

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

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

DEVIATION No. 4 – Modified Non-Residential Collector Street Segment (1/4/2020): A deviation from the standards of or in Sections **2.2.4.B.4 and Figure 2-14** of the Engineering Criteria Manual (ECM) is requested. The request is for a modified ROW and cross section for the proposed street extending south from the proposed roundabout. The deviation request is for a narrower right of way and modified/narrower street width with sidewalk only on the west side of the street. This street will provide access to the commercial lot on the south part of the site. It will also connect to a proposed east/west local street connection to the west.

This deviation is one of four submitted with this application. Deviation Exhibit A (attached) graphically summarizes all four deviation requests, including this one. Please refer to the attached Deviation Exhibit G which graphically show this Deviation request No. 4.

Identify the specific ECM standard which a deviation is requested:

2.2.4.B.4 Roadway Functional Classifications and Urban/Rural Designations – Urban Roadways - Non-Residential Collector and Figure 2-14.

The deviation is requested for the following cross section elements:

- **48' of pavement**
- **80' Right of way**
- Sidewalk on both sides of the street
- 12' center striped turn lane.

State the reason for the requested deviation:

The deviation request is for a narrower right of way and modified/narrower street width with sidewalk only on the west side of the street. The primary reason for this request is related to the location of the proposed roundabout and the roundabout geometry on the south leg of the roundabout.

The secondary reason is that the full-width Non-residential Collector would be unnecessary with commercial development only on the west side of this street. The ECM does not include a "commercial local" type street classification and standard, so past experience with commercial developments within the County has been that streets providing access to commercial development are classified as Non-Residential Collectors. The street is positioned along the east property line such that the right-of-way and street cross section could be expanded to the full-standard Non-Residential Collector if the properties to the west happen to redevelop with commercial land uses.

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

The deviation is requested for the following modifications to the standard Non-Residential Collector cross section elements:

- **36' of pavement instead of 48' of pavement**
- **60' Right of way instead of 80' of right of way**
- Sidewalk on only the west side of the street instead of both sides of the street
- No 12' center striped left-turn lane instead of the standard 12' center striped left-turn lane

Please refer to the attached Deviation Exhibit G which graphically shows these elements of the deviation request.

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 primary reason for this request is related to the location of the proposed roundabout and the roundabout geometry on the south leg of the roundabout. If a full-width Non-Residential Collector street were required along the east property line, the centerline of this street would shift west. As a result, the geometrics of the connection to the south leg of the proposed roundabout would not meet fastest path criteria. With the roadway centerline on the alignment shown on the plans, the connection to the roundabout, the south leg approach and departure legs can meet standards of operational performance.

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.

With the roadway centerline on the alignment shown on the plans and resulting cross section west of the property line, the connection to the roundabout, the south leg approach and departure legs can meet standards of operational performance. As a result, the proposed spacing of roundabout from US Highway 24 can be maximized and the main entry street can remain on a straight alignment as it extends southeast from the Woodmen Road/US Highway 24 intersection.

The full-width Non-residential Collector would be unnecessary with commercial development only on the west side of this street. The ECM does not include a "commercial local" type street classification and standard, so past experience with commercial developments within the County has been that streets providing access to commercial development are classified as Non-Residential Collectors.

The deviation will achieve the intended result with a comparable or superior design and quality of improvement.

The street is positioned along the east property line such that the right-of-way and street cross section could be expanded to the full-standard Non-Residential Collector if the properties to the west happen to redevelop with commercial land uses.

The sidewalk would not be needed on the east side of the street. Pedestrians crossing at the roundabout would be directed to cross the south leg of the roundabout to the sidewalk on the west side of the street.

The center turn lane would not be necessary as 1) there would be no access on the east side of the street requiring a southbound left-turn capability and 2) very little traffic, if any, would arrive from the south (assuming the future street is connected at the southwest corner), requiring a northbound left-turn capability in a center turn lane. The vast majority, if not all the arriving traffic, would enter the commercial lot development by making a southbound right turn off this street into the development.

The street would match the County standard Urban (residential) Collector cross section (36') and right-of way (60').

The deviation will not adversely affect safety or operations.

This is a relatively short section of street that would function more like a local street.

Pedestrian safety would not be affected as sidewalk would not be needed on the east side of the street. Pedestrians crossing at the roundabout would be directed to cross the south leg of the roundabout to the sidewalk on the west side of the street.

The center turn lane would not be necessary as 1) there would be no access on the east side of the street requiring a southbound left turn capability and 2) very little traffic, if any, would arrive from the south (assuming the future street is connected at the southwest corner), requiring a northbound left-turn capability in a center turn lane. The vast majority, if not all the arriving traffic, would enter the commercial lot development by making a southbound right turn off this street into the development. Also, through traffic would be minimal and only present with a connection to the southwest.

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

The deviation would result in lower maintenance cost with a narrower cross section.

The deviation will not adversely affect aesthetic appearance.

The aesthetics would be improved with less asphalt width.

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

The deviation meets the intent by providing a street cross section consistent with the anticipated function and traffic volumes. The street is expandable to the full cross section if commercial development were to occur on the property to the east.

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 requested deviation meets control measure requirements of Part I.E.3 and Part I.E.4 of the 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:

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.

Exhibits



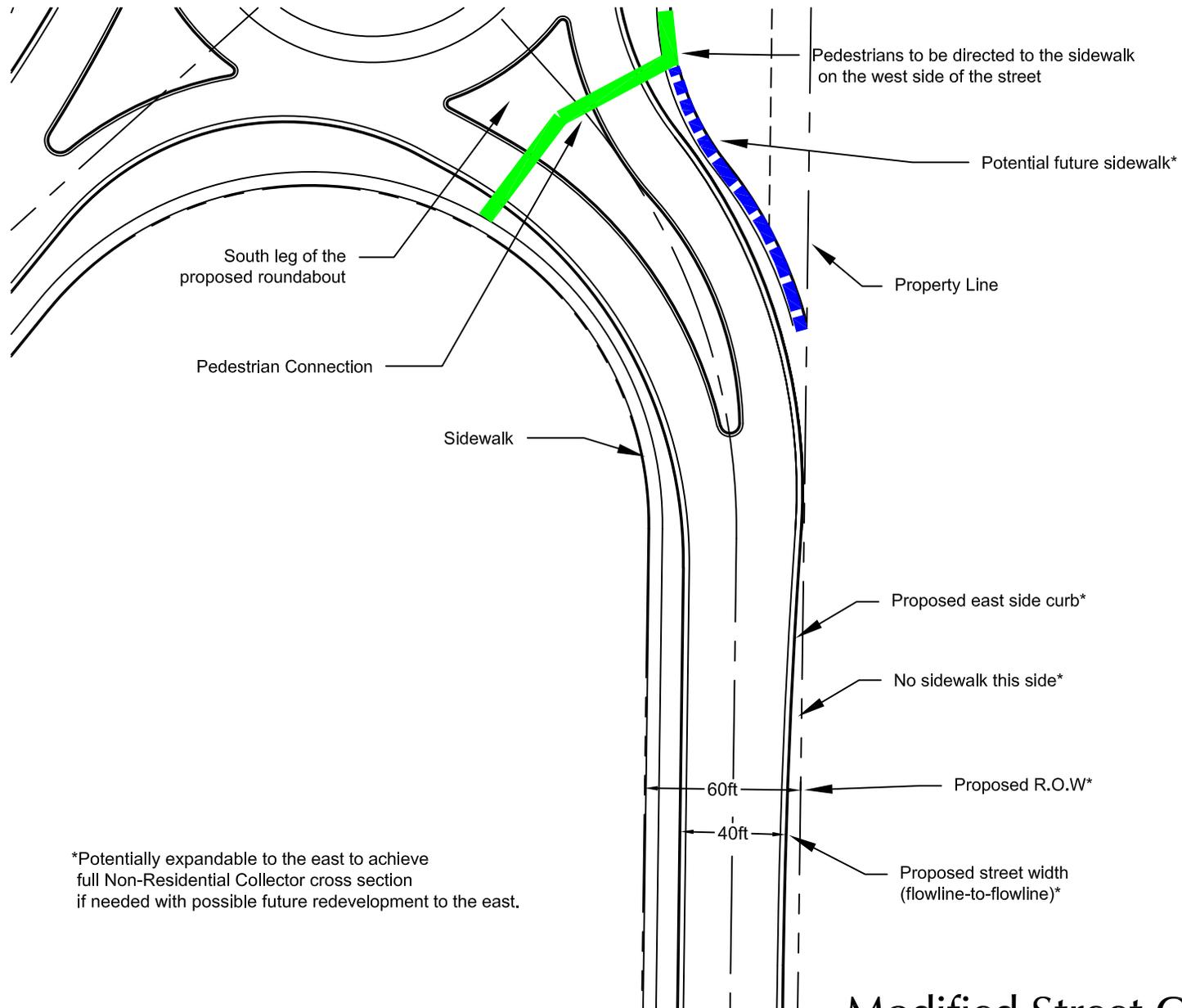


Not to scale

- Deviation No. 1 – Intersection Spacing
- Deviation No. 2 – Access to a collector
- Deviation No. 3 – Turn Lane Lengths
- - - Deviation No. 4 – Modified Cross Section

Deviation Exhibit A
Deviation Requests
 Falcon Field (LSC# 204120)





*Potentially expandable to the east to achieve full Non-Residential Collector cross section if needed with possible future redevelopment to the east.

Modified Street Cross Section

Deviation Exhibit G

Falcon Field (LSC# 204120)

