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DEVIATION REQUEST AND DECISION FORM

Updated: 6/26/2019

PROJECT INFORMATION

Project Name : Carriage Meadows South at Lorson Ranch Filing No. 2
Schedule No.(s) : 5522105006
Legal Description : Tract O, Carriage Meadows South at Lorson Ranch Filing No. 1

APPLICANT INFORMATION

Company : Lorson, LLC
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☒ Owner ☐ Consultant ☐ Contractor
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ENGINEER INFORMATION

Company : Core Engineering Group
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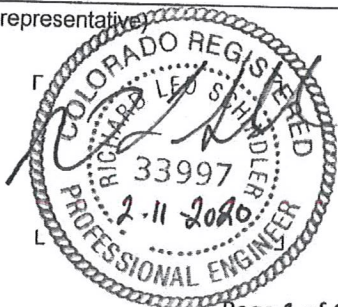
OWNER, APPLICANT, AND ENGINEER DECLARATION

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 2/11/20

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

Identify the specific ECM standard which a deviation is requested:

Section 2.2.5.E of the ECM states:

"Roads shall not intersect Urban Local roadways closer than 175 feet from each other (centerline to centerline)

State the reason for the requested deviation:

The applicant requests a deviation from Section 2.2.5.E of the ECM to allow for a shortened intersection spacing of private roads along the proposed public streets, Rubicon Drive and Firesteel Drive. The proposed spacing of Paluxy Trail/Tolt Trail (private) and Firesteel Drive(public) on Rubicon Drive (public) is approximately 75 feet from centerline to centerline.

The proposed spacing of Chagrin Trail (private) between Rubicon Drive/Carriage Meadows Drive (public) on Firesteel Drive (public) is approximately 90 feet from centerline to centerline.

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

Based on limited site access constraints from Carriage Meadows Drive (west), Fontaine Boulevard (north), and the FMIC ditch (east) the current site layout provides two points of access from public streets to the development. Paluxy Trail, Tolt Trail, and Chagrin Trail are all private roads that are designed to a modified cross section that function similar to driveways and alleys accessing public streets. The site was also designed to limit the number of lots using the modified private road connections to Lots 1-16. Lots 17-49 access the private extension of Rubicon Drive (Rubicon Trail, private section) which is designed to the County local urban cross section. The private road connections to the public streets are designed using a commercial driveway apron to function like a driveway/alleys which can be allowed to be closer together than 175 feet.

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 limited site access from Carriage Meadows Drive (west of this site) which is a collector street, Fontaine Boulevard (north) which is a arterial street, and no access across the FMIC ditch/Jimmy Camp Creek (east) limits use of this site. Lorson Ranch designed a site that using smaller lots which provides a more affordable housing product.

The alternate street spacing does not compromise public safety or accessibility. This design allows vehicles to safely back out of the garage onto a shared private driveway before accessing the public street. In addition, Rubicon Drive and Firesteel Drive do not have significant traffic volumes on them based on street layouts south of this site in Carriage Meadows South at Lorson Ranch Filing No. 1. Therefore the three private road access points can safely function at the reduced spacing.

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 proposed site layout allows Lots 1-16 to safely access the public streets. The three private roads function like driveways while allowing reduced spacing to safely access Rubicon Drive and Firesteel Drive.

The deviation will not adversely affect safety or operations.

The proposed site layout allows Lots 1-16 to safely back out the garages without crossing sidewalks or onto busy public streets which is a safer alternate than allowing direct access to a public street.

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

Paluxy Trail, Tolt Trail, and Chagrin Trail are all private roads and are maintained by the Lorson Ranch Metro District which will not affect the county's maintenance costs.

The deviation will not adversely affect aesthetic appearance.

Reducing the number of driveways accessing public streets will enhance the streetscape and allows for larger areas of landscaping.

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

The intent of the ECM was to provide adequate spacing of streets between intersections to allow for safe turning movements and safe operation of the intersection. This reduced intersection spacing deviation provides safe access to 16 lots while maintaining the maximum intersection spacing allowed by the site constraints.

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 site design does not change the county's 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.

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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:

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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.