



**Planning and Community
Development Department**
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**DEVIATION REQUEST
AND DECISION FORM**

Updated: 6/26/2019

PROJECT INFORMATION

Project Name : Circle K at Highway 24 & Meridian Road
 Schedule No.(s) : 5312402016, 5312403003, 5312403004, 5312402015, 5312405003, 5312404003, 5312405005
 Legal Description : Rezoned and replated land. See SDP submittal for full legal description.

APPLICANT INFORMATION

Company : Land Development Consultants, LLC
 Name : Sofia Hernandez
 Owner Consultant Contractor
 Mailing Address : 950 S. Cherry St., Suite 510
 Denver, CO 80246
 Phone Number : (303) 717-3305
 FAX Number :
 Email Address : sofia@ldcaz.com

ENGINEER INFORMATION

Company : Matrix Design Group
 Name : Nicole Schanel Colorado P.E. Number : 52434
 Mailing Address : 2435 Research Parkway, Suite 300
 Colorado Springs, CO 80920
 Phone Number : (719) 575-0100
 FAX Number :
 Email Address : Nicole.schanel@matrixdesigngroup.com

OWNER, APPLICANT, AND ENGINEER DECLARATION

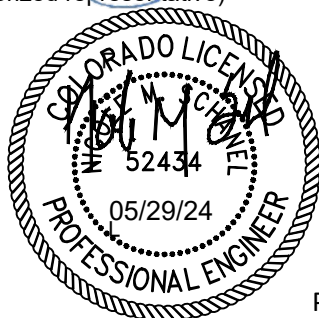
To the best of my knowledge, the information on this application and all additional or supplemental documentation is true, factual and complete. I am fully aware that any misrepresentation of any information on this application may be grounds for denial. I have familiarized myself with the rules, regulations 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.

05/29/24

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 **2.4.1.C** of the Engineering Criteria Manual (ECM) is requested.

Identify the specific ECM standard which a deviation is requested:

Per section 2.4.1.C: "Access points shall be aligned at 90 degrees to the adjacent road centerline or along a radial line in a cul-de-sac."

State the reason for the requested deviation:

An intersection angle less than 90 degrees is necessary in order to fit within the lot/tract lines already established with the 1888 plat.

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

The proposed alternate design includes a private access road connecting to the existing Meridian Sol Drive at a 60-degree angle. The design has a 116 ft cross pan, underground culvert and pedestrian ramps for the proposed sidewalk along Meridian Sol Drive. The private access road connects to Meridian Road to the west at a 90-degree angle and both exits from the private access road have stop signs. The private access road speed is proposed to be 25 mph.

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 proposed private drive on the southern border of the site is being proposed in order to fit within the existing ROW as established in the 1888 plat. This portion is being revised into a private tract but the existing linework is to remain as currently platted. This alignment creates a less than 90-degree angle at the intersection of the private access road and the existing Meridian Sol Drive. Given the 60' width of the proposed Tract A (existing public ROW) and the required urban local roadway section, we are unable to adjust the geometry of the roadway in order to intersect Meridian Sol Drive at a 90-degree angle.

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.

Per Section 5.8 of the ECM, *"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"*

The intersection design proposed shows an acute angle that could impact the visibility of traffic traveling northbound. To allow this intersection to function with the safety of a 90 degree intersection, the stop sign on the private access road will be set back closer to the PCR of the eastbound lane of the private access road. Sight visibility triangles will start at this location rather than near the flowline-flowline intersection as typically seen. This will allow drivers to stop safely before the intersection and have full visibility of traffic traveling northbound or southbound on Meridian Sol Drive and create intersection functionality identical to that of a 90-degree angle.

The deviation will not adversely affect safety or operations.

Due to the placement of the stop sign as well as the increased area of the sight triangles, the driver will have the same visibility at this acute intersection that would be experienced with a 90-degree intersection. Therefore, safety or operations will not be adversely affected.

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

The private roadway will be built to the same specifications as the County's urban local roadway. Due to the private designation of the access road, maintenance costs will be the responsibility of the developer. As such, no additional maintenance or cost will be associated to the County.

The deviation will not adversely affect aesthetic appearance.

All of the County standards for the roadway will be upheld for the intersection. Landscape plantings will be included as required per the code. As such, the intersection angle will not influence the aesthetic appearance of the two roadways.

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

The intent of having right angles at an intersection is for the safe operation of vehicles and pedestrians using the intersection. Due to the stop condition and increased sight distance of the proposed design, the intersection will operate per the intent of the ECM without affecting safety.

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 intersection will have a cross pan to convey any flows within Meridan Sol to the south, as they historically flow. Drainage from the private access road will be directed to a lowpoint located near the middle of the roadway where they will be collected by an inlet and discharged into a water quality and detention pond for treatment. While the crosspan located at the private access road and Meridian Sol will be slightly elongated due to the acute angle of the intersection, the drainage design, capture volume, and treatment of the stormwater is not impacted by the angle of intersection. All stormwater is being treated as required in the County code.

REVIEW AND RECOMMENDATION:

Approved by the ECM Administrator

This request has been determined to have met the criteria for approval. A deviation from Section 2.4.1.C of the ECM is hereby granted based on the justification provided.

┌ **APPROVED** ┐
Engineering Department
06/12/2024 1:26:37 PM
dotnijkamp
└ **EPC Department of Public Works** ┘

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

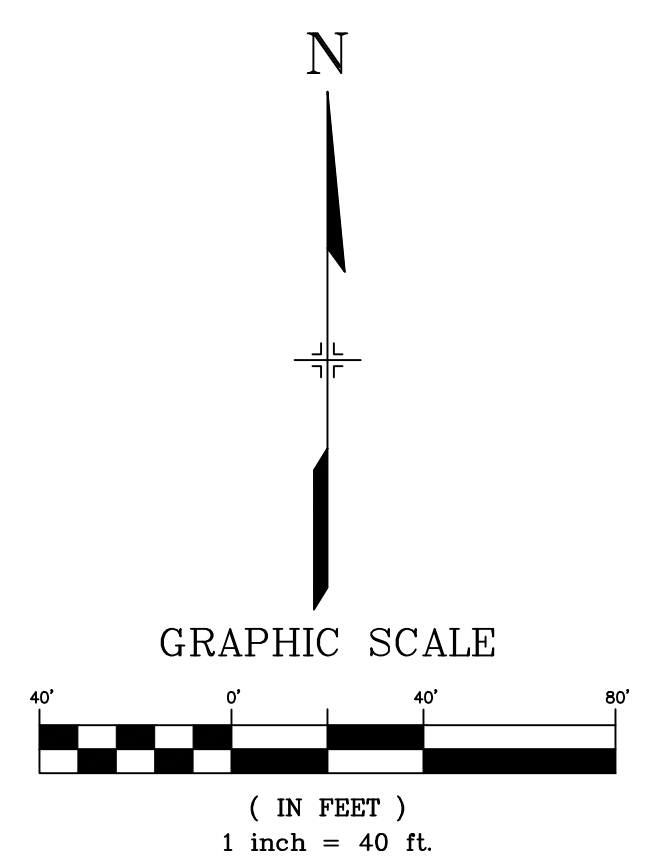
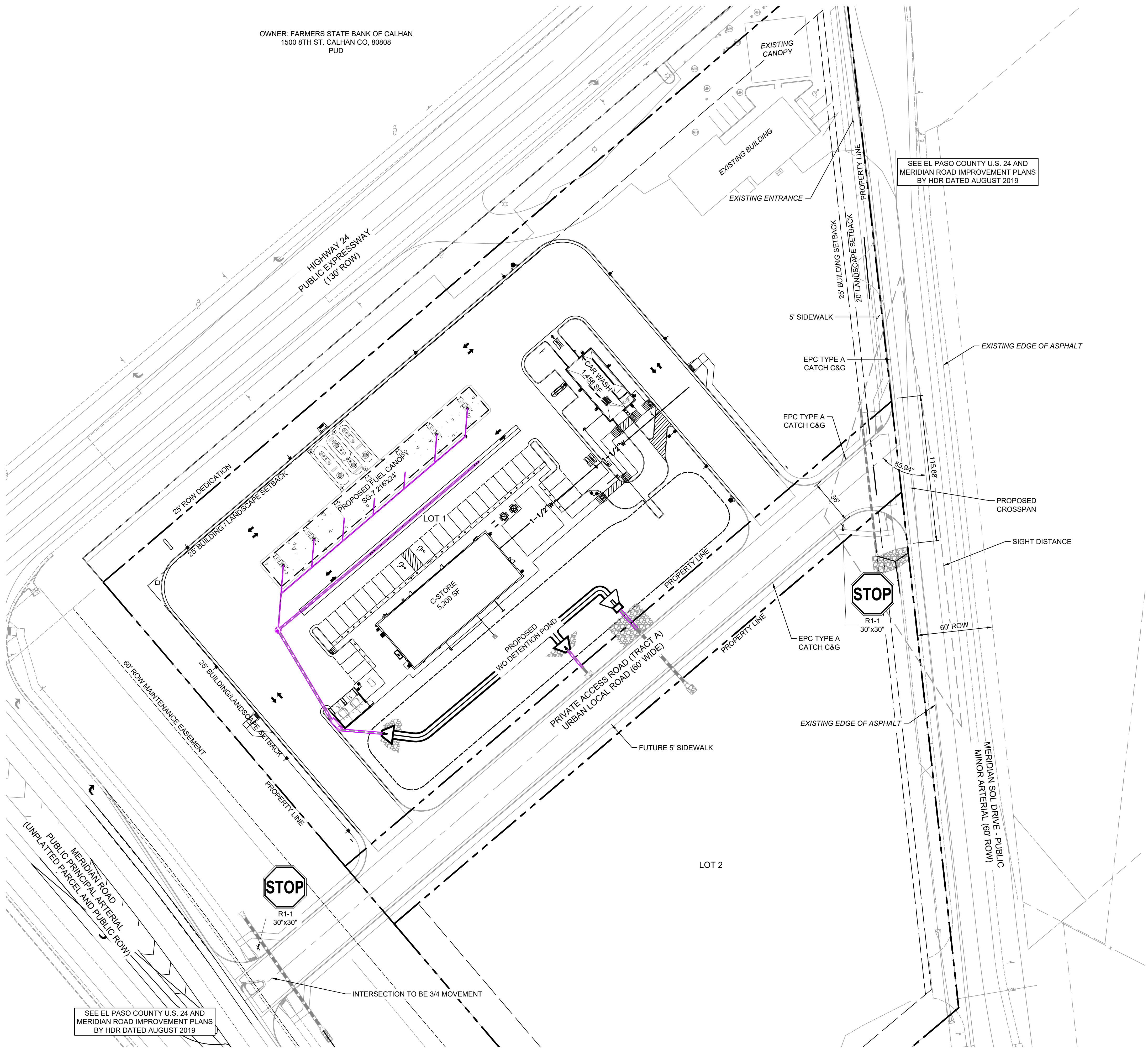
A Deviation Review Fee shall be paid in full at the time of submission of a request for deviation. The fee for Deviation Review shall be as determined by resolution of the BoCC.

OWNER: FARMERS STATE BANK OF CALHAN
 1500 8TH ST. CALHAN CO. 80808
 PUD

SITE LEGEND

- — — — — PROPERTY BOUNDARY LINE
- — — — — SETBACK LINE
- — — — — EASEMENT BOUNDARY LINE
- — — — — PROPOSED CONCRETE CURB & GUTTER
- - - - - SIGHT DISTANCE TRIANGLE

SEE EL PASO COUNTY U.S. 24 AND
 MERIDIAN ROAD IMPROVEMENT PLANS
 BY HDR DATED AUGUST 2019



SEE EL PASO COUNTY U.S. 24 AND
 MERIDIAN ROAD IMPROVEMENT PLANS
 BY HDR DATED AUGUST 2019

CIRCLE K AT HIGHWAY 24 & MERIDIAN
 INTERSECTION DEVIATION EXHIBIT
 MAY 2024

 Excellence by Design