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**DEVIATION REQUEST
AND DECISION FORM**

Updated: 6/26/2019

PROJECT INFORMATION

Project Name : Willow Springs Ranch Filing No. 1
Schedule No.(s) : 7126000035, 7126000041, 7127000003
Legal Description : Forest Lakes Drive, between Hay Creek Road and Cattail Drive

APPLICANT INFORMATION

Company : Polo Brown Company
Name : Daniel Brown
 Owner Consultant Contractor
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Canon City, CO 81212

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ENGINEER INFORMATION

Company : Drexel, Barrell & Co.
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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.

 _____ Date 9-9-21

Signature of owner (or authorized representative)

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

Identify the specific ECM standard which a deviation is requested:

Section 2.2.5.D – Collector Access Standards
Section 2.3.7.D – Intersection Spacing and General Access Standards
Table 2-7 – Roadway Design Standards for Urban Collectors and Locals

Minimum intersection spacing on an urban collector of 660' is the standard. The deviation is requested for spacing of ~360' between the proposed Willow Ranch Drive and Hay Creek Road to the east. To the west, the next intersection is with Pelican Bay Drive at ~1000' spacing.

State the reason for the requested deviation:

1. The existing full movement access intersection for the existing private drive for 2020 W. Baptist Road (old Willow Springs Ranch) and for the Dellacroe Ranch access across the street were established and constructed by the County with the Baptist Road West improvement project and is at the same location as the proposed intersection.
2. The PD Site plan for Willow Springs Ranch as approved by the Town of Monument has the intersection at this location.

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

The proposed location of the intersection is in the same location of a full movement intersection of two private driveways as established by the County. The only ECM standard not being met is the 660' intersection spacing from Hay Creek Road. There are no overlapping left turning movements proposed with the intersection configuration and no other safety issues with the proposed intersection location as all other design standards are being met for roadway design as well as pedestrian access.

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 intersection could not be slid to the east to align with Hay Creek Road for numerous reasons: The proposed alignment would encroach into Prebble’s Meadow Jumping Mouse habitat. The proposed alignment would interfere with the existing Dellacroce irrigation ditch on the Willow Springs Ranch property. There is a significant (~7’) grade differential from the Hay Creek Road intersection to existing grade on Willow Springs Ranch which would exacerbate the mouse and ditch issues noted. There would not be enough room to fit the westbound right taper and turn lane to Willow Ranch Road between the intersection and the existing Baptist Road Bridge over Monument Creek and the railroad.

The intersection could not reasonably be slid to the west as that would provide an intersection offset that would not align with the Dellacroce Ranch access at proper spacing of 660’. The Dellacroce Ranch access also cannot be moved to the west due to property ownership being different. The current access location is also already approved by the Town of Monument on the project site plan and utility and other infrastructure has already been installed accordingly.

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 provides for the intended result of a safe and effective full movement intersection without any conflicts with existing intersections or other traffic movements. A pedestrian crossing of Forest Lakes Drive already exists at this location and will be maintained.

The deviation will not adversely affect safety or operations.

The deviation request does not affect safety or operations. Proper signage, striping, pedestrian access and sight distances are being provided for.

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

The deviation request will not adversely affect roadway maintenance and associated cost. A raised median in Forest Lakes Drive is being removed at the access and a westbound right turn lane is being added at the entrance to Willow Ranch Road with minimal if any change to roadway maintenance and costs for the County. The County is also in the process of preparing an IGA with the Town of Monument for the ongoing maintenance and annexation of this portion of Forest Lakes Drive/Baptist Road.

The deviation will not adversely affect aesthetic appearance.

The aesthetic appearance of the current access point where Willow Ranch Road is proposed to intersect Forest Lakes Drive will be enhanced with the proposed intersection. Full roadway improvements and pedestrian facilities will be installed at the intersection and the Willow Springs Ranch entry will be improved, landscaped and monument signage installed.

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

The deviation does meet the design intent and purpose of the ECM standards. The proposed access for Willow Ranch Road matches the existing access point to Forest Lakes Drive already established by the County and there are no safety or cost issues for the County related to the proposed access.

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 proposed access and other related improvements disturb less than 1 acre within County right-of-way and less impervious drainage area will be tributary to the existing permanent County BMP's installed with the Baptist Road West improvement project.

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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L J

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.