



**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 :	FLYING HORSE NORTH (SF2326)
Schedule No.(s) :	6136000005, 6136004037, 6136003004, 6136000003
Legal Description :	THREE TRACTS OF LAND BEING A PORTION OF SECTION 36, TOWNSHIP 11 SOUTH, RANGE 66 WEST OF THE 6 <sup>TH</sup> PM

### APPLICANT INFORMATION

Company :	PRI #2, LLC.
Name :	DREW BALSICK
	<input checked="" type="checkbox"/> Owner <input type="checkbox"/> Consultant <input type="checkbox"/> Contractor
Mailing Address :	6835 CORPORATE DRIVE, STE. 200 COLORADO SPRINGS, COLORADO 80919
Phone Number :	719-592-9333
FAX Number :	-
Email Address :	DBALSICK@CLASSICHOMES.COM

### ENGINEER INFORMATION

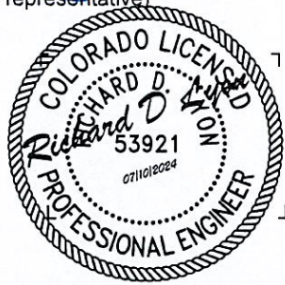
Company :	HR GREEN DEVELOPMENT, LLC.	Colorado P.E. Number :	53921
Name :	RICHARD LYON		
Mailing Address :	1975 RESEARCH PARKWAY, STE. 203 COLORADO SPRINGS, COLORADO 80920		
Phone Number :	719-318-0871		
FAX Number :	-		
Email Address :	RICHIE.LYON@HRGREEN.COM		

**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.

Richard D. King \_\_\_\_\_ 7-9-24 \_\_\_\_\_  
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 2.3.2 of the Engineering Criteria Manual (ECM) is requested.

Identify the specific ECM standard which a deviation is requested:

2.3.2 Design Standards by Function Classification, Table 2-7  
The TIS estimates an ADT for the future developed condition for parcels that access/utilize Allen Ranch Road in this filing requires an urban section. A Typical Urban Residential Local roadway follows Standard Detail 2-2 which is a 50' ROW with a 30' paved section, concrete curb and gutter, and attached 5' sidewalk. The proposed modified section in the Construction Drawings for Filing No. 3 between the existing termination point of Allen Ranch Road (beginning of Filing No. 3 boundary and Parcel Sch. No. 6136000003) is deemed appropriate by the TIS to meet traffic criteria. The section is a 60' ROW with a 30' pavement section, concrete curb and gutter, 7' tree-lawn, and 5' sidewalk with MVEA easement on both sides just outside of the ROW section.

State the reason for the requested deviation:

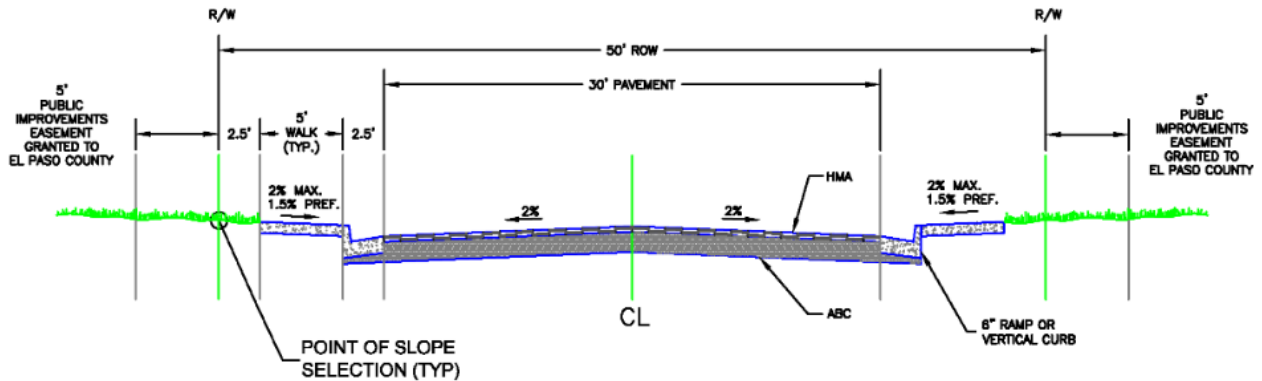
This modified urban residential local cross section is proposed as a section that achieves the roadway design intent to accommodate the estimated traffic ADT count in this particular stretch of roadway for the ultimate build out condition of Allen Ranch Road which, from this stretch of roadway, includes development of the Flats west of the roadway and full development of the 50 residential estate lots in Filing No. 3. North of this roadway section is required to be standard urban residential collector roadway should a future commercial development be developed – this is not proposed as a part of Filing No. 3.

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

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

The alternative is the standard typical section the County provides in the ECM Appendix F (Detail SD\_2-2) per Chapter 2.3 criteria. The proposed modified section has been approved in other such rural developments that have mixed use areas that require urban sections with ADT counts that do not necessarily require a full collector roadway section of 36' pavement width. This section keeps a consistent public ROW width as the roadway transitions from urban local to rural local within the filing.

DETAIL SD\_2-2:



**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 standard urban local roadway per table 2-7 is a 60’ right-of-way and a 50’ right-of-way is allowed if 5’ public improvement easements are provided.

There is a need to transition from the rural local (28’ pavement width) to an urban local (30’ pavement width) in the proposed stretch of roadway for the modified section, then to the anticipated urban collector roadway (36’-48’ pavement width) due to the future commercial development to the north near Old Stagecoach Road. The proposed modified section includes detached sidewalk to better align with the future detached sidewalk of a future collector cross section due north. The proposed modified section facilitates stormwater conveyance to proposed Pond A with stabilized drainageways (curb and gutter) and storm infrastructure for collection and conveyance directly into the detention facility. As the commercial development to the north at the existing Golf Club House is not currently defined with a Site Development Plan, planning for a rural to urban transition in this area will better align with the anticipated need for a commercial collector roadway that will accommodate any set of proposed commercial developments within the commercial area as opposed to assuming a small rural section that would require improvements and reconstruction in the future.

**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 deviation will achieve the intended result with a comparable design by meeting the roadway’s traffic criteria and keeping a consistent pavement transition width and ROW width. There will not be a sudden widening from a 50’ urban local ROW section to a 60’ rural local ROW section and the proposed section allows for ease of transition from concrete curb and gutter to ditch sections.

The deviation will not adversely affect safety or operations.

The deviation will not adversely affect safety or operations.

The deviation will not adversely affect safety or operations as it meets traffic criteria and provides the necessary infrastructure for vehicular access, pedestrian access, and stormwater drainage.

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

The deviation will not adversely affect maintenance and its associated cost as it is not a significantly different section design from the standard. Maintenance and cost will not differ in any significant way as the HOA/Metro District will be responsible for the tree-lawn areas.

The deviation will not adversely affect aesthetic appearance.

The deviation will not adversely affect aesthetic appearance most notably for the future condition of a commercial collector roadway being constructed due north, adjacent to the future commercial development area. The proposed modified section would have the appearance of a seamless transition between a future roadway improvement.

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

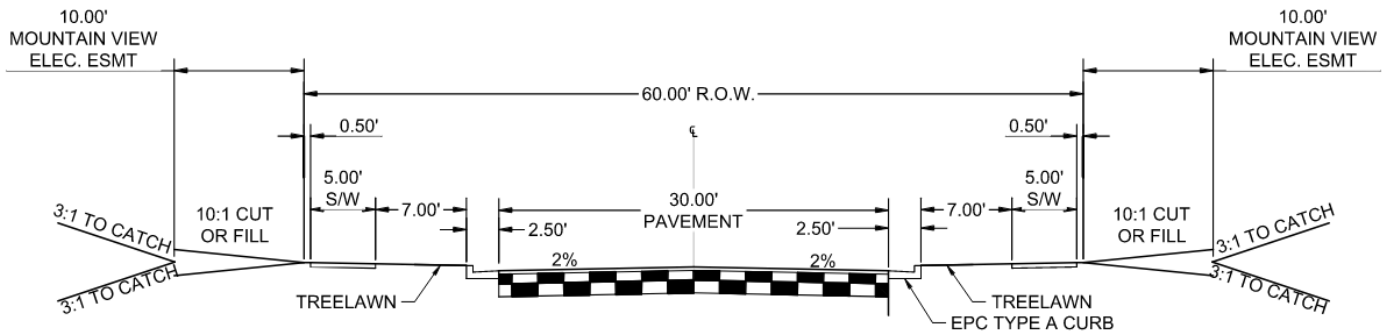
The deviation meets the design intent and purpose of the ECM standards by meeting traffic criteria, stormwater drainage criteria, and allows for vehicular and pedestrian use.

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 deviation will not be applicable regarding the County's MS4 permit. Stormwater drainage patterns and conveyance within this proposed modified roadway section is consistent with the standard section.

Water Quality and full spectrum detention ponds are provided for this filing to comply with the County's MS4.

The proposed modified section is shown below:



**TYPICAL MODIFIED URBAN RESIDENTIAL LOCAL  
CROSS SECTION**

DESIGN SPEED: 25 MPH | POSTED SPEED: 25 MPH  
SCALE: 1"=10'  
(ROADS USING THIS SECTION: A PORTION OF ALLEN RANCH ROAD)

**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.

Γ 7

L 7

**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.

Γ 7

L 7

**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.