



Planning and Community  
Development Department  
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# DEVIATION REQUEST AND DECISION FORM

Updated: 6/26/2019

3

## 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@proterrace.com

## 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

## 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*

*08/26/2022*

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)

**DEVIATION No. 3** - A deviation from the standards of or in Sections **2.3.2 and 2.2.4.A.5** of the Engineering Criteria Manual (ECM) is requested. Please refer to **deviation exhibit 1**. Also attached is **deviation exhibit 2**, which is referenced in the “explanation of the proposed alternative” section below.

Identify the specific ECM standard which a deviation is requested:

2.2.4.A.5. Roadway Functional Classifications and Urban/Rural Designations - Rural Minor Collector (including Figure 2-7 Typical Rural Minor Collector Cross Section)

2.3.2 Design Standards by Functional Classification

Table 2-5: Roadway Design Standards for Rural Collectors and Locals  
Criteria for a Rural Minor Collector Roadway – Design ADT

State the reason for the requested deviation:

The ADT at the **north end** of Raygor Road is likely within the range of a Rural Minor Collector, currently, even prior to the additional trips estimated for this subdivision. The current Raygor Road ROW and cross section do not meet the ECM standard for a rural minor collector, therefore a deviation is required.

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

The proposed alternative is to provide an 18-percent fair share of the cost to upgrade Raygor Road to a 28-foot wide paved standard including two-foot paved outside shoulders plus two-foot gravel shoulders. Instead of paying an escrow for the 18 percent of the cost of this improvement, the applicant proposes to complete the improvement on the north end of Raygor between Pine Park Trail and Burgess. **Please refer to deviation exhibit 2**. This is the segment with the highest volume and this construction of a portion in lieu of escrow would put the improved road in-place for the highest volume portion rather than having the funds sit in escrow. The right of way is generally 60-feet. By comparison, the ECM standard Rural Minor Collector cross section has 80-feet of right of way with a 32-foot paved width and 2-foot gravel shoulders (plus roadside ditch sections). The ECM standard pavement section is 3 inches of asphalt over 6 inches of base.

**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 project would add 38 dwelling units within the “travel shed” area for which Raygor Road currently provides the only access. The total existing plus potential additional dwelling units has been calculated to be 204 dwelling units. The Eagleview dwelling-unit count divided by this travel shed total would represent 18 -percent of the total. The applicant proposes this fair share percentage of the upgrade to Raygor Road described above.

As the current Raygor Road ROW is 60 feet, the Minor Collector cross section would not fit within the existing ROW. The applicant does not control the properties adjacent to Raygor Road. The proposed upgrade to Raygor Road is described above in the “explanation of the proposed alternative” section and depicted in **deviation exhibit 2**.

## 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 project is projected to represent an 18-percent impact as described above. The proposed improvement would provide a feasible upgrade given the available right-of-way, and the upgrade by this project would improve the segment with the highest volume.
- The posted speed limit at 35 mph is consistent with the ECM standard speed limit for a Rural Minor Collector.

The deviation will not adversely affect safety or operations.

- The roadway has a straight alignment
- The existing roadway and the proposed upgrade being narrower than the standard for a rural Minor Collector will likely keep speeds lower than if the roadway were widened. There are numerous driveways and road connections along Raygor.

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

- The 28-foot asphalt width proposed would not exceed the standard width of a Rural Minor Collector roadway with respect to width of pavement to maintain. The current pavement section could be verified to determine if additional depth of asphalt would be needed as a result of the added trips on the roadway. Aside from development- and home-construction-related traffic, most trips would be passenger vehicles, which have a relatively low impact on pavement with low additional trip counts. Trucks such as residential trash service vehicles would likely already be using Raygor Road to service other homes in the area.

The deviation will not adversely affect aesthetic appearance.

- The aesthetic appearance will not be adversely affected, rather the deviation would result in significantly better aesthetic appearance than a resulting road built to Rural Minor Collector standards, as the amount of grading and disturbance of the topography and trees would result in significantly higher impact.

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

Raygor Road cannot be upgraded to the Minor Collector standard as ROW is not available. However, the proposed upgrade by this project would improve the segment with the highest volume.

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 2.3.2, 2.2.4 A5 of the ECM is hereby granted based on the justification provided.

┌ **APPROVED** ┐  
└ **Engineering Department** ┘  
11/28/2022 12:39:26 PM  
dsdnijkamp  
┌ **EPC Planning & Community** ┐  
└ **Development Department** ┘

**Denied by the ECM Administrator**

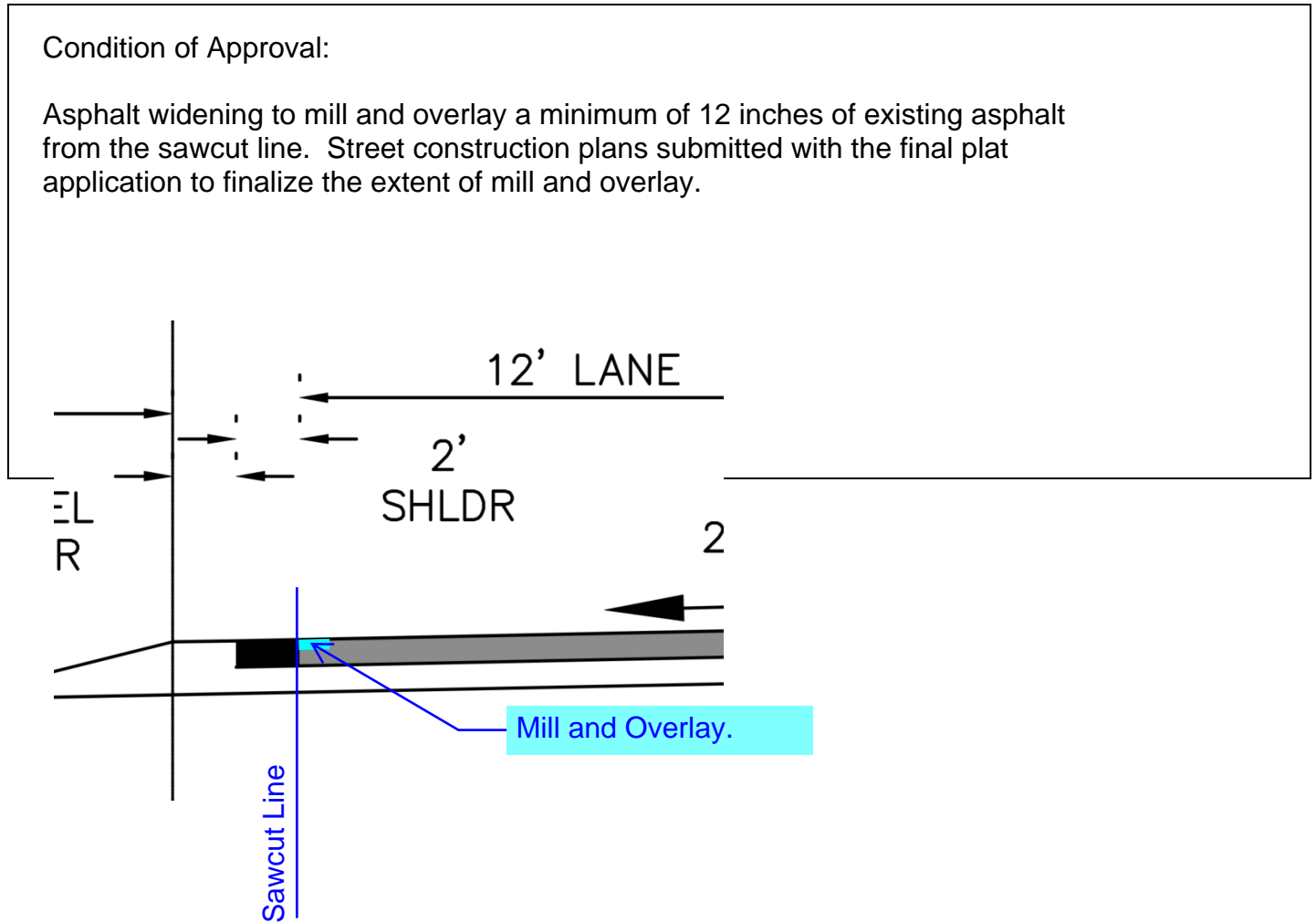
This request has been determined not to have met criteria for approval. A deviation from Section \_\_\_\_\_ of the ECM is hereby denied.

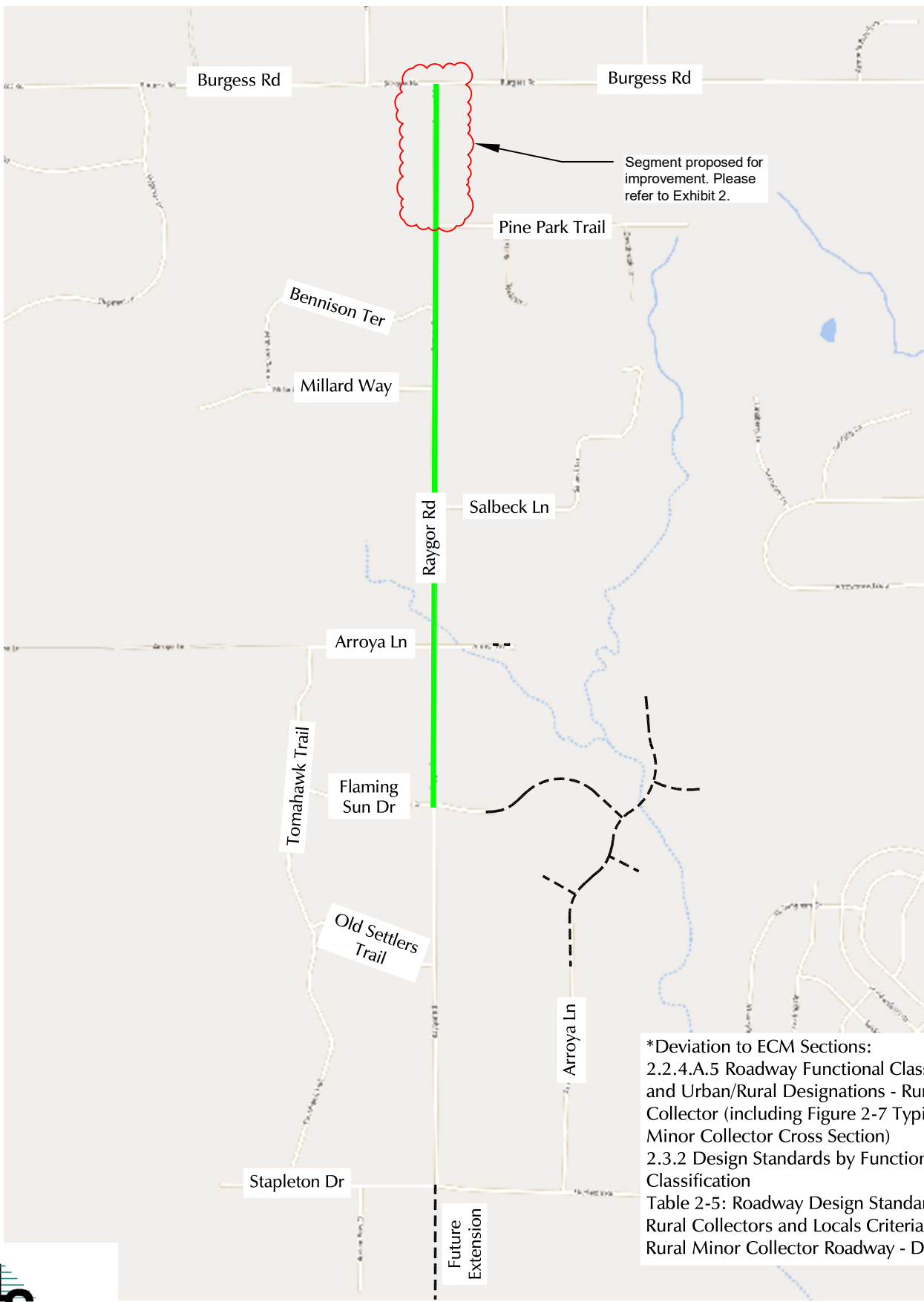
┌ ┐  
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**ECM ADMINISTRATOR COMMENTS/CONDITIONS:**

**Condition of Approval:**

Asphalt widening to mill and overlay a minimum of 12 inches of existing asphalt from the sawcut line. Street construction plans submitted with the final plat application to finalize the extent of mill and overlay.






\*Deviation to ECM Sections:  
 2.2.4.A.5 Roadway Functional Classifications and Urban/Rural Designations - Rural Minor Collector (including Figure 2-7 Typical Rural Minor Collector Cross Section)  
 2.3.2 Design Standards by Functional Classification  
 Table 2-5: Roadway Design Standards for Rural Collectors and Locals Criteria for a Rural Minor Collector Roadway - Design ADT

Exhibit 1

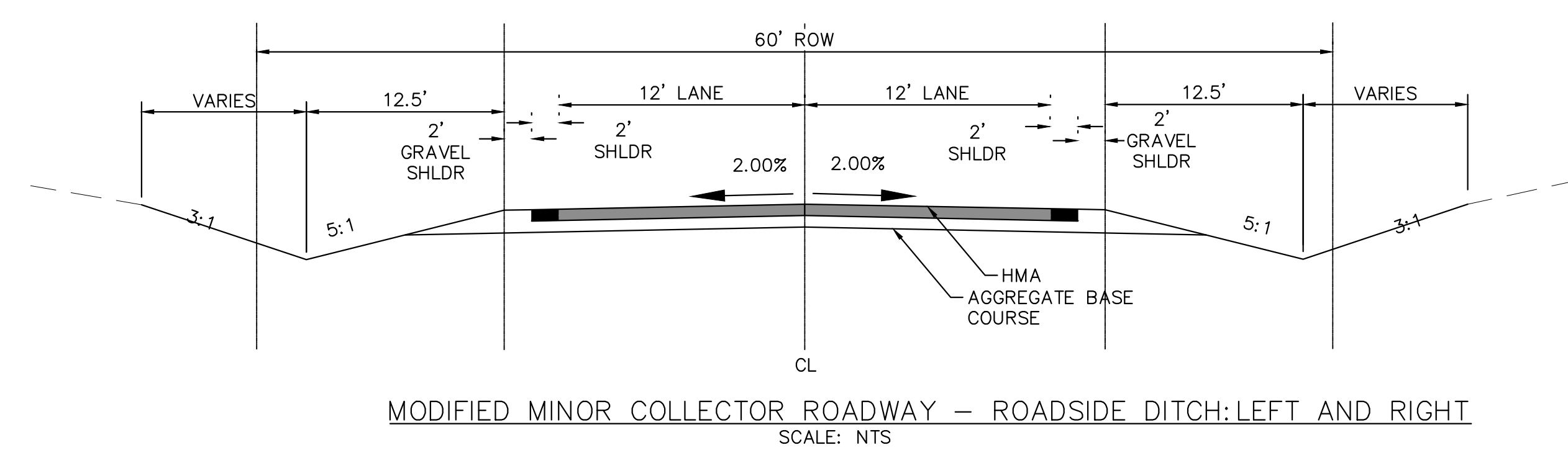
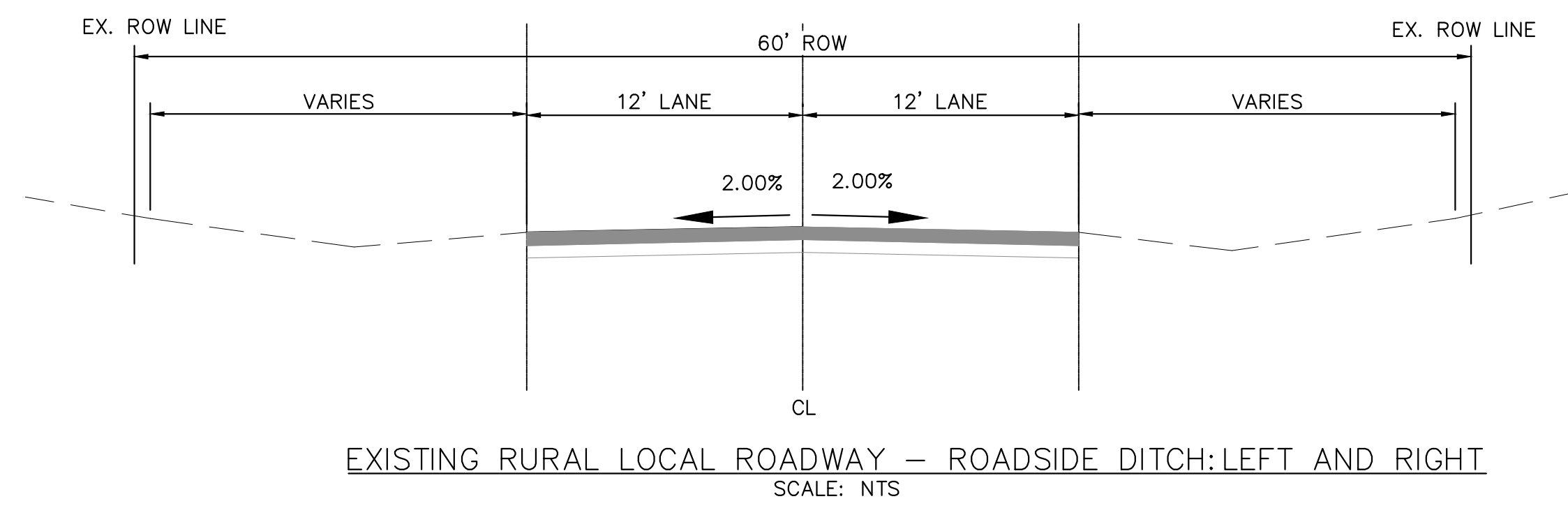
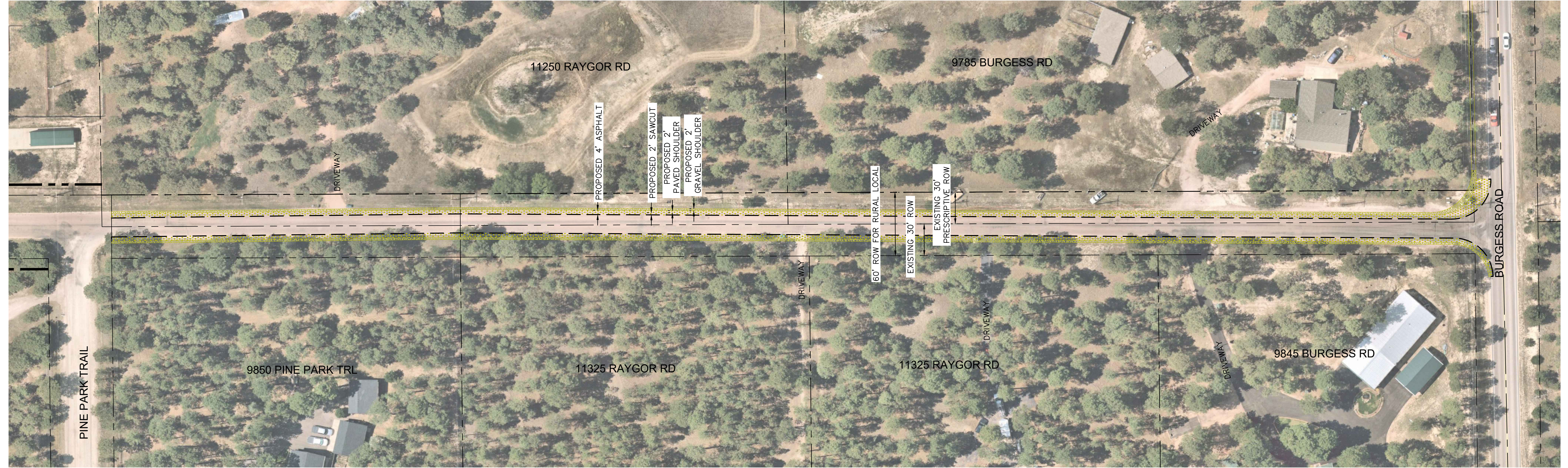
# Deviation No. 3\*

Eagleview Subdivision (LSC# S214750)

 Section of Raygor for which Deviation #3 is requested



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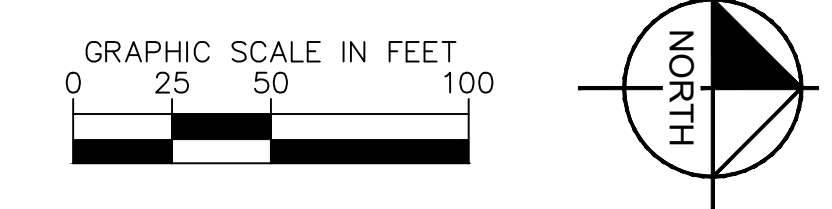


**RAYGOR ROAD ROADWAY IMPROVEMENTS SUMMARY:**  
 - 6750 LF OF IMPROVEMENTS FROM BURGESS ROAD TO FLAMING SUN DRIVE  
 - 18.63% SHARE, AGREED UPON PER CONVERSATIONS WITH COUNTY  
 - COST IS BASED ON 18.63% OF RAYGOR, MEASURED IN LINEAR FEET=1258 LF  
 - IMPROVEMENTS EXTEND FROM BURGESS ROAD TO PINE PARK TRAIL (1262 LF)

ITEM NO.	ITEM DESCRIPTION	UNIT	UNIT COST	QUANTITY	EXTENDED COST
1	EARTHWORK/EMBANKMENT FILL (1.78 CY PER LF OF ROADWAY)	CY	\$15.00	2,246	\$33,690.00
2	CLASS 6 BASE COURSE (8" DEPTH)	CY	\$56.00	130	\$7,280.00
3	ASPHALT PAVEMENT (4' ADDITIONAL FT, 6" DEPTH)	SY	\$36.00	628	\$22,608.00
4	DRIVEWAY CULVERTS	EA	\$600.00	5	\$3,000.00
5	MOBILIZATION (~5%)	LS	\$5,000.00	1	\$5,000.00
6	TRAFFIC CONTROL (~5%)	LS	\$5,000.00	1	\$5,000.00
PROJECT CONSTRUCTION BID ITEMS COST					\$76,578.00
CONTINGENCIES (20%) (CONSTRUCTION ITEMS)					\$15,315.60
TOTAL PROJECT COST					\$91,893.60

\* ASSUMES THAT NO ROW ACQUISITION IS REQUIRED

## Deviation Exhibit 2



NO.	REVISION	BY	DATE	APPR

**Kimley»Horn**  
 2021 KIMLEY-HORN AND ASSOCIATES, INC.  
 2 North Nevada Avenue Suite 300  
 Colorado Springs, Colorado 80903 (719) 453-0180

DESIGNED BY: MJK  
 DRAWN BY: MJK  
 CHECKED BY: KRK  
 DATE: 10/XX/2021

EAGLEVIEW  
 EL PASO COUNTY, COLORADO  
 CONSTRUCTION DOCUMENTS  
 RAYGOR IMPROVEMENTS

**PRELIMINARY**  
 FOR REVIEW ONLY  
 NOT FOR CONSTRUCTION  
**Kimley»Horn**  
 Kimley-Horn and Associates, Inc.  
 PROJECT NO.  
 196106001  
 SHEET