

## Procedures Manual

**Subject: DEVIATION REVIEW AND DECISION FORM**

Date Issued: 12/31/07  
Revision Issued: N/A  
Rescinded: N/A

### 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.

### 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 5.9 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. RELATED PROCEDURES

#### 1.6.1. Governing Procedures

P-AR-063-07 Deviation

#### 1.6.2. Other Related Procedures

P-AR-012-07 Administrative Relief

**1.7. RESOURCE**

Attached is the Deviation Review and Decision Form that is used by the applicant/engineer for requesting and justifying a deviation. The form is reviewed by the ECM Administrator and approved or denied. 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.



Development Services Department  
 2880 International Circle  
 Colorado Springs, Colorado 80910

**DEVIATION REVIEW  
 AND DECISION FORM**

Phone: 719.520.6300  
 Fax: 719.520.6695  
 Website www.elpasoco.com

Procedure # R-FM-051-07  
 Issue Date: 12/31/07  
 Revision Issued: 00/00/00

**DSD FILE NO.:**

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**General Property Information:**

Address of Subject Property (Street Number/Name):

Tax Schedule ID(s) #:

Legal Description of Property: Section 24, the south 1/4 of Section 13, and the west 1/2 of Section 19,  
Township 11 South, Range 65 West in El Paso County, Colorado

Subdivision or Project Name: Winsome

Section of ECM from Which Deviation is Sought: Section 2.25.B.1 Spacing for Rural Minor Arterial

Specific Criteria from Which a Deviation is Sought: 0.25 mile spacing of Early Light Dr./Hodgen Rd. intersection  
Hodgen Road is classified as a Minor Arterial

Proposed Nature and Extent of Deviation: The standard is 0.25 mile (1,320') intersection spacing. The proposed  
intersection is spaced at approximately 780' (measured to center intersection).

**Applicant Information:**

Applicant: PT McCune LLC Email Address: JDesJardin@proterraco.com

Applicant is:  Owner  Consultant  Contractor

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

Telephone Number: 719-476-0800 Fax Number: \_\_\_\_\_

**Engineer Information:**

Engineer: Sean Kellar, PE, PTOE Email Address: skellar@kellarengineering.com

Company Name: Kellar Engineering LLC

Mailing Address: 1151 Eagle Drive, #215, Loveland State: CO Postal Code: 64112

Registration Number: 38560 State of Registration: CO

Telephone Number: 970-219-1602 Fax Number: \_\_\_\_\_

**Explanation of Request (Attached diagrams, figures and other documentation to clarify request):**

Section of ECM from Which Deviation is Sought: Section 2.25.B.1 Spacing for Rural Minor Arterial

Specific Criteria from Which a Deviation is Sought: 0.25 mile spacing of proposed Early Light Dr./Hodgen Rd. intersection  
Hodgen Road is a classified as a Minor Arterial

Proposed Nature and Extent of Deviation: The standard is 0.25 mile (1,320') intersection spacing. The proposed  
intersection is spaced at approximately 780' (measured to center intersection) from the Meridian Rd./Hodgen Rd.  
intersection.

Reason for the Requested Deviation: The 780' spacing allows for a safe and efficient subdivision layout based upon  
the location and size of the parcel.

Comparison of Proposed Deviation to ECM Standard: The standard is 1,320' spacing and the proposed access is  
at approximately 780' spacing.

Reference the specific section. Include the applicable section as an attachment.

Applicable Regional or National Standards used as Basis: The AASHTO Policy on Geometric Design

Elaborate on the justification/reason. There are two other access points on Hodgen plus one on Meridian Road. With a large undeveloped property there is sufficient room to reconfigure internal roads to provide access to the commercial lot without the 3rd intersection on Hodgen. Explain why the internal roadway can't be reconfigured so the third access (Early Light Drive) on Hodgen is not required.

**CHECK IF APPLICATION MEETS CRITERIA FOR CONSIDERATION**

- 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.

**JUSTIFICATION**

Proper access spacing is essential for providing safe and efficient ingress and egress onto the public street system. The proposed 780' access spacing still provides for this desired situation. The proposed 780' intersection spacing meets the intent of the 0.25 mile (1,320') spacing standard.

Additionally, The AASHTO Policy on Geometric Design recommends not having access points within the functional area of an intersection to provide for safe ingress and egress. This access spacing meets this criteria where the proposed access is outside of the functional area of an intersection.

**If at least one of the criteria listed above is not met, this application for deviation cannot be considered.**

While you've identified

**Criteria for Approval:**

**PLEASE EXPLAIN HOW EACH OF THE FOLLOWING CRITERIA HAVE BEEN SATISFIED BY THIS REQUEST**

The request for a deviation is not based exclusively on financial considerations.

The request for the access spacing deviation provides for safe ingress and egress to Hodgen Road from the Winsome subdivision and is not based exclusively on financial considerations. The proposed 780' Early Light Dr./Hodgen Rd. intersection spacing still meets the intent of the 0.25 mile (1,320') access spacing standard; to provide safe and efficient ingress and egress from the Winsome project onto Hodgen Road. The deviation will not adversely impact traffic safety or level-of-service (LOS) operations. The Winsome Traffic Impact Study shows that the proposed access operates safely and efficiently at LOS A for the year 2020 Short Range future and at LOS A for the year 2045 Long Range future. Additionally, the eastbound left-turn lane at the Meridian Road/Hodgen Road intersection is not negatively impacted by this 780' spacing. Also, the proposed 780' spacing meets AASHTO criteria of not having an access within the functional area of an intersection. The deviation will not adversely affect aesthetic appearance. The proposed access spacing will operate safely and is appropriate from a traffic engineering standpoint.

The deviation will achieve the intended result with a comparable or superior design and quality of improvement.

The deviation will not adversely affect safety or operations.

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

The deviation will not adversely affect aesthetic appearance.

Expand by providing a detailed explanation on how each criteria have been satisfied. Example: Simply stating the deviation does not affect aesthetic appearance is insufficient. You must explain how or why it does not affect the aesthetic appearance.

Separate the explanations into five paragraphs addressing each specific criteria.

**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, 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

\_\_\_\_\_  
Signature of applicant (if different from owner) Date

*Sean Kellar*  
\_\_\_\_\_  
Signature of Engineer 1/16/19  
Date

Engineer's Seal



**Review and Recommendation:  
APPROVED by the ECM Administrator**

\_\_\_\_\_  
Date

This request has been determined to have met the criteria for approval. A deviation from Section \_\_\_\_\_ of ECM is hereby granted based on the justification provided. Comments:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_ Additional comments or information are attached.

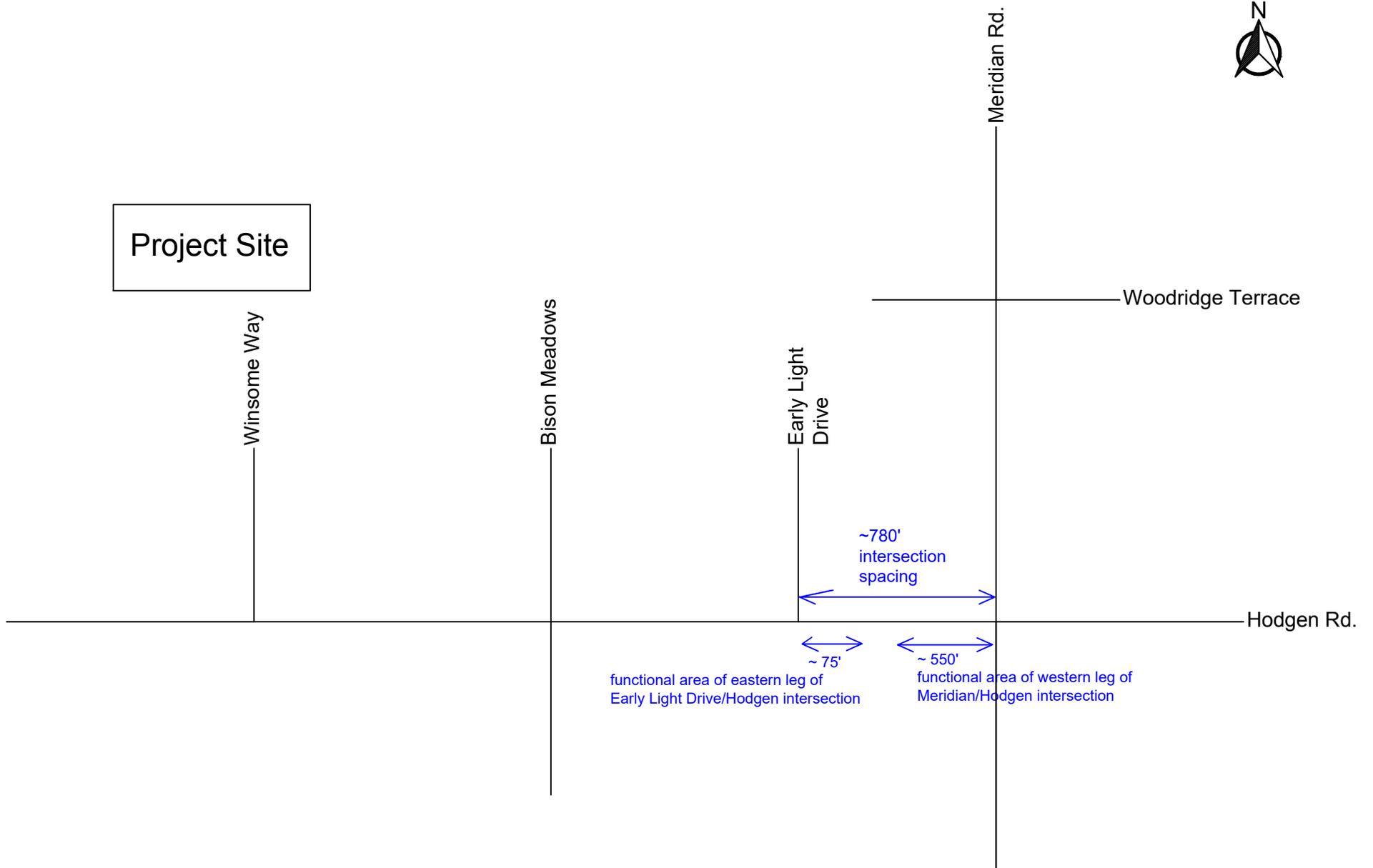
**DENIED by the ECM Administrator**

\_\_\_\_\_  
Date

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

\_\_\_\_ Additional comments or information are attached.

# Winsome



Project Site

Winsome Way

Bison Meadows

Early Light Drive

Meridian Rd.

Woodridge Terrace

Hodgen Rd.

~780'  
intersection  
spacing

~ 75'

functional area of eastern leg of  
Early Light Drive/Hodgen intersection

~ 550'

functional area of western leg of  
Meridian/Hodgen intersection