



**Planning and Community  
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# DEVIATION REQUEST AND DECISION FORM

Updated: 6/26/2019

## PROJECT INFORMATION

|                     |                                |
|---------------------|--------------------------------|
| Project Name :      | Copper Chase at Sterling ranch |
| Schedule No.(s) :   | TBD                            |
| Legal Description : | TBD                            |

## APPLICANT INFORMATION

|                   |  |            |
|-------------------|--|------------|
| Company :         | Challenger Homes   |            |
| Name :            | Jim Byers  |            |
|                   | <input checked="" type="checkbox"/>                        | Owner      |
|                   | <input type="checkbox"/>                                   | Consultant |
|                   | <input type="checkbox"/>                                   | Contractor |
| Mailing Address : | 8605 Explorer Drive, Suite 250, Colorado Springs, CO 80920 |            |
| Phone Number :    | 719-602-5192   |            |
| FAX Number :      | N/A  |            |
| Email Address :   | jim@mychallengerhomes.com                                  |            |

## ENGINEER INFORMATION

|                   |   |                        |       |
|-------------------|---|------------------------|-------|
| Company :         | M&S Civil Consultants, Inc.             | Colorado P.E. Number : | 37160 |
| Name :            | Virgil A. Sanchez                       |                        |       |
| Mailing Address : | PO Box 1360, Colorado Springs, CO 80901 |                        |       |
| Phone Number :    | 719-491-0818                            |                        |       |
| FAX Number :      | None                                    |                        |       |
| Email Address :   | virgils@mscivil.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

**REVISED**

**PUDSP-22-002**

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

A deviation from the standards of **Table 2-7. Roadway Design Standards for Urban Collectors and Locals-** of the Engineering Criteria Manual (ECM) is requested.

Identify the specific ECM standard which a deviation is requested:

A deviation from the minimum centerline radius (200') and minimum intersection spacing standards (175') for urban local roadways is requested. A summary of the standards in this table is provided below.

**Table 2-7. Roadway Design Standards for Urban Collectors and Locals**

| Criteria                                | Collectors        |                   | Local            |                                    |
|---|-------------------|-------------------|------------------|------------------------------------|
|   | Non-Residential   | Residential       | Local            | Local <sup>4</sup><br>(low volume) |
| Design Speed/Posted Speed (MPH)         | 40/35             | 40/35             | 25/25            | 20/20                              |
| Clear Zone                              | 14'               | 14'               | 12'              | 7'                                 |
| Minimum Centerline Curve Radius         | 565'              | 565'              | 200'             | 100'                               |
| Number of Through Lanes                 | 2                 | 2                 | 2                | 2                                  |
| Lane Width                              | 12'               | 12'               | 12'              | 12'                                |
| Right-of-Way                            | 80'               | 60'               | 60' <sup>3</sup> | 60' <sup>3</sup>                   |
| Paved Width (Excluding Gutter Pan)      | 48'               | 36'               | 30'              | 24'                                |
| Median Width (Including Curb & Gutter)  | 12'               | n/a               | n/a              | n/a                                |
| Shoulder Width (Ext., Excluding Gutter) | 6'                | 6'                | n/a              | n/a                                |
| Shoulder Width (Int., Excluding Gutter) | n/a               | n/a               | n/a              | n/a                                |
| Required Curb/ Gutter Type (Vertical)   | 6"                | 6"                | 6" (or ramp)     | 6" (or ramp)                       |
| Sidewalk Width (@ FL)                   | 5' detached       | 5' detached       | 5' attached      | 5' attached                        |
| Design ADT                              | 20,000            | 10,000            | 3,000            | 300                                |
| Design Vehicle                          | WB-50             | WB-50             | WB-50            | SU-30                              |
| Bi-lane Permitted                       | No                | Yes               | No               | No                                 |
| Access Permitted                        | No <sup>5</sup>   | No <sup>5</sup>   | Yes              | Yes                                |
| Access Spacing                          | See Table 2-35    | See Table 2-35    | Frontage         | Frontage                           |
| Intersection Spacing                    | 660' <sup>2</sup> | 660' <sup>2</sup> | 175'             | 150'                               |

State the reason for the requested deviation:

The deviation is being requested in order to create a more efficient development in terms of land devoted to transportation facilities and to maximize land for single family land uses on an irregularly shaped infill development parcel.

Provide exhibit showing and labeling all radius's which do not meet the 175' radius and labeling the intersection spacings.

**EXHIBIT  
PROVIDED AS  
ATTACHMENT**

Make note that one centerline radius on Blue Feather (intersection with Bynum) is only 100'

**ADDED**

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

The proposed transportation facility layout includes the following deviation(s) from standard ECM Standards pertaining to an urban local roadway cross section. Requesting;

- 125' minimum centerline radius whereas typical cross section is 200' minimum centerline radius.
- 134' minimum intersection spacing whereas typical cross section intersection spacing is 175' when intersecting collector roadways.

From distances shown on PUD plan, distances between intersections appears to be closer than this.

**REVISED**

local is 175', collector is 660' (330' when intersecting with local)

**NOTED AND CORRECTED**

**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:

Justification for the requested deviations include:

- More efficient use of land for infill development
- Facilitate a single-family lot configuration that efficiently responds to utility, vehicle and pedestrian transportation, and drainage demands
- To minimize vehicle dominance of the street realm and streetscape in order to promote pedestrian dominance and orientation with the site plan design and development phase

**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 improvements and proposed cross section will achieve a comparable level of performance as the standard cross section with respect to the following:

- Traffic volume capacity
- Utility placement
- Stormwater conveyance
- Pedestrian access and circulation
- Fire district has reviewed and approved the access and circulation based on their criteria.

Explain how a comparable level of performance is achieved in each of the stated categories.

**ELABORATED**

The deviation will not adversely affect safety or operations.

The deviation will not adversely affect safety or roadway operations. The Black Forest Fire Rescue Protection District has reviewed and approved the access and circulation provided on the preliminary plan based on their criteria and do not object to the configurations and improvements as shown on the preliminary plan. The Traffic Study is in support of the current layout.

Attach a copy of the approval letter of the access and circulation from Black Forest Fire at the end of this document.

**PROVIDED**

Include discussion on how this impacts road clearing/snow plowing, sight & stopping distances due to smaller curves & closer intersections and if there are any implications to pedestrian safety.

**ELABORATED**

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

Deviation will not affect maintenance and its associated cost. Access will be maintained by El Paso County since the roadway is located within Right Of Way.

Add further explanation on maintenance affects. Can maintenance vehicles navigate these smaller radius's?

**ELABORATED**

The deviation will not adversely affect aesthetic appearance.

Deviation will not affect aesthetic appearance of the impacted roadway section.

Roadway and Entry Feature landscaping will be provided to enhance the streetscape of the impacted roadway section.

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

The deviation meets the intent by providing a street cross section and other design features that are consistent with the anticipated function and traffic volumes as described in the TIS.

Explain how it meets the overall design intent and purpose of street design.

**ELABORATED**

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.

Add statement that WQ is being provided.

**REVISED**

**REVIEW AND RECOMMENDATION:**

**Approved by the ECM Administrator**

This request has been determined to have met the criteria for approval. A deviation from **Chapter 2, and Appendix F, SD 4-4** 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 **Chapter 2, and Appendix F, SD 4-4** 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.

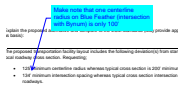
# PUDSP22002-R1-Deviation Request\_v1.pdf Markup Summary

CDurham (11)

**PUDSP-22-002**  
No. \_\_SP-XX-XXX\_\_

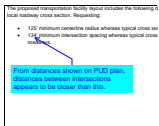
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PUDSP-22-002



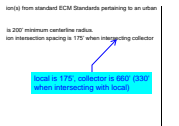
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**Page Label:** 3  
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**Date:** 4/25/2022 2:09:59 PM  
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Make note that one centerline radius on Blue Feather (intersection with Bynum) is only 100'



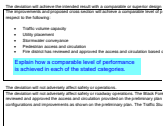
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From distances shown on PUD plan, distances between intersections appears to be closer than this.



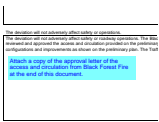
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local is 175', collector is 660' (330' when intersecting with local)



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**Page Label:** 4  
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Explain how a comparable level of performance is achieved in each of the stated categories.



**Subject:** Text Box  
**Page Label:** 4  
**Author:** CDurham  
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Attach a copy of the approval letter of the access and circulation from Black Forest Fire at the end of this document.



The deviation meets the control measure of the requested deviation. The requested deviation meets control measure of the requested deviation. Add further explanation on maintenance affects. Can maintenance vehicles navigate these smaller radius's?

**Subject:** Text Box  
**Page Label:** 5  
**Author:** CDurham  
**Date:** 4/25/2022 2:33:59 PM  
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Add further explanation on maintenance affects. Can maintenance vehicles navigate these smaller radius's?

The deviation meets the control measure of the requested deviation. The requested deviation meets control measure of the requested deviation. Add statement that WQ is being provided.

**Subject:** Text Box  
**Page Label:** 5  
**Author:** CDurham  
**Date:** 4/25/2022 2:35:03 PM  
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Add statement that WQ is being provided.

The deviation meets the control measure of the requested deviation. The requested deviation meets control measure of the requested deviation. Include discussion on how this impacts road clearing/snow plowing, sight & stopping distances due to smaller curves & closer intersections and if there are any implications to pedestrian safety.

**Subject:** Text Box  
**Page Label:** 4  
**Author:** CDurham  
**Date:** 4/25/2022 2:41:10 PM  
**Status:**  
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Include discussion on how this impacts road clearing/snow plowing, sight & stopping distances due to smaller curves & closer intersections and if there are any implications to pedestrian safety.

The deviation meets the design intent and purpose of the D20 street. The requested deviation meets the design intent and purpose of street design. Explain how it meets the overall design intent and purpose of street design.

**Subject:** Text Box  
**Page Label:** 5  
**Author:** CDurham  
**Date:** 4/25/2022 5:41:33 PM  
**Status:**  
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Explain how it meets the overall design intent and purpose of street design.

The deviation meets the design intent and purpose of the D20 street. The requested deviation meets the design intent and purpose of street design. Provide exhibit showing and labeling all radius's which do not meet the 175' radius and labeling the intersection spacings.

**Subject:** Text Box  
**Page Label:** 2  
**Author:** CDurham  
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**Status:**  
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Provide exhibit showing and labeling all radius's which do not meet the 175' radius and labeling the intersection spacings.