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# DEVIATION REVIEW AND DECISION FORM

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): 8715 Vollmer Road

Tax Schedule ID(s) #: 5200000081

Legal Description of Property: PT SE4SE4 LY South of Vollmer Road EX RD W/MR Section 32-12-65

Subdivision or Project Name:  
Sterling Ranch

Section of ECM from Which Deviation is Sought: 2.3.2

Specific Criteria from Which a Deviation is Sought: one-quarter mile access spacing on Minor Arterials

Proposed Nature and Extent of Deviation: allow site access on Vollmer Road about 875 feet north of the planned Marksheffel Road and about 885 feet south of Lochwinnoch Lane

**Applicant Information:**

Applicant: National Realty Capital - Tony Bettis Email Address: \_\_\_\_\_  
Applicant is:  Owner  Consultant  Contractor  
Mailing Address: 2251 Fieldcrest Drive, Colorado Springs State: CO Postal Code: 80921  
Telephone Number: 719-484-0581 Fax Number: \_\_\_\_\_

**Engineer Information:**

Engineer: Christopher S. McGranahan, PE, PTOE Email Address: CSMcGranahan@LSCCS.com  
Company Name: LSC Transportation Consultants, Inc.  
Mailing Address: 516 North Tejon Street, Colorado Springs State: CO Postal Code: 80903  
Registration Number: 39018 State of Registration: CO  
Telephone Number: 719-633-2868 Fax Number: 719-633-5430

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

Section of ECM from Which Deviation is Sought: 2.3.2

Specific Criteria from Which a Deviation is Sought: one-quarter mile access spacing on Minor Arterials

Proposed Nature and Extent of Deviation: allow site access on Vollmer Road about 875 feet north of the planned Marksheffel Road and about 885 feet south of Lochwinnoch Lane

Reason for the Requested Deviation: see attached "February 10, 2009 Sterling Ranch Phase 1 South Vollmer Road Deviation Request Memorandum" by LSC

Comparison of Proposed Deviation to ECM Standard: \_\_\_\_\_  
ECM Standard: one-quarter mile access spacing on Minor Arterials  
Proposed Deviation: 875-foot access spacing on Vollmer Road between the site access and Marksheffel Road  
885-foot access spacing on Vollmer Road between the site access and Lochwinnoch Lane

Applicable Regional or National Standards used as Basis: not applicable

**Application Consideration:**

**CHECK IF APPLICATION MEETS CRITERIA FOR CONSIDERATION JUSTIFICATION**

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. see attached "February 10, 2009 Sterling Ranch Phase 1 South Vollmer Road Deviation Request Memorandum" by LSC  
\_\_\_\_\_  
\_\_\_\_\_

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. \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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

**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. see attached "February 10, 2009 Sterling Ranch Phase 1 South Vollmer Road Deviation Request Memorandum" by LSC  
\_\_\_\_\_  
\_\_\_\_\_

The deviation will achieve the intended result with a comparable or superior design and quality of improvement. see attached "February 10, 2009 Sterling Ranch Phase 1 South Vollmer Road Deviation Request Memorandum" by LSC  
\_\_\_\_\_  
\_\_\_\_\_

The deviation will not adversely affect safety or operations. see attached "February 10, 2009 Sterling Ranch Phase 1 South Vollmer Road Deviation Request Memorandum" by LSC  
\_\_\_\_\_  
\_\_\_\_\_

The deviation will not adversely affect maintenance and its associated cost. see attached "February 10, 2009 Sterling Ranch Phase 1 South Vollmer Road Deviation Request Memorandum" by LSC  
\_\_\_\_\_  
\_\_\_\_\_

The deviation will not adversely affect aesthetic appearance. see attached "February 10, 2009 Sterling Ranch Phase 1 South Vollmer Road Deviation Request Memorandum" by LSC  
\_\_\_\_\_  
\_\_\_\_\_

**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]* \_\_\_\_\_ Date 2/25/09  
Tony Bettis  
Signature of owner (or authorized representative)

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

*[Signature]* \_\_\_\_\_ Date 2-10-09  
Christopher S. McGranahan, PE, PTOE  
Signature of Engineer

Engineer's Seal



**Review and Recommendation:**

**APPROVED** by the ECM Administrator \_\_\_\_\_ Date 9-23-09

This request has been determined to have met the criteria for approval. A deviation from Section 2.3.2 of ECM is hereby granted based on the justification provided. Comments: approved under condition of provision of capacity improvements to Voltman by applicant.

\_\_\_\_ 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.



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Website: <http://www.lscs.com>

## MEMORANDUM

DATE: February 10, 2009

TO: Tony Bettis - National Realty Capital

CC: John Maynard - NES, Inc.  
Virgil Sanchez, PE - M&S Civil Consultants, Inc.

FROM: Christopher S. McGranahan, PE, PTOE - LSC Transportation Consultants, Inc. CSM

SUBJECT: Sterling Ranch Phase 1 - LSC #085550  
South Vollmer Road Deviation Request Memorandum

LSC Transportation Consultants, Inc. has prepared this deviation request memorandum for the proposed Sterling Ranch Phase 1 residential development. The site is located east of Vollmer Road between the future extensions of Marksheffel Road and Briargate Parkway in El Paso County, Colorado. This memorandum requests a design deviation to allow a Local Street access to Vollmer Road at less than the one-quarter mile access spacing typically required for Minor Arterials. Following are the relevant *El Paso County Engineering Criteria Manual (ECM)* deviation criteria and our justifications.

### DEVIATION REQUESTS

#### 5.9.6 *Limits of Consideration*

*The ECM Administrator may only consider a project-specific deviation to an existing Standard when 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 economic 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 the 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.*

**LSC Justification:** The proposed Vollmer Road/access intersection would be located about 875 feet north of the planned Vollmer Road/Marksheffel Road intersection and about 885

feet south of the existing Vollmer Road/Lochwinnoch Lane intersection. It is important for the portion of the Sterling Ranch development that would be served by the Vollmer Road/access intersection to have two access points. The only other access would be to Sterling Ranch Road. The *June 5, 2008 Sterling Ranch Updated Traffic Impact Analysis* showed access to this area of Vollmer Road being shared with the adjacent Barbarick industrial development's access at the Vollmer Road/Lochwinnoch Lane intersection. However, it has since been determined that using the Vollmer Road/Lochwinnoch Lane intersection for the Sterling Ranch development is not possible. Furthermore, it would be undesirable to mix the residential traffic generated by the Sterling Ranch development with the industrial traffic generated by the Barbarick development.

#### 5.9.7 *Criteria for Approval*

*In approving a request for deviation, the deviation must not be detrimental to public safety or injurious to surrounding property. No deviation shall be approved unless it is demonstrated that:*

- *The request for a deviation is not based exclusively on financial considerations;*

**LSC Justification:** The requested deviation is not based exclusively on financial considerations. A second access point is needed for the portion of the Sterling Ranch development to be served by the proposed Vollmer Road/access intersection.

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

**LSC Justification:** Placing the access point on Vollmer Road halfway between Marksheffel Road and Lochwinnoch Lane would provide adequate distance to allow for potential auxiliary lanes.

- *The deviation will not adversely affect safety or operations;*

**LSC Justification:** If the left-turn ingress/egress movements at the proposed Vollmer Road/access intersection result in safety issues, the access could be limited to right-in/right-out in the future.

- *The deviation will not adversely affect maintenance and its associated cost;*

**LSC Justification:** It appears the deviation would not adversely affect maintenance and the associated maintenance costs.

- *The deviation will not adversely affect aesthetic appearance.*

**LSC Justification:** It appears the deviation would not adversely affect aesthetic appearance.