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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:

2.3.1 *Table 2-7 Lane Width for Local Low Volume Roadway is 12 feet.*

This request is to allow lane width of 10 feet in each direction on a private local low volume residential roadway where 12 feet is required by the ECM.

State the reason for the requested deviation:

The purpose of the deviation is to create a private local low-volume roadway that minimizes disturbance to the existing topography, trees, vegetation and landforms. The narrower lane widths are also intended to match the characteristics of existing Benet Lane which connects to the Sanctuary of Peace PUD at two locations.

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

The proposal is to allow a private local low-volume roadway with one ten-foot wide travel lane in each direction. The ECM provides for 12' wide lanes for all roadway classifications. Ten-foot lanes are adequate to allow two passenger vehicles or pickup trucks to pass each other while remaining within the lanes. Narrower lanes are allowed in instances of limited right-of-way or topographical restrictions.

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 site is to be a clustered residential neighborhood amidst 45 acres of forested open space land in Black Forest. The proposed 10' wide lane widths will coincide with the characteristics of existing Benet Lane and enable the development to better harmonize with the natural topography, trees and vegetation. The smaller lane widths serve to better preserve the existing trees within the site. The narrower lane widths will not present a safety hazard in the limited population close contained neighborhood due to low volume and low speeds on the roadway.

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 will allow the proposed private road to provide access to the 14 lots within the PUD in a safe manner that matches existing Benet Lane which connect the development to Highway 83 and preserves the natural topography of site as much as practically possible.

The deviation will not adversely affect safety or operations.

This deviation will not adversely affect safety or operations. The proposed lane widths are safe for the purpose of providing access to low-speed, low-volume roadway in the restricted conditions of the forested environment.

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.

The is no aspect of the proposed 10 ft wide travel lanes will adversely affect the aesthetic appearance of the site or roadway

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

The proposed roadway with 10 ft wide travel lanes will provide safe and effective access to the residents of site as intended in the criteria due to low speeds and low volumes on the roadway and general conditions of the forested area.

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 proposed deviation does not affect the water quality of the site as 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 _____ of the ECM is hereby granted based on the justification provided.

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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

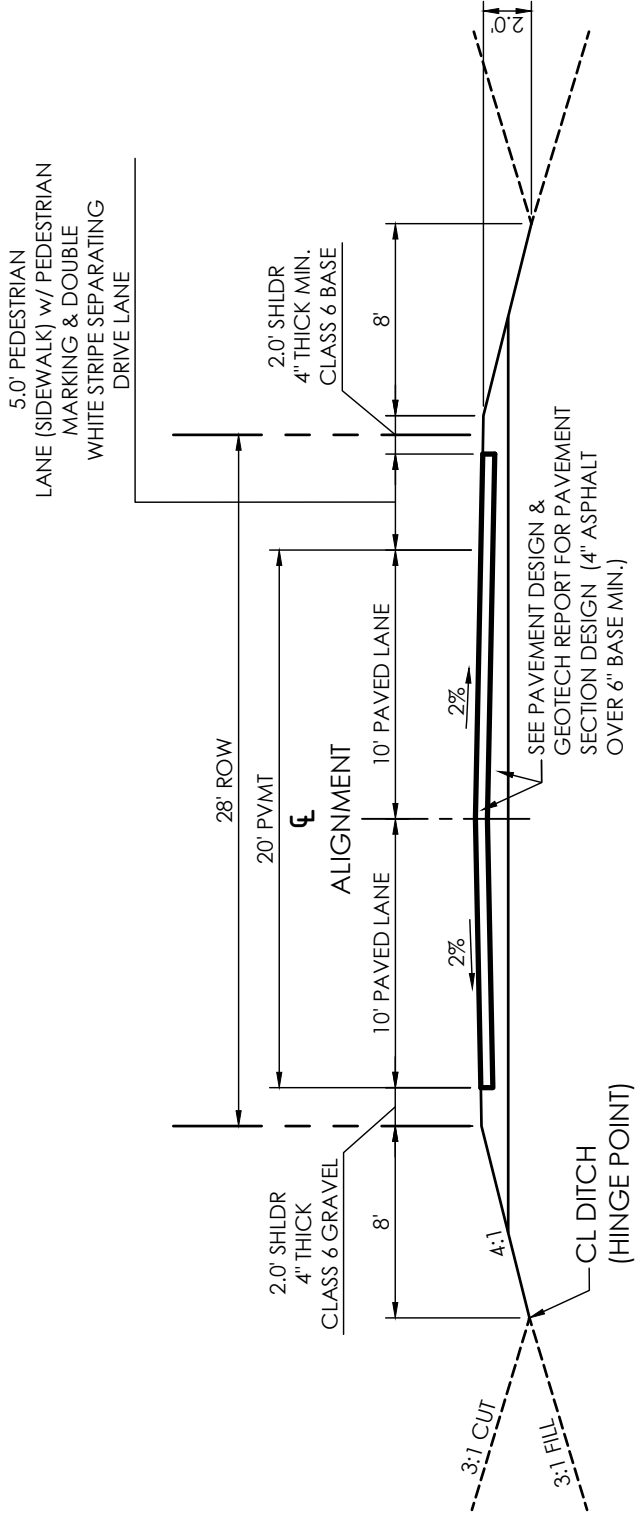
The review shall ensure all criteria for approval are adequately considered and that justification for the deviation is properly documented.

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

