



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

Updated: 6/17/2019

### PROJECT INFORMATION

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Project Name : Cherry Springs Ranch  
Schedule No.(s) : 6100000498  
Legal Description : S2NE4, SE4 EX THAT PART AS FOLS: COM AT SE COR OF SD SE4, TH N 00<14'44" W ON E LN OF SD SE4 860.27 FT FOR POB, TH N 57<33'53" W 496.57 FT, N 13<00'29" E 60.34 FT, N 10<55'18" W 383.28 FT, N 34<58'51" E 823.72 FT TO E LN OF SD SE4, TH S 00<14'44" E 1376.39 FT TO POB SEC 9-11-66, TOG W/ THE ELY 165 FT OF THE NW4SE4, EX THAT PT PLATTED TO CHERRY SPRINGS RANCH FIL NO 1

**APPLICANT INFORMATION**

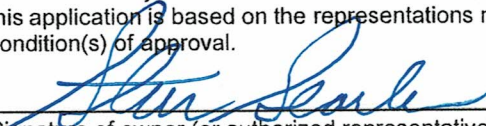
Company : Cherry Springs Ranch, Inc.  
Name : Stan Searle  
 Owner    Consultant    Contractor  
Mailing Address : 18911 Cherry Springs Ranch Dr  
Monument, CO 80132  
  
Phone Number : 719-649-9590  
FAX Number : N/A  
Email Address : stansearle@gmail.com

**ENGINEER INFORMATION**

Company : LSC Transportation Consultants, Inc.  
Name : Jeffrey C. Hodsdon  
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  
  
Colorado P.E. Number : 31684

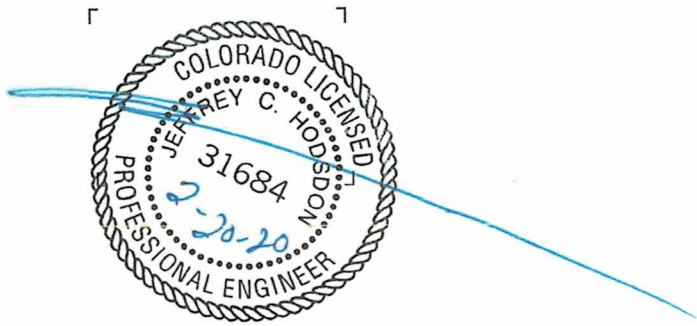
**OWNER, APPLICANT, AND ENGINEER DECLARATION**

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)

2-20-2020  
\_\_\_\_\_  
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 **2.3.2 Design Standards by Functional Classification** of the Engineering Criteria Manual (ECM) is requested. The request is to add a north leg to the public road intersection of Highway 105/Appaloosa Drive. This north leg would become a public local road. Please refer to the attached deviation exhibit.

Identify the specific ECM standard which a deviation is requested:

2.3.2 Design Standards by Functional Classification  
Table 2-5 - Intersection spacing along a Rural Principal Arterial

State the reason for the requested deviation:

The deviation for proposed intersection spacing less than one-half mile is needed as the entire frontage of the property along Highway 105 is less than one-half mile between State Highway 83 and Cherry Springs Ranch Drive. No other reasonable access to the property is available. The 1,115-foot intersection spacing is requested, as this would allow the access to the development to align with an existing intersection and be placed at the crest of a vertical curve along Highway 105 for acceptable intersection sight distance.

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

The proposed centerline intersection spacing along Highway 105 between Cherry Crossing Drive and the proposed public street intersection leg (north leg of the Highway 105/Appaloosa Road intersection) would be 1,115 feet. This spacing is 1,525 feet short of the ECM standard intersection spacing of one-half mile.

## 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 for the spacing less than one-half mile is needed as the entire frontage of the property along Highway 105 is less than one-half mile. No other reasonable access to the property is available. A road connection to the west to Cherry Crossing Drive is not reasonable or practical due to the creek/wetlands through the site along the west side of the Filing 2 site. No other public roads abut the property. The 1,115-foot intersection spacing is requested as this would allow the access to the development to align with an existing public road at an existing public road intersection and be placed at the crest of a vertical curve along Highway 105 for acceptable intersection sight distance.

## 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 centerline intersection spacing of 1,115 feet along Highway 105 between Cherry Crossing Drive and the proposed public street intersection leg (north leg of the Highway 105/Appaloosa Road intersection) would:

- † Tie the new public street into an existing intersection (forming the north leg of the Appaloosa Road intersection)
- † Maximize and strike a reasonable balance for the distances to Cherry Springs Ranch Drive and the State Highway 83 corridor, while also taking into consideration the vertical curve along Highway 105
- † Be located where intersection sight distance is acceptable

The deviation will not adversely affect safety or operations.

This roadway will only serve a relatively small residential development. The roadway will be constructed for local access with a length of approximately 1,090 feet. Please refer to the attached exhibit showing the intersection spacing for this proposed north leg of the Highway 105/Appaloosa Road intersection. Note: the cul-de-sac may be extended north in the future to provide access to potential future residential development (possibly seven additional lots).

The site access point is proposed as a stop sign-controlled, full-movement intersection with Highway 105. With a 50-mph posted speed limit on Highway 105, the field-measured sight distances for both approaches at the proposed site access locations must meet the required 555-foot requirement for passenger vehicles (per Engineering Criteria Manual Table 2-21). Looking east from the proposed site access north of Highway 105, the field-measured sight distance is 814 feet. Field-measured sight distance, looking west from the proposed site access, is greater than one-quarter mile. Both of these sight distances would meet the ECM's minimum 555-foot sight distance requirement when looking east or west. There is sufficient stopping sight distance as well.

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

This deviation will not adversely affect maintenance, as the proposed public road would be constructed to County standards and would tie into an existing intersection. Also, only one access is proposed. The public road connecting to Highway 105 would have a standard cul-de-sac for plows and maintenance vehicles to turn around.

The deviation will not adversely affect aesthetic appearance.

The aesthetic appearance will not be adversely affected, as the proposed public intersection spacing is comparable to others in northern El Paso County, the roadway would be built to County standards, and the intersection would be at the crest of a hill and tie in at an existing intersection.

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

The deviation for the spacing less than one-half mile is needed, as no other reasonable access to the property is available. A road connection to the west to Cherry Springs Ranch Drive is not reasonable or practical due to the creek/wetlands through the site along the west side of the Filing 2 site. No other public roads abut the property. The 1,115-foot intersection spacing is requested as this would allow the access to the development to align with an existing intersection (Appaloosa Road).

**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 2.3.2, table 2-5 of the ECM is hereby denied.

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**DISAPPROVED**  
**Engineering Department**  
*03/30/2020 4:56:15 PM*  
*dsdnijkamp*  
└ ┘  
EPC Planning & Community  
Development Department

**ECM ADMINISTRATOR COMMENTS/CONDITIONS:**

The closing of the intersection of Cherry Springs Ranch Drive (CSRD) and 105 is conditioned with the construction of Appaloosa Drive into the site. The leaving of the CSRD intersection would create two locations where the intersection spacing would not be in conformance with the criteria, creating a compromise in public safety. This road is anticipated to be a 4 lane principal arterial in which the proposed spacing would not be in the best interest of the safety of the function of 105.

The statement that there is no additional access is incorrect. CSRD has access at Trumpeters court, as well, this intersection has no bearing on the creek crossing.

Due to the safety concerns, the CSRD connection to 105 will need to be closed at the time Appaloosa Drive is extended into the site. Construction documents for the extension of Appaloosa should include the construction of the cul-de-sac and the closing of the connection.

## **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.