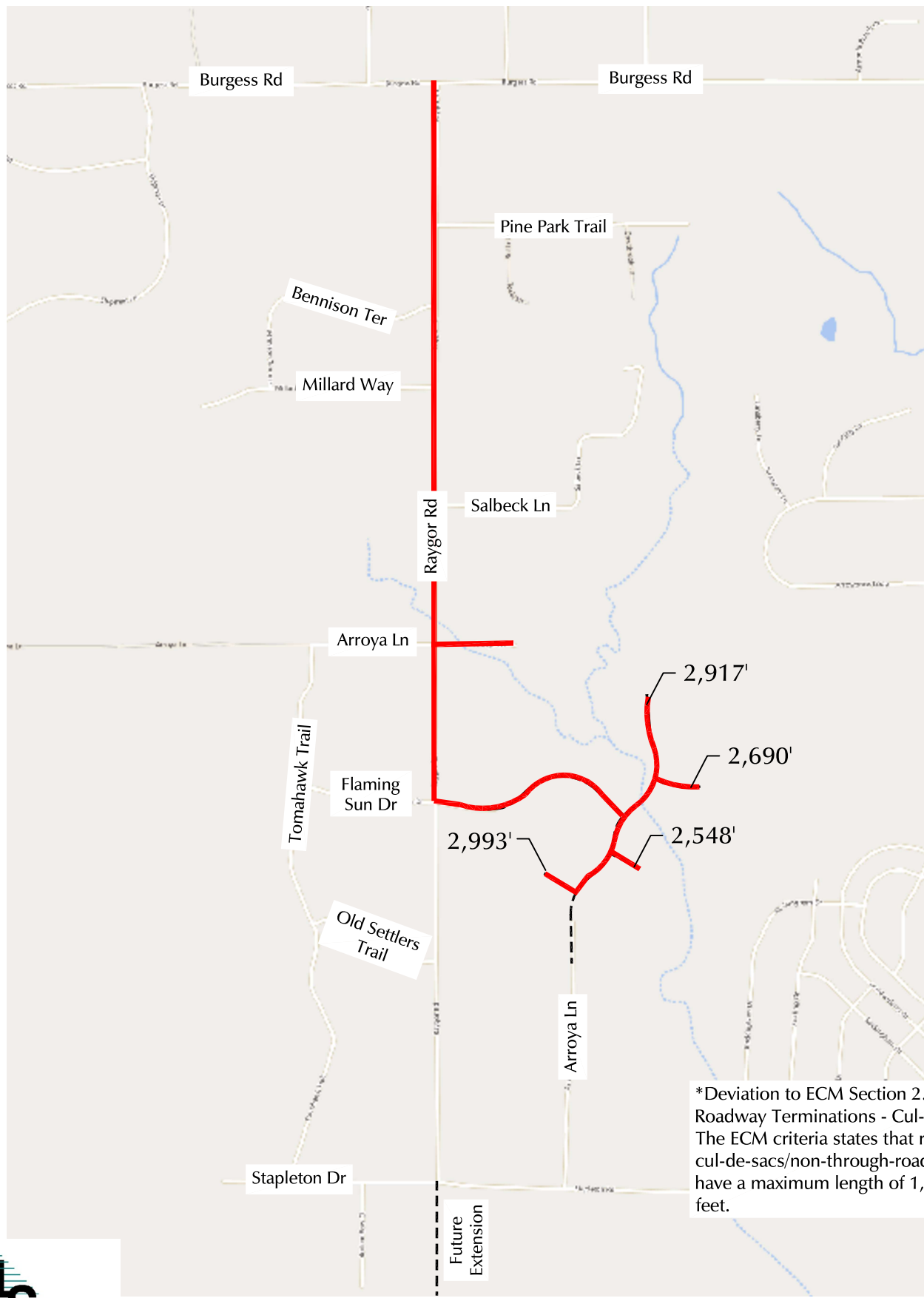
ECM ADMINISTRATOR COMMENTS/CONDITIONS:

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# Deviation Exhibit

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\*Deviation to ECM Section 2.3.8.A  
Roadway Terminations - Cul-de-Sacs  
The ECM criteria states that rural  
cul-de-sacs/non-through-roads shall  
have a maximum length of 1,600  
feet.



— Sections for which Deviation #2 is requested  
X,XXX = Total Length of cul-de-sac from the Burgess/Raygor intersection

Exhibit 1  
**Deviation No. 2\***  
Eagleview Subdivision (LSC# S214750)