



Planning and Community  
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# DEVIATION REQUEST AND DECISION FORM

Updated: 6/26/2019

## PROJECT INFORMATION

Project Name : The Glen at Widefield Filing No. 11  
 Schedule No.(s) : 5522000009, 5522000007  
 Legal Description : See Attached Document

## APPLICANT INFORMATION

Company : Glen Investment Group VIII, LLC  
 Name : Ryan Watson  
 Owner  Consultant  Contractor  
 Mailing Address : 3 Widefield Blvd, Colorado Springs, CO 80911  
  
 Phone Number : 719 392-0194  
 FAX Number :  
 Email Address : ryan@widefieldinvestmentgroup.com

## ENGINEER INFORMATION

Company : Kiowa Engineering Corporation  
 Name : Andrew W. McCord Colorado P.E. Number : 25057  
 Mailing Address : 1604 South 21<sup>st</sup> Street, Colorado Springs, Colorado 80904  
  
 Phone Number : (719) 630-7342  
 FAX Number :  
 Email Address : amccord@kiowaengineering.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.

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)

A deviation from the standards of or in Section **ECM 2.3.3.F.3** of the Engineering Criteria Manual (ECM) is requested.

Identify the specific ECM standard which a deviation is requested:

3. Broken Back Curves. Two curves in the same direction (broken back curves) shall be separated by a tangent with a length of at least two times the minimum length shown in Table 2-10. For local roadways, a minimum tangent of 200 feet shall be used to separate all broken back curves.

State the reason for the requested deviation:

The Deviation is requested in the three locations shown on the plat. Two locations on Pennycress Drive in the south end of the subdivision and the third is on Golden Buffs Drive near the intersection of Pennycress Drive. This section of the plat has a constricted geographic triangular shape due to an existing large gas line which converges with the Marksheffel Road Right-of-Way. The tangent sections are less than 200 feet, but they were laid out in order to make the streets and lots in this area as efficient as possible and in the case of the Golden Bluffs Drive section the tangent section is shorter so that a horizontal curve can be provided at the south end that allows the intersection of Pennycress Drive and Golden Bluffs Drive to be 90 degrees, thus avoiding a non-radial intersection. In order to lengthen the tangent sections along Pennycress Drive we would need to tighten the horizontal curve radii which would make the drivability less than ideal. In cases where we could increase the curve lengths to create a large sweeping reverse curve there is a possibility that we would make the adjacent lots unbuildable.

This situation has occurred in three or four other areas of the Glen at Widefield East Preliminary Plan Area and that preliminary plan was dimensioned and approved with these broken back curves. The previous plats in which this has occurred have all been approved with this same situation.

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

The current design as submitted with the broken back curves occur on low traffic volume local streets. We have used the same types of curve and street geometry throughout the City of Colorado Springs and they are allowed, approved and function safely and adequately throughout the City. The lengths of the tangents on the three locations are as follows. The two sections on Pennycress Drive are 108.13' and 146.08'. The section on Golden Bluffs is 184.68'. These distances are below the 200' minimum as specified in the ECM standards. Please refer to Exhibit 1 attached to this document.

**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.
- X 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 geographic shape and topographic nature of the area of the subdivision in question is such that the use of longer tangent sections and tightening of the horizontal curve radii would promote a less aesthetic design of lots and street system. The use of the shorter tangents while utilizing less than the minimum curve radii will not compromise safety or accessibility. The shorter tangent sections allow the efficient design of both streets and lots in this constricted location.

**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 request will not change any financial considerations. The deviation will not be detrimental to public safety or surrounding property. The area of the deviation is located internally on local streets.

The deviation will not adversely affect safety or operations.

The deviation will not adversely affect safety or operations. The streets will function normally as they do in other nearby jurisdictions.

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

There is nothing in the design that would cause any adverse maintenance or associated costs.

The deviation will not adversely affect aesthetic appearance.

The deviation will not adversely affect aesthetic appearance and may even benefit the aesthetic appearance by eliminating tighter curve radii in order to lengthen tangent sections.

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

This deviation meets the design intent and purpose of the ECM standards. The ECM standards purpose is that they are necessary to protect and promote public health, safety, and the general welfare of the public; ensure that public infrastructure meets commonly accepted engineering standards; and maintain consistency and fairness in development review. These minor deviations from the ECM standards in such a low speed and traffic volume area will not harm the public health, safety or general welfare of the public.

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.

This deviation does not increase any areas over and above what would be the case the longer tangent sections so therefore the control measure requirements of MS4 permit requirements would not change.

**REVIEW AND RECOMMENDATION:**

**Approved by the ECM Administrator**

This request has been determined to have met the criteria for approval. A deviation from Section 2.3.3.F.3 of the ECM is hereby granted based on the justification provided.

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**APPROVED**  
**Engineering Department**

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*dsdnijkamp*

**EPC Planning & Community  
Development Department**

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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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**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.

LAND DESCRIPTION, THE GLEN AT WIDEFIELD  
SUBDIVISION FILING NO. 11:

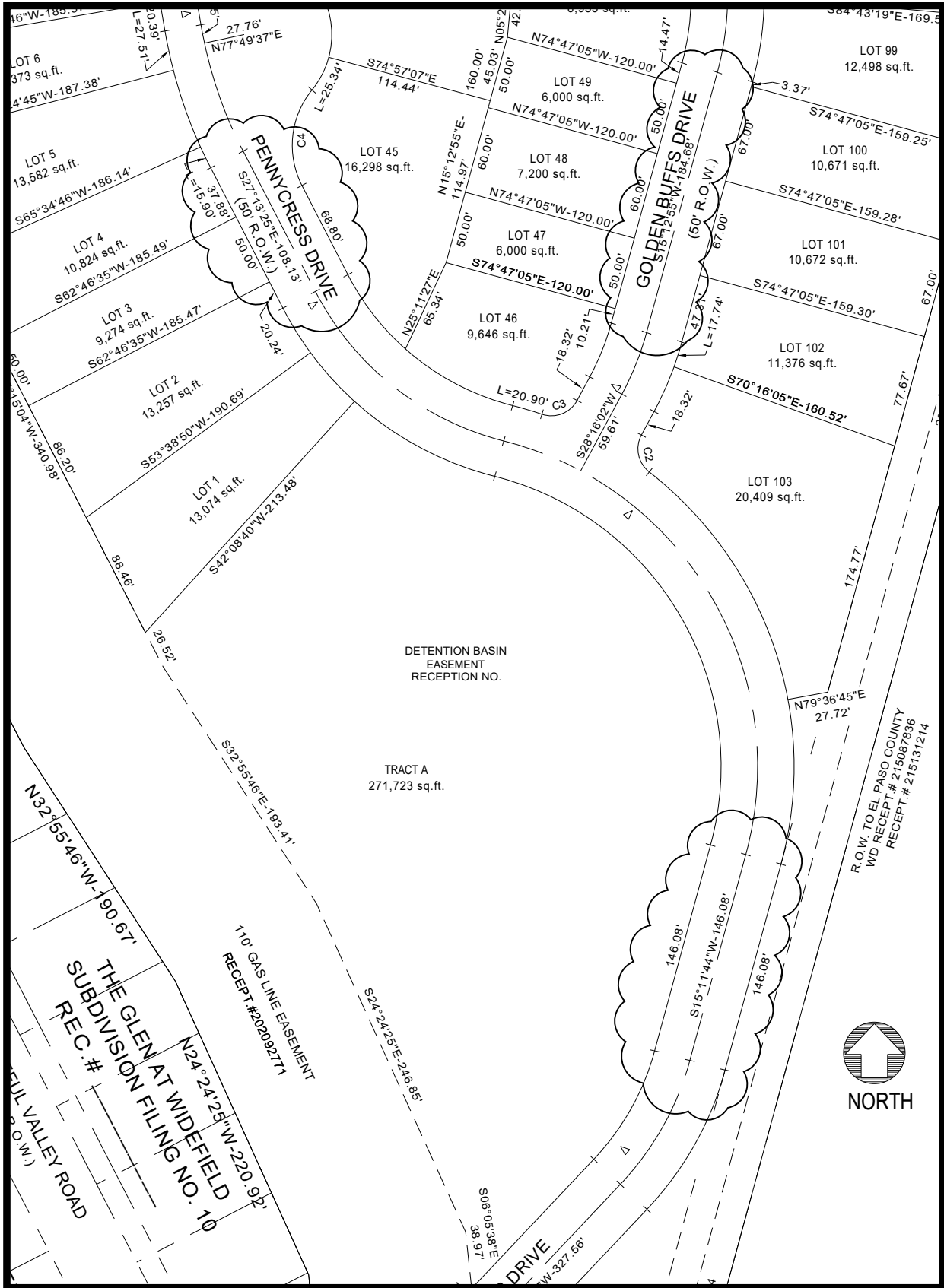
A tract of land located in a Portion of the South One-half (S1/2) of Section 22, Township 15 South (T15S), Range 65 West (R65W) of the 6th P.M., County of El Paso, State of Colorado, being more particularly described as follows:

Beginning at the Northeast corner of Lot 89, Glen at Widefield Subdivision Filing No. 8 as recorded under Reception No. 218714205 in the records of the Clerk and Recorder's Office, County of El Paso, State of Colorado; Thence N00°04'54"E, a distance of 405.64 feet; Thence N68°48'00"E, a distance of 146.71 feet; Thence N67°16'30"E, a distance of 133.27 feet; Thence N24°56'29"E, a distance of 48.70 feet; Thence N18°59'59"E, a distance of 87.12 feet; Thence N41°26'03"E, a distance of 38.75 feet; Thence N81°14'24"E, a distance of 43.05 feet; Thence N00°18'38"W, a distance of 170.00 feet; Thence N89°41'22"E, a distance of 28.36 feet; Thence N01°18'38"W, a distance of 483.09 feet to a point on the North line of the South One-half (S1/2) of said Section 22; Thence N89°51'21"E along the North line of the South One-half (S1/2) of said Section 22, a distance of 944.14 feet to a point on the Westerly Right-of-Way line of Marksheffel Road; Thence S15°11'44"W along the Westerly Right-of-Way line of Marksheffel Road, a distance of 2686.82 feet to a point on the Northerly Right-of-Way line of Peaceful Valley Road as described in said Glen at Widefield Subdivision Filing No. 8; Thence N74°27'43"W along said Northerly Right-of-Way line, a distance of 161.72 feet; Thence continuing along said Northerly Right-of-Way line on the arc of a curve to the right, having a central angle of 44°41'37", a radius of 175.00 feet, an arc length of 136.51 feet; Thence along the arc of a non-tangential curve to the left having a central angle of 106°52'38", a radius of 20.00 feet, an arc length of 37.31 feet, whose chord bears S83°12'25"E; Thence N43°21'16"E, a distance of 34.29 feet to a point on the Westerly line of a 110.00 foot Gas Line Easement as described under Reception No. 202092771 in the records of the Clerk and Recorder's Office of said County; Thence along the Westerly line of said 110.00 foot Gas Line Easement, the following five (5) courses:

- 1.) N06°05'38"W, a distance of 115.36 feet;
- 2.) Thence N24°24'25"W, a distance of 220.92 feet;
- 3.) Thence N32°55'46"W, a distance of 190.67 feet;
- 4.) Thence N27°15'04"W, a distance of 389.87 feet;
- 5.) Thence N09°45'52"W, a distance of 300.61 feet to the Point of Beginning.

Said Parcel contains 44.996 acres (1,960,019 S.F.) more or less.

EXHIBIT 1



BROKEN BACK CURVE  
SUB-STANDARD TANGENT LENGTH LOCATIONS

