



Planning and Community
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DEVIATION REQUEST AND DECISION FORM

Updated: 6/26/2019

PROJECT INFORMATION

Project Name : Sanctuary of Peace Residential Community
 Schedule No.(s) : 7103001034
 Legal Description : A portion of the SW quarter of Section 27, T11S, R66W of the 6th PM, El Paso County, Colorado.

APPLICANT INFORMATION

Company : Benet Hill Monastery of Colorado Springs
 Name : Vincent Crowder, Property and Building Manager
 Owner Consultant Contractor
 Mailing Address : 15760 State Highway 83, Colorado Springs, CO 80921

 Phone Number : 719-633-0655
 FAX Number :
 Email Address : vcrowder@benethillmonastery.org

ENGINEER INFORMATION

Company : M.V.E., Inc.
 Name : David R. Gorman Colorado P.E. Number: 31672
 Mailing Address : 1903 Lelaray St, Ste 200, Colorado Springs, CO 80909

 Phone Number : 719-635-5736
 FAX Number :
 Email Address : daveg@mvecivil.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)

10.9.2020

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 **2.2.4.B.2** of the Engineering Criteria Manual (ECM) is requested.

Identify the specific ECM standard which a deviation is requested:

2.5.2.B.3 *"Sidewalks shall be installed on both sides of the road."*

This request is to allow installation of sidewalk on one side of the roadway where both sides are required by the ECM.

State the reason for the requested deviation:

The purpose of the deviation is to provide pedestrian access within the clustered residential portion of the Sanctuary of Peace PUD while maintaining a more rural nature for the neighborhood. The residential area is surrounded by 45 acres of densely forested open space and the deviation will help to preserve the wooded nature of the site as much as possible. Sidewalk on one side of the paved roadway will provide for pedestrian access between residential units, to the Sanctuary of Peace Clubhouse, guest parking spaces, and to the entrances of the onsite trails that surround the residential area. The sidewalk on one side will substantially preserve a more rural residential roadway appearance as that seen in 2.5 acre and 5 acre rural residential subdivisions. A separate Deviation Request is submitted to allow asphalt sidewalks in place of concrete sidewalks.

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

The proposal is to provide for pedestrian access within the residential area of Sanctuary of Peace PUD with asphalt sidewalks along one edge of the private paved roadway. The roadway, being a reduced-width low-speed private road, is intended to coincide with the character of Benet Lane that connects to the proposed road in two locations. The intent is to preserve the existing forest trees, vegetation and landforms within the site as much as possible. Sidewalk on one side will provide adequate pedestrian access within the site which is very traffic volume and not a thoroughfare to any other locations.

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 intended nature of the PUD is to be a clustered residential neighborhood amidst 45 acres of forested open space land in Black Forest. The sidewalks located on one side of the paved roadway will harmonize with this purpose and preserve the existing trees, vegetation and landforms as much as practically possible. Access will be provided between residential units, to the Sanctuary of Peace Clubhouse, guest parking spaces, and to the entrances of the onsite trails that surround the residential area. The narrow-width low-volume roadway will be easily crossed to reach residences on the opposite side of the road as the sidewalk. The sidewalks located along the edge of the paved road will be efficiently maintained by the Sanctuary of Peace Property Owners Association along with the road.

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.

There are no financial considerations associated with the deviation request. The deviation is requested to allow pedestrian access in a way that coincides with the desired character of the PUD.

The deviation will not adversely affect safety or operations.

This deviation will not adversely affect safety or operations. The single sidewalk along the private local low-volume roadway will provide adequate and safe pedestrian access.

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

No portion of the site, including the asphalt sidewalks, are the maintenance responsibility of El Paso County. Maintenance will be performed by the Sanctuary of Peace Property Owners Association.

The deviation will not adversely affect aesthetic appearance.

There is no aspect of the proposed asphalt sidewalks which would adversely affect the aesthetic appearance of the site or roadway.

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

The proposed sidewalk will provide adequate off-street pedestrian access within the PUD as intended by the ECM standards.

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.

The paved surfaces of the site, including the proposed asphalt sidewalks are provided with storm detention and water quality treatment in an on-site private BMP's with Water Quality Treatment Volume and slow release.

REVIEW AND RECOMMENDATION:

Approved by the ECM Administrator

This request has been determined to have met the criteria for approval. A deviation from Section 2.4.2.B.2 of the ECM is hereby granted based on the justification provided.

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APPROVED
Engineering Department

10/29/2020 2:31:59 PM

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**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

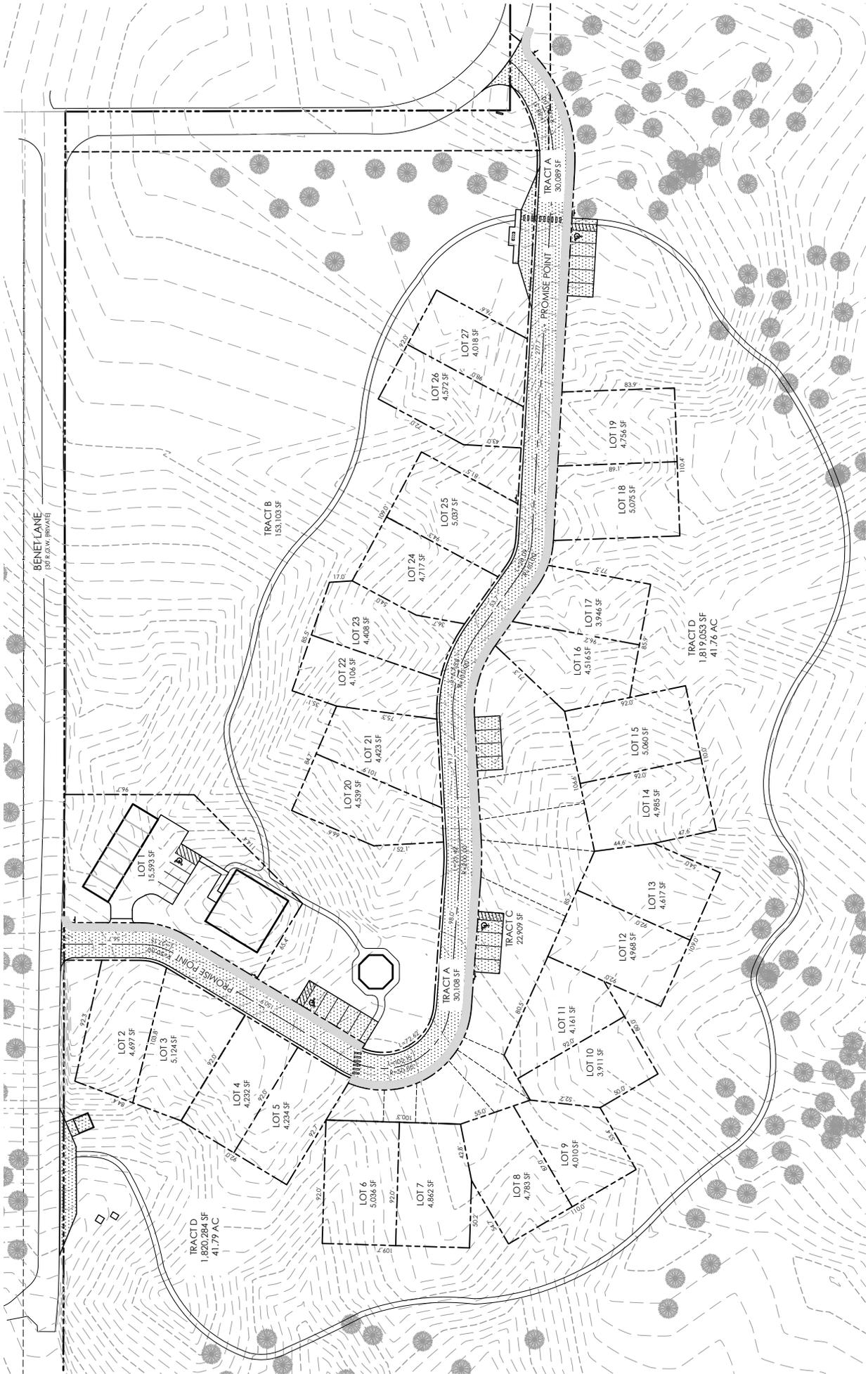
The review shall ensure all criteria for approval are adequately considered and that justification for the deviation is properly documented.

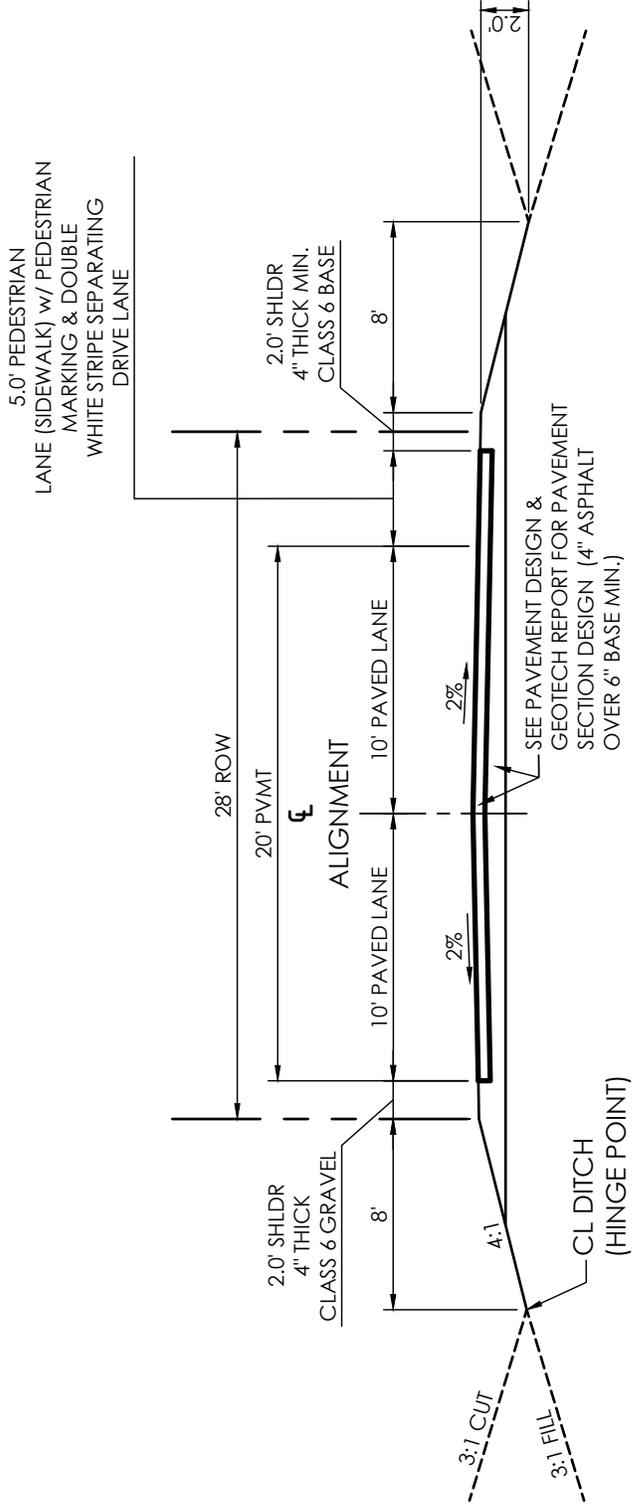
1.6. LIMITS OF APPROVAL

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.





PRIVATE ROAD SECTION (PROMISE POINT)

NOT TO SCALE