



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

Updated: 9/6/2023

PROJECT INFORMATION

Project Name : Falcon Meadows at Bent Grass Filing No. 4
 Schedule No.(s) : 5301201061, 5301201062, 5301201063, 5301301054
 Legal Description : Falcon Meadows at Bent Grass Filing No. 4

APPLICANT INFORMATION

Company : Challenger Communities, LLC
 Name : Jim Buyers
 Owner Consultant Contractor
 Mailing Address : 13570 Northgate Estates Dr.
 Colorado Springs, CO, 80921

 Phone Number : 719-598-5190
 FAX Number : N/A
 Email Address : Jim@ChallengerHomes.com

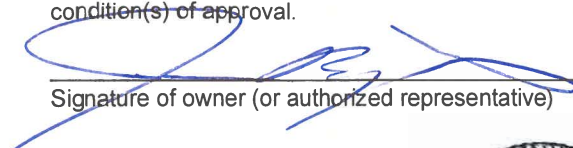
ENGINEER INFORMATION

Company : Galloway & Company, Inc.
 Name : Brady Shyrock Colorado P.E. Number : 0038164
 Mailing Address : 1155 Kelly Johnson Blvd., Suite 305
 Colorado Springs, CO, 80920

 Phone Number : 719-900-7220
 FAX Number : N/A
 Email Address : BradyShyrock@Gallowayus.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)

9/27/23
 Date

Engineer's Seal, Signature
 And Date of Signature



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

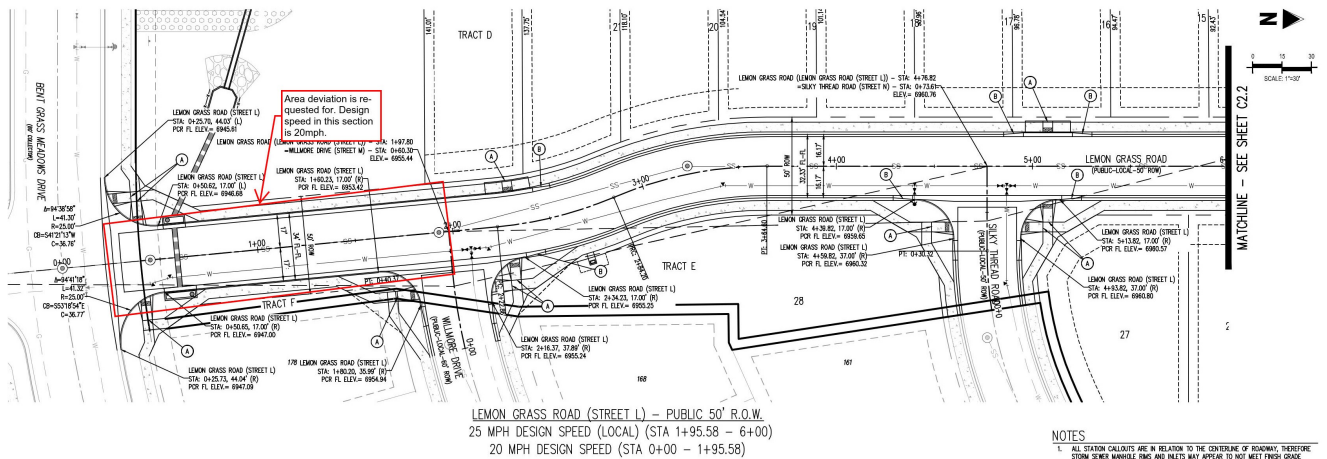
A deviation from the standards of or in Section **2.3.2, Table 2-7** of the Engineering Criteria Manual (ECM) is requested.

Identify the specific ECM standard which a deviation is requested:

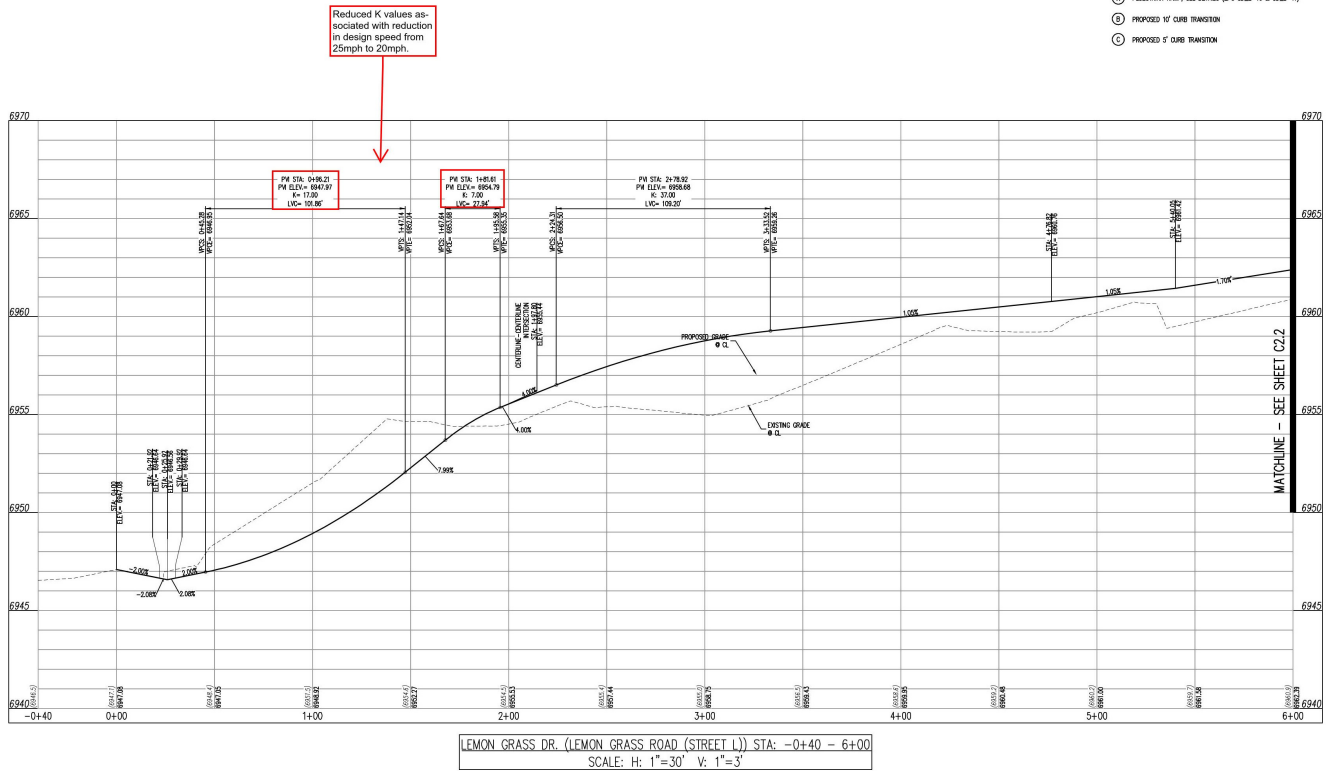
The specific ECM standard in which this deviation is being requested is ECM Section 2.3.2, Table 2-7, Design Speed / Posted Speed for a local road due to vertical curve constraints.

State the reason for the requested deviation:

We are requesting a deviation to the ECM Section 2.3.2, Table 2-7, Design Speed/Posted Speed for a local road due to not being able to meet the K values at the typical 25 mph speed limit. We are proposing a reduced speed of 20 mph in this section of Lemon Grass Dr. to meet the reduced K values of 7 for the crest curve and 17 for the sag curve. Furthermore, this deviation is required due to the three roads (Silty Thread Rd., Willmore Dr., and Bent Grass Meadows Dr.) connecting to Lemon Grass Dr. already being constructed with homes currently in place on the lots. Due to the roads already being fully constructed with homes in place, it is not feasible to alter the design elevation of these roads to meet the K values associated with the typical 25 mph speed limit for Lemon Grass Dr. Therefore we are requesting to deviate to a 20 mph speed limit in this section of Lemon Grass Dr. A plan and profile for Lemon Grass Dr. has been provided below to highlight the area in which the deviation is requested.



- NOTES**
1. ALL STATION CALLOUTS ARE IN RELATION TO THE CENTERLINE OF HIGHWAY, THEREFORE STORM SEWER MANHOLE RIMS AND INLETS MAY APPEAR TO NOT MEET FINISH GRADE
 2. STORM SEWER INLET FROM THE ELEVATION CALLOUTS TO NOT ACCOUNT FOR FLOWLINE DEPRESSION AT STORM SEWER INLET
 3. ALL SPOT ELEVATIONS ARE TO FINISH UNLESS OTHERWISE NOTED
 4. SEE GRADING PLAN FOR ALL GRADING INFORMATION
 5. ALL STORM SEWERS SHALL BE CLASS II RCP
 6. ALL STORM SEWER MANHOLES SHALL BE TYPE 1 UNLESS OTHERWISE NOTED
 7. ALL CROSS-PAGES SHALL CONFORM TO IL STATE COUNTY TITIAL SPEC-20
- (A) PEDESTRIAN RAMP, SEE DETAILS (SPC 50.2-40 & 50.2-41)
 - (B) PROPOSED 12" CURB TRANSITION
 - (C) PROPOSED 5" CURB TRANSITION



LEMON GRASS DR. (LEMON GRASS ROAD (STREET L)) STA: -0+40 - 6+40
SCALE: H: 1"=30' V: 1"=3'

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

Galloway is proposing to provide roadway vertical design based on 20 mph K values as approved by Jeff Rice with El Paso County in an email dated 09/01/2023. This deviation request is per ECM Section 2.3.2, Table 2-7, Design Speed / Posted Speed for a Local Road due to vertical curve constraints. Vertical adjustments to Lemon Grass Rd. cannot be made as Silky Thread Rd. and Willmore Dr. have already been constructed and infrastructure presently provides services to existing homes.

The proposed alternative is to design the road to meet the required K values associated with a 20 mph speed limit which are 7 for a crest vertical curve, and 17 for a sag vertical curve. This will cause a reduction in the ECM speed limit criteria for a local road, which is 25 mph and a reduction in the associated K values of 12 for a crest vertical curve (per ECM Section 2.3.2, Table 2-12) and a K value of 26 for a sag vertical curve (per ECM Section 2.3.2, Table 2-14).

Compared to the ECM typical criteria for a local road, we are reducing the speed limit by 5mph, and reducing the K value in our crest vertical curve by 5 and 9 in the sag vertical curve.

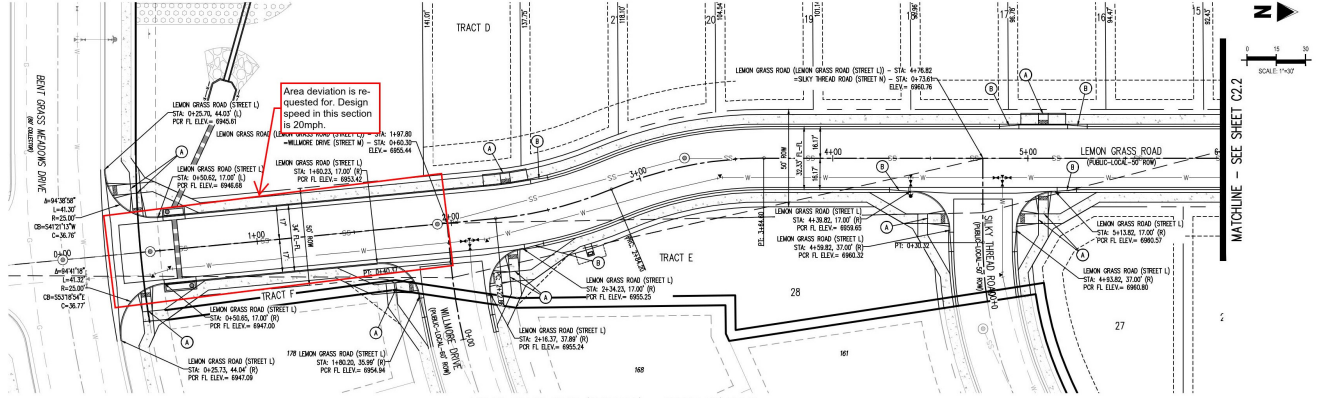
LIMITS OF CONSIDERATION

(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.

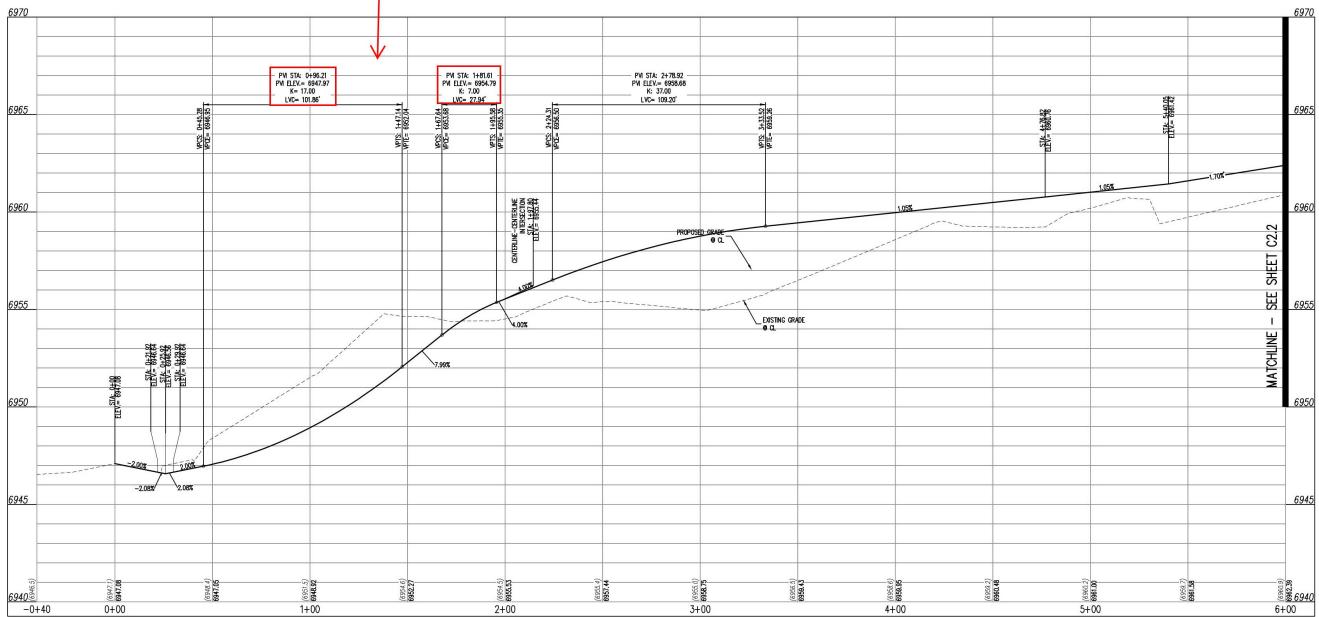
Provide justification:

Due to the existing roads that Lemon Grass Rd. is tying into (Bent Grass Meadows Dr., Willmore Dr., and Silky Thread Rd.), we cannot meet the K values required by the ECM for a design speed of 25 mph due to horizontal and vertical constraints, while maintaining compliance to ADA standards. Attached below is a plan and profile view of the area in which we are constrained and requesting deviation to a reduced speed limit of 20 mph and associated K values. Per Jeff Rice with El Paso County email dated 09/01/2023, the reduced speed limit (20 mph) and K values (7 and 17) would be an appropriate alternative to meet design intent and requirements for vertical curves in this road section.



- NOTES**
1. ALL STATION CALCULATIONS ARE IN RELATION TO THE CENTERLINE OF ROADWAY. THEREFORE STORM SEWER MANHOLE SPACING AND SIZES MAY VARY TO NOT MEET FINISH GRADE.
 2. STORM SEWER INLET FLOW LINE ELEVATION CALCULATIONS TO NOT ACCOUNT FOR FLOW LINE DEPRESSION AT STORM SEWER INLET.
 3. ALL SPOT ELEVATIONS ARE TO FLOW LINE UNLESS OTHERWISE NOTED.
 4. SEE GRADING PLAN FOR ALL GRADING INFORMATION.
 5. ALL STORM SEWER SHALL BE CLASS III RCP.
 6. ALL STORM SEWER MANHOLES SHALL BE TYPE 1 UNLESS OTHERWISE NOTED.
 7. ALL CROSS FANS SHALL CONFORM TO EL PASO COUNTY DETAIL 502-26.
- (A) PEDESTRIAN RAMP, SEE DETAILS (EPC 502.2-40 & 502.2-41)
 - (B) PROPOSED 10' CURB TRANSITION
 - (C) PROPOSED 5' CURB TRANSITION

Reduced K values associated with reduction in design speed from 25mph to 20mph.



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 required K values for 20mph deviation per Jeff Rice with El Paso County email dated 09/01/2023, as well as being in a stop condition at the intersection of Bent Grass Meadows Dr. and Lemon Grass Rd., the design intent of building a road (Lemon Grass Rd.) to connect to Silky Thread Rd., Willmore Dr., and Bent Grass Meadows Dr., while also meeting appropriate K values for the required vertical curves (due to vertical constraints of existing roads), and ADA requirements.

The deviation will not adversely affect safety or operations.

The deviation request for a reduction in design speed for this section of Lemon Grass Rd. will have no adverse effects on safety or operations. Furthermore, the reduction in speed is in a section of the road that is approaching a stop condition at the intersection of Bent Grass Meadows Dr. and Lemon Grass Rd., and vehicles will already be reducing speed as they approach this intersection.

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

The deviation request to reduce the speed in this section of Lemon Grass Rd. by 5 mph will have no adverse effects on maintenance or associated costs of maintenance of this road. If anything, a reduction in speed limit in this area will make any future maintenance if required, safer to attempt.

The deviation will not adversely affect aesthetic appearance.

There are no aesthetic effects of requesting to reduce the speed limit in this section of road. The allowable K values for the required vertical curves and associated roadway design will not be a significant enough deviation from the ECM design requirements to have any visual or aesthetic effects.

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

The deviation to reduce the speed limit in this section of Lemon Grass Rd. by 5 mph still meets the design intent of constructing a road (Lemon Grass Rd.) to connect to Silky Thread Rd., Willmore Dr., and Bent Grass Meadows Dr., while also meeting appropriate K values for the required vertical curves (due to vertical constraints of existing roads), and ADA requirements.

The purpose of the ECM standards to provide guidance with respect to designing developments in conformance with standards that are necessary to protect and promote public health, safety, and the general welfare of the public and ensure that public infrastructure meets accepted engineering standards has been achieved because this deviation request is meeting the associated and approved K values required for vertical curves at a speed limit of 20 mph. Furthermore, this deviation allows for a connecting road (Lemon Grass Rd.) to be constructed in compliance with ADA standards while being vertically constrained by the existing roads in place.

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 project will meet water quality and MS4 permit requirements regardless of the design speed within this section of 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 2.3.4 – 2.3.4 of the ECM is hereby granted based on the justification provided.

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Approved

By: **Gilbert LaForce, P.E.**
Engineering Manager

Date: **10/30/2023 5:32:59 PM**

El Paso County Department of Public Works

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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 2.3.4 – 2.3.4 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.