



Planning and Community  
Development Department  
2880 International Circle  
Colorado Springs, Colorado 80910  
Phone: 719.520.6300  
Fax: 719.520.6695  
Website www.elpasoco.com

## DEVIATION REQUEST AND DECISION FORM

Updated: 6/26/2019

### PROJECT INFORMATION

Project Name : Ridge at Lorson Ranch  
Schedule No.(s) : 5500000371, 5500000367, 5500000368, 5500000369, 5500000370, 5500000274, 5500000275  
Legal Description : See Attached

### APPLICANT INFORMATION

Company : Matrix Design Group  
Name : Jason Alwine  
☐ Owner ☒ Consultant ☐ Contractor  
Mailing Address : 2435 Research Parkway, Suite 300, Colorado Springs, CO 80920  
  
Phone Number : (719) 575-0100  
FAX Number :  
Email Address : jason.alwine@matrixdesigngroup.com

### ENGINEER INFORMATION

Company : Core Engineering Group  
Name : Richard Schindler, P.E. Colorado P.E. Number : 33997  
Mailing Address : 15004 1<sup>st</sup> Avenue S.  
Burnsville, MN 55306  
  
Phone Number : (719) 570-1100  
FAX Number :  
Email Address : Rich@ceg1.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 2.2.5 (C) of the Engineering Criteria Manual (ECM) is requested.

Identify the specific ECM standard which a deviation is requested:

Road Access Criteria: Spacing of roads accessing an urban minor arterial that will result in a full movement intersection shall be planned at one-quarter mile.

State the reason for the requested deviation:

To permit a full movement intersection of an urban local roadway and urban minor arterial at less than 1/4 mile intersection spacing.

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

The proposed alternative to the ECM standard is requested because the full movement intersection of Buckner Way and Fontaine Boulevard is less than the required 1/4 mile spacing to the intersection of Fontaine Boulevard and future Meridian Road (approximately 735') and to the intersection of Fontaine Boulevard and Walleye Drive (approximately 1,125'). Buckner Way is the only access point along Fontaine Boulevard for the Ridge at Lorson Ranch. Additionally, Fontaine Boulevard will temporarily end to the east of Buckner Way until future Meridian Road is potentially constructed.

## 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 ECM states that *"Spacing of roads accessing an urban minor arterial that will result in a full movement intersection shall be planned at one-quarter mile. However, one parcel access shall be granted to each existing lot, if it does not create safety or operational problems. The parcel access will provide for right turns only. The access may allow for left turns in (three-quarters movement) if the addition of left turns will improve the operation at an adjacent full movement intersection and meet appropriate design standards."*

A full movement intersection is requested as this is the only proposed access for the Ridge at Lorson Ranch along Fontaine Boulevard. Additionally, Fontaine Boulevard will temporarily end to the east of Buckner Way until future Meridian Road is potentially constructed.

## 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 design as proposed will achieve the intended result with a comparable design and improved operation. The intersection falls near the terminus of Fontaine Boulevard until future Meridian Road is potentially constructed.

The deviation will not adversely affect safety or operations.

The modification to permit a full movement intersection at Buckner Way and Fontaine Boulevard will not adversely affect safety or operations as this intersection falls near the terminus of Fontaine Boulevard likely limiting traffic until future Meridian Road is potentially constructed.

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

All public roads will be designed and built to EPC Standards to be owned and maintained by El Paso County.

The deviation will not adversely affect aesthetic appearance.

The requested deviation will not adversely affect aesthetic appearance.

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

The deviation will meet the design intent and purpose of the ECM standards. The design as proposed will achieve the intended result with a comparable design and improved operation. The intersection falls near the terminus of Fontaine Boulevard until future Meridian Road is potentially constructed.

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 requested deviation does not affect drainage; therefore is not applicable to the MS4 permit.

**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.

\_\_\_\_\_

\_\_\_\_\_

**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.

\_\_\_\_\_

\_\_\_\_\_

**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.