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**DEVIATION REQUEST
AND DECISION FORM**
(Judge Orr Deviation)
Updated: 6/26/2019

PROJECT INFORMATION

Project Name : Monument Ridge East
Schedule No.(s) : 7102200013, 7102200006, 7102200010
Legal Description : TRACT OF LAND IN N2 SEC 02-11-67 DESC AS FOLS, COM AT NE COR OF SD SEC, TH S 89<06'54"
W 1320.00 FT, S 00<53'12" W 30.00 FT FOR POB, TH S 89<06'54" W 1834.51 FT TO PT ON ELY R/W LN
OF I25, TH ALG SD R/W S 29<33'00" W 180.19 FT, S 89<05'00" W 500.00 FT, S 29<16'30" W 675.30 FT,
S 06<43'00" W 36.92 FT, S 89<57'36" E 251.71 FT, S 06<43'00" W 337.98 FT, S 89<57'36" E 732.00 FT,
TH N 14<12'38" E 887.45 FT, N 89<06'34" E 500.0 FT M/L, N 00<02'24" W 270.0 FT, S 89<06'54" W 650.0
FT M/L TO POB, EX PT DES AS FOLS: TR OF LAND IN NW4 SEC 2-11-67 DES AS FOLS: COM AT NE
COR OF SD SEC 2, TH S 89<06'54" W ALG N LN OF SEC 2 A DIST OF 2879.42 FT, TH ON A
DEFLECTION ANGLE TO THE L OF 90<00'00" 50.00 FT TO A PT 20.00 FT S OF EXISTING SLY R/W LN
OF COUNTY LINE RD FOR POB, TH N 89<06'54" E 105.00 FT, S 13<48'06" W 130.00 FT, S 89<06'54" W
175.76 FT SLY OF S R/W LN OF SD RD A DIST OF 105.00 FT, N 13<48'06" E 130.00 FT TO POB, EX
THAT PT CONV BY REC #210120918, EX THAT PT TO COUNTY CONV BY REC #214002145.
TRACT OF LAND IN N2 SEC 02-11-67 DESC AS FOLS, COM AT NE COR OF SD SEC, TH S 89<06'54"
W 1320.00 FT, S 00<53'12" W 30.00 FT, S 00<53'12" E 270.01 FT, S 89<06'34" W 1599.97 FT, S
14<12'38" W 887.45 FT FOR POB, TH CONT S 14<12'38" W 102.63 FT, S 86<45'14" W 350.00 FT, S
00<24'09" W 236.98 FT, N 89<57'36" W 649.40 FT TO A PT ON ELY R/W LN OF I25, TH N 06<43'00" E
696.96 FT, S 89<57'36" E 251.71 FT, S 06<43'00" W 337.98 FT, S 89<57'36" E 732.00 FT TO POB.
THAT PART OF S2N2 LY ELY OF INTERSTATE 25 + WLY OF WOODCREST, NLY 15.00 AC M/L OF
E2SW4 SEC 2-11-67, EX THAT PT CONV TO PLAT 12181 MISTY ACRES SUB FIL NO 1, EX THAT PT
CONV TO PLAT 12182 MISTY ACRES SUB FIL NO 2

APPLICANT INFORMATION

Company : Monument Ridge East, LLC
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ENGINEER INFORMATION

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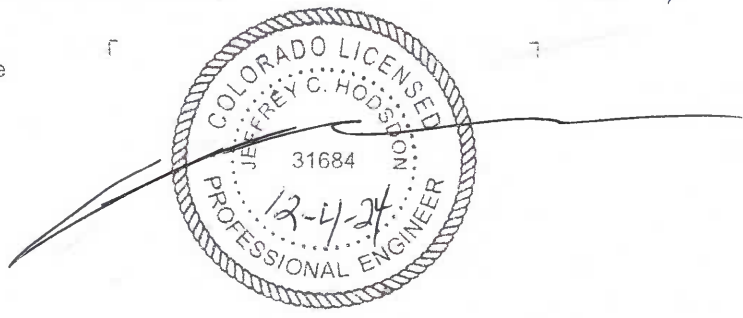
OWNER, APPLICANT, AND ENGINEER DECLARATION

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.

Nava Larsen
Signature of owner (or authorized representative)

11/11/2024
Date

Engineer's Seal, Signature
And Date of Signature



DEVIATION REQUEST (Attach diagrams, figures, and other documentation to clarify request)

Deviation No. 3 (Rev. 10/4/2024) A deviation from the standards of or in Sections 2.2.5.B, 2.3.2 and 2.3.7.B,C. of the Engineering Criteria Manual (ECM) is requested.

The deviation request is to allow the proposed intersection of County Line Road and the planned north extension of Misty Acres Boulevard at the proposed location shown in the attached Deviation Exhibit 1. This proposed location is at the location of the existing County Line Road/Monument Hill Road intersection. There are constraints to locating the intersection farther to the east, notably the existing jurisdictional wetlands. Also, for many years, the north terminus of Misty Acres Boulevard has been envisioned at the currently-proposed location. The developer has been working under the assumption of this intersection location and associated alignment of the extension of Misty Acres Boulevard to complete the connection to County Line Road. This deviation involves 1) the intersection spacing west to the Interstate 25 northbound ramp intersection and east to Doewood Drive; 2) the request is to allow anticipated intersection approach grades over four percent. In conjunction with the above, the deviation addresses a CDOT review comment/request for an evaluation of a potential alternative to the proposed intersection and associated alignment of the final/north segment of Misty Acres Boulevard.

Please refer to the attached Deviation Exhibit 1.

Identify the specific ECM standard which a deviation is requested:

2.2.5.B. Rural and Urban Principal Arterial and Rural Minor Arterial Access Criteria.

2.3.2 (Design Standards by Function Classification)

Table 2-4 Roadway Design Standards for Rural Minor Arterials.

Table 2-4 Intersection Grades (Max). 4%.

2.3.7. Intersections:

B. Intersection Spacing and General Access Standards

C.4 Vertical Alignment.

State the reason for the requested deviation:

The deviation is being required for the proposed location of the County Line Road/Misty Acres Boulevard intersection.

- 1) This intersection spacing along County Line Road would result in less than the ECM-prescribed one-quarter mile spacing and the existing intersection spacing is less than 660 feet to the north along the future alignment of Misty Acres Boulevard.
- 2) The intersection approach grades exceed the ECM standard.
- 3) The CDOT review comments require an evaluation of the potential for a roundabout intersection located about 1,250 feet to the east (about three hundred feet west of the existing Doewood intersection). Additionally, an intersection at this location

State the reason for the requested deviation:

would require a revised alignment to the east of the north segment of Misty Acres Boulevard/connection to County Line Road.

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

The standard requires intersection centerline spacing of one-quarter mile. The proposed centerline spacing on County Line Road is about 860 feet to the west and 825 feet to the east (as shown in Deviation Exhibit No. 1).

2.2.5.B. Rural and Urban Principal Arterial and Rural Minor Arterial Access Criteria.

1.Spacing. Spacing of roads accessing a principal arterial or rural minor arterial that will result in a full movement intersection shall be planned at one-half mile (**one-quarter mile for rural minor arterials**). Should the one-half mile spacing not be "viable or practical" for providing access to the adjacent land, a deviation may be considered and approved by the ECM Administrator. If a deviation is granted, only one additional full movement intersection will be permitted by the ECM Administrator. The Applicant shall have the burden of proof that no other "viable or practical" access is available. A deviation request should be supported by a traffic study or memorandum that provides information to assist the ECM Administrator in determining the proposed deviation minimizes negative safety and other operational impacts. If the development is at the intersection of two major corridors, the full movement access should be located on the lower functional classification roadway. The intersection shall only be approved if the intersection and roadway are shown to operate safely and efficiently with buildout design hour/peak hour projected traffic volumes. The intersection must also show a public benefit. An arterial progression through bandwidth percentage of 35 percent or greater must be achieved or the inclusion of a signal at the access must not degrade the existing signal progression. The intersection must not create any queuing or blocking of lane entries or access points. The intersection must be in a location such that any necessary turn, acceleration and deceleration lanes can be accommodated to maintain safe operations and capacity. The analysis should consider all potential future additional requirements for left turn or other exclusive phasing at a signal for which the need is created by traffic generated by land uses on both sides of the roadway.

2.Topographic and Other Limitations. Where topography or other existing conditions make the required spacing inappropriate or unfeasible, location of the access shall be determined with consideration given to topography, established property ownerships, unique physical limitations, pre-existing historical land use patterns, and physical design constraints, with every attempt to achieve an access spacing of one-half mile. The final location shall serve as many properties as possible to reduce the need for additional direct access to the principal arterial or rural minor arterial. In selecting locations for full movement intersections, preference shall be given to roads that meet, or may be reasonably expected to meet, signal warrants in the future.

2.3.7.B. Intersection Spacing and General Access Standards. Full movement intersections and major accesses spacing shall meet the requirements in Section 2.2.5. While access to a major roadway should be avoided, right-in/right-out and three-quarter movement accesses may be permitted as a deviation if they meet the criteria for sight distances, turn lane requirements, grades and do not negatively impact traffic operations or safety. The applicant shall have the burden of proof that no other "viable or practical" property access is available. A deviation request should be supported by a traffic study or memorandum that provides information to assist the ECM Administrator in determining the proposed deviation minimizes negative safety and other operational impacts along upstream and downstream roadway segments. The addition of such an access shall minimize impacts to queuing or blocking of lane entries or access points and minimize impacts to progression. The access must be in a location such that any necessary turn lanes and acceleration/deceleration lanes can be accommodated to maintain safe operations and capacity. The analysis should consider all potential future additional requirements to accommodate traffic generated by adjacent land uses. Buildout design hour/peak hour projected traffic volumes should be used.

2.3.7.C.4. Vertical Alignment. The roadway profile grade shall not exceed the value presented in Table 2-22 on the approach to the intersection, as measured along the centerline of the roadway for a minimum distance equal to the grade lengths presented in Table 2-23 for each of the roadway functional classifications.

The grade of the roadway with the higher functional classification shall prevail at intersections. Grading of lower functional classifications, adjacent property, private access shall adapt to the higher functional classification roadway grade.

In cases where the natural grade for which a roadway is to be constructed is steeper than 4 percent (hillside areas). A deviation from the presented standards may be requested to accommodate these conditions up to a maximum of 8 percent.

Where crosswalks are provided at intersections, roadway grades shall be set to provide compliant crosswalk cross slopes. On approaches with stop or yield control, roadway grades shall be 2% maximum. On uncontrolled approaches or at traffic signals designed to permit arrival during the green phase, roadway grades shall be the maximum permitted for that functional classification, but in no case greater than 5%. See Section 6.3.2.

Intersection approach grades at the proposed location (existing intersection of County Line Road/Monument Hill Road) are about seven percent.

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:

An existing jurisdictional wetland is located just to the east of the proposed alignment of Misty Acres Boulevard.

There is an established conservation easement along the north side of County Line Road.

There is a fixed distance (1,550 feet) between the existing northbound I-25 ramp intersection and the existing Doewood Drive intersection.

The use of Doewood Drive is not an option, as this is a local road with residential homes fronting it.

The “equivalent alternative” would be to utilize the same intersection location, and this would be improved with the addition of auxiliary turn lanes (proposed). The Misty Acres Boulevard/County Line Road intersection (as with the current Monument Hill Road/County Line intersection) would meet the CDOT minimum 550-foot spacing of an intersection/access along the crossroad, from ramp radius.

This location is an existing intersection which has been the north terminus of Monument Hill Road (I-25 east-side frontage road) – which is currently classified as a major collector. The north terminus would be rerouted as shown in Deviation Exhibit No. 1. Misty Acres Boulevard extended north to the same intersection location would also be a Major Collector.

Additionally, with respect to the CDOT suggested alternative:

- There is significant utility infrastructure in place that would need to be reconstructed/realigned. For the proposed cross section, significant grading would be required including the crossing of a drainage way.
- This alternative would result in a significant loss of lots/developable area.
- The alignment would be routed behind and close to existing homes along Doewood Drive
- The resulting Misty Acres/County Line Road intersection would be too close to the existing Doewood intersection, and existing Doewood would likely need to be rerouted as shown in the exhibit.
- A roundabout intersection is not likely to fit within the constraints of the existing water district property, the floodplain, and the conservation easement to the north.
- It may be difficult to meet *ECM* horizontal alignment criteria.

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 “equivalent alternative” would be to utilize the same intersection location, and this would be improved with the addition of auxiliary turn lanes (proposed). The Misty Acres Boulevard/County Line Road intersection (as with the current Monument Hill Road/County Line intersection) would meet the CDOT minimum 550-foot spacing of an intersection/access along the crossroad, from ramp radius. Also, auxiliary left- and right-turn lanes are proposed to be added on County Line Road, as presented in the TIS. The laneage will align better with the new through lanes at the interchange ramp terminal located to the west.

The deviation will not adversely affect safety or operations.

The intersection is proposed as a TWSC intersection, as currently exists today, which will likely meet signal warrants in the future.

The level of service is shown in the TIS to be acceptable as a signalized intersection.

This intersection spacing is about equidistant between the NB-ramp intersection and Doewood Drive.

Also, auxiliary left- and right-turn lanes are proposed to be added on County Line Road, as presented in the TIS. The laneage will align better with the new through lanes at the interchange ramp terminal located to the west. The turn lanes could be constructed to meet CDOT Access Code and *ECM* criteria, including adjustments for grade. The eastbound left-turn bay would not be required

The deviation will not adversely affect safety or operations.

based on turning volume (please refer to TIS for additional information). These turn lanes are shown in the laneage figures included in the TIS report.

The Misty Acres Boulevard/County Line Road intersection (as with the current Monument Hill Road/County Line intersection) would meet the CDOT minimum 550-foot spacing of an intersection/access along the crossroad, from ramp radius. Additional distance would not be necessary as the eastbound left-turn movement is light and below the threshold requiring a left-turn lane.

With respect to the grades on County Line Road on the intersection approaches, mitigation such as special pavements and potentially an advance warning sign (with "be prepared to stop) with flashing yellow beacon system could be implemented if these become necessary.

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

The spacing will not affect the maintenance cost as the spacing will not negatively affect the ability for snowplow and maintenance vehicles to enter and exit the side street with adequate sight distances provided at the proposed intersection location.

The deviation will not adversely affect aesthetic appearance.

Spacing will not affect the aesthetics, as it is not short to the extent that affects the general appearance of the road corridor. The spacing will be consistent with the existing intersection.

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

The proposed Misty Acres Boulevard intersection location is the best solution despite the existing constraints, matches the current Monument Hill Road/Misty Acres Boulevard intersection location, and would include auxiliary turn lanes. This deviation also includes mitigation for the intersection grades. An intersection at this approximate location has been envisioned for many years.

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.

Water quality will be provided. Construction of the roadways and development of the site will be required to meet the above sections of the MS4 permit. The spacing deviation requested in itself does not involve any disturbance.

REVIEW AND RECOMMENDATION:

Approved by the ECM Administrator

This request has been determined to have met the criteria for approval. A deviation from Section 2.2.5.B, 2.3.2, 2.3.7.B, C. of the ECM is hereby granted based on the justification provided.

Γ Γ

L J

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.

Γ Γ

L J

ECM ADMINISTRATOR COMMENTS/CONDITIONS:

Deviation Exhibit 1





Approximate Scale
1" = 500'

Roundabout intersection
requested by CDOT

300'
(approx. spacing)

1,250'
(approximate spacing)

560'
(approx. spacing)

County Line Rd

Associated existing
Doewood intersection
closure with new
connection to
CDOT-proposed
alignment of Misty Acres
Blvd.

Milky Way View

Snowy Top Dr

Doewood Dr

Monument Hill Rd

Monument Hill Rd

Cannella Way






Limiting property corner

Interstate 25

Monument Hill Rd

Old Antlers Way

Misty Acres Blvd

-  Existing roadway segment - to be removed
-  Proposed roadway extension
-  Proposed roadway realignment
-  Existing roadway/roadway segment (to remain)
-  Alternate Alignment (CDOT)*

Deviation No. 3 - Exhibit 1
**Alternate Realignment
 for the North
 Segment/Extension of
 Misty Acres Blvd.**
 (Consideration of which
 is Requested by CDOT*)

Monument Ridge East (LSC# S234450)

*LSC approximate interpretation of alternate Misty Acres Blvd alignment and County Line Road intersection location (consideration of which is requested by CDOT)

