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DEVIATION REQUEST AND DECISION FORM

Updated: 6/26/2019

PROJECT INFORMATION

Project Name :	Judge Orr Eastonville Commercial Center
Schedule No.(s) :	4232302003
Legal Description :	LOT 1177 WOODMEN HILLS FIL NO 10

APPLICANT INFORMATION

Company :	Phillip W Buford & Mary Jean Berg Buford Living Trust
Name :	Philip W. Buford and Mary Jean Berg Buford
	☒ Owner ☐ Consultant ☐ Contractor
Mailing Address :	PO Box 100 17229 Highway 96 Ordway, CO 81063
Phone Number :	719-469-4354
FAX Number :	N/A
Email Address :	phillipbuford@gmail.com

ENGINEER INFORMATION

Company :	LSC Transportation Consultants, Inc.		
Name :	Jeffrey C. Hodsdon	Colorado P.E. Number :	31684
Mailing Address :	2504 E. Pikes Peak Ave, Suite 304Suite 304 Colorado Springs, CO 80909		
Phone Number :	719-633-2868		
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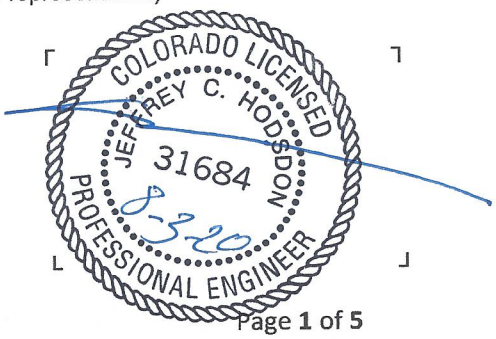
Email Address :	jeff@LSCtrans.com		

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



PCD File No. _____

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

A deviation from the standards of or in Sections **2.2.5.C and 2.3.2** of the Engineering Criteria Manual (ECM) is requested.

Identify the specific ECM standard which a deviation is requested:

2.2.5.C (Roadway Access Criteria – Urban Minor Arterial Access Standards),
2.3.2 (Design Standards by Function Classification)

Standard 2.2.5.C (Roadway Access Criteria –Urban Minor Arterial Access Standards) Spacing of roads accessing an Urban Minor Arterial that will result in a full movement intersection shall be planned at one-quarter mile. The quarter-mile standard is also reflected in the ECM Table 2-6 (Roadway Design Standards for Urban Expressways and Arterials).

State the reason for the requested deviation:

The proposed access spacing is less than one-quarter mile along both adjacent roads.

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 1/4-mile (1,320 feet)

- The centerline spacing of the proposed south site access (which is proposed a public street intersection) would be 1,259 feet east of the Judge Orr Road/Eastonville Road intersection (see Deviation Exhibit 1)
- The centerline spacing of the proposed south site access (which is proposed a public street intersection) would be 969 feet west of the proposed Meadowlake Ranch/Judge Orr Road intersection (see Deviation Exhibit 1)

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 property only has ability to access public road ROW directly on Judge Orr and Eastonville. No local or collector ROW is available/accessible.
- Two access points will be important for circulation and viability of the commercial.
- The length of frontage along Eastonville is less than ¼ mile.
- The frontage along Judge Orr is greater than ¼ mile. However, there is only 969 feet between Eastonville and the planned access for Meadowlake Ranch to the east. Therefore, there would be less than ¼ mile either to Eastonville to the west or Meadowlake Ranch to the east.
- Due to the existing linear distance between Eastonville Road and the (future) Meadowlake Ranch site access to the east, it is not possible to place an intersection on Judge Orr Road 1/4 mile from both aforementioned intersection locations. The intersection has been placed approximately halfway between the two while taking into consideration horizontal curve constraints on Judge Orr Road to the west of the proposed south site access. The proposed intersection could be designed to meet ECM sight-distance and grading requirements, while cooperating with adjacent development.
- This location is appropriate as, although short of the ECM 1,320-foot spacing criteria from Eastonville Road, this proposed south public street connection (name TBD) would maximize the distance possible from Eastonville Road and the proposed (future) Meadowlake Ranch site access to the east. Also, this access would align with the planned connection from Falcon Crossing (see attached copy of the previously-approved Falcon Crossing site layout).

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.

This deviation would allow for the proposed future south site access connection to be located a reasonable distance (close to the ¼ mile standard) east of Eastonville Road and west of the proposed (future) Meadowlake Ranch access along Judge Orr Road. Existing access locations have already been established along Judge Orr Road. Also, this spacing for the proposed Judge Orr Eastonville Commercial Center access would allow for/facilitate proper alignment with the future Falcon Crossing access (to be located across from this site on the south side of Judge Orr Road). This will be beneficial, as that property has very limited access options.

The deviation will not adversely affect safety or operations.

With a 40-mph posted speed limit on Judge Orr Road (design speed of 45 mph), the field-measured sight distances for both approaches from the proposed south site access location (name TBD) exceeds the required 500-foot requirement for passenger vehicles per ECM Table 2-21. The sight distance looking to the west from the proposed south site access exceeds 335 feet, while the sight distance looking to the east exceeds 335 feet. Both measurements meet ECM standards for sight distance.

- † Two access points to commercial will result in better traffic operations because multiple access points will provide motorists with options for ingress/egress.
- † Although just short of the ¼-mile intersection spacing requirement in each direction, there would be sufficient distance for intersection operations along this section of Judge Orr Road.
- † The available back-to-back left-turn lane lengths on Judge Orr at Eastonville Road (westbound) and at the proposed south site access (eastbound) would meet ECM criteria without overlapping.
- † This deviation from ECM design criteria will provide for better intersection operations by facilitating alignment with future access to two parcels to the south.

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.

Judge Orr Road has been identified as a roadway improvement project needed by the year 2040 per Map 13 and Table 4 of El Paso County's 2016 MTCP. As part of County project C14, Judge Orr Road would be improved from a 2-lane Rural Minor Arterial to a 4-lane Rural Minor Arterial. Access spacing for this site would not affect these aforementioned long-term improvements on Judge Orr Road.

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 other intersections in the area, avoid hidden intersections, and avoid disturbing wetlands and wildlife habitat.

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

The proposed south access location (name TBD), although short of the ECM 1,320-foot spacing criteria, would maximize the distance possible between Eastonville Road and the proposed (future) Meadowlake Ranch access on Judge Orr Road.

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.

<<LSC cannot verify – beyond our expertise>>> The requested deviation meets control measure requirements of Part I.E.3 and Part I.E.4 of the MS4 Permit. Grading and Erosion Control Plans and SWMP Report will provide protection of existing conditions and erosion control measures per standards.

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:

PCD File No. _____

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.

Deviation Request from ECM 2.2.5.C -- Roadway Access Criteria (Rural Minor Arterial)

Existing roadway

Proposed roadway (including future roadways by others)

Portion of roadway for which deviation is requested

xxx' Intersection centerline spacing

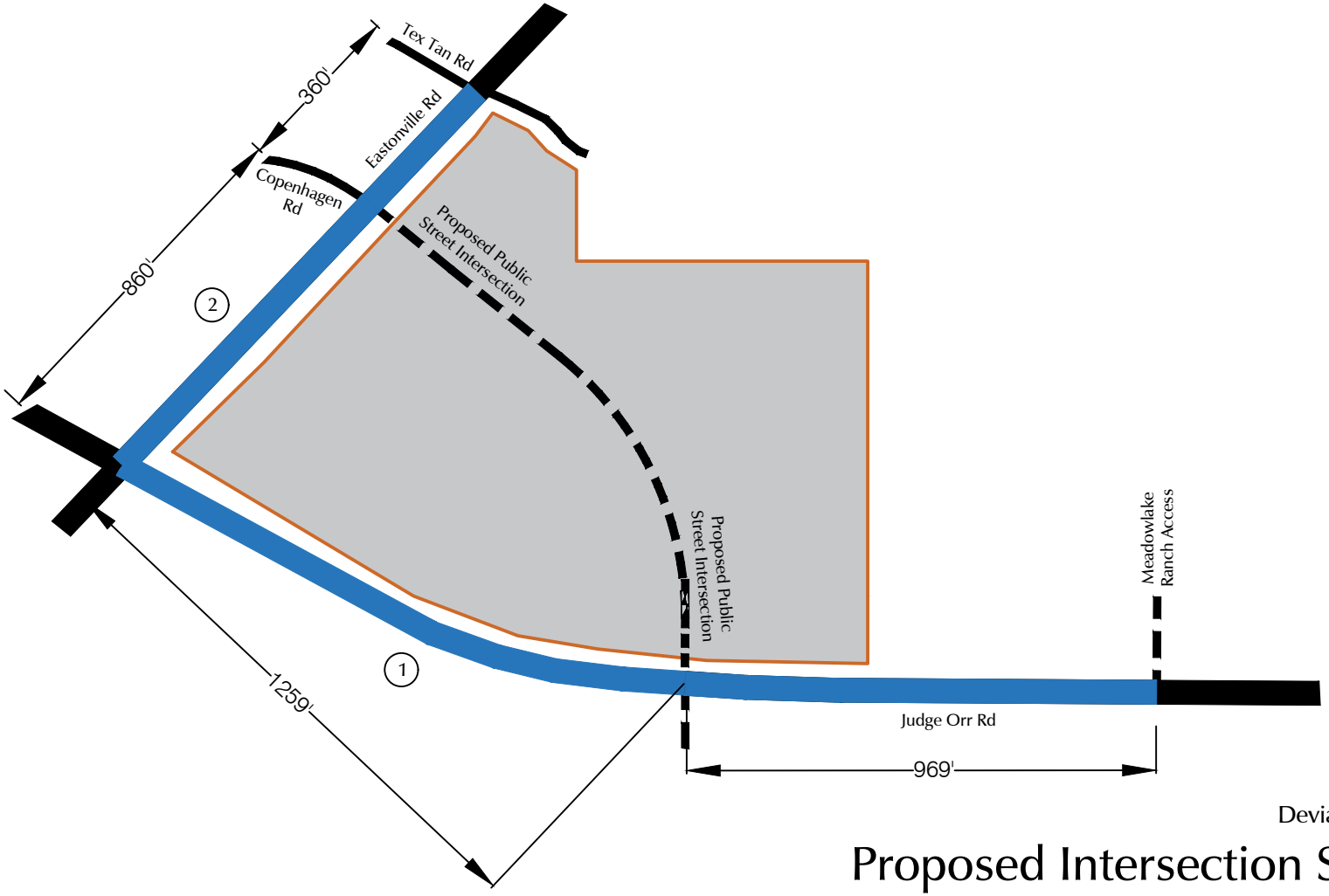
Site property boundary

(1) Sections of Judge Orr Rd for which deviation is requested

(2) Sections of Eastonville Rd for which deviation is requested

N

Not to Scale



Deviation Exhibit 1

Proposed Intersection Spacing

Judge Orr Eastonville Commercial Center (LSC #194730)

LSC TRANSPORTATION CONSULTANTS, INC.