



**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

Please update to use the deviation request associated with PUD. Copy of form has been uploaded in EDARP.

PROJECT INFORMATION

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

APPLICANT INFORMATION

Company : Challenger Homes
 Name : Jim Byers
 Owner Consultant 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.
 Name : Virgil A. Sanchez Colorado P.E. Number : 37160
 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

_____ Γ ┐
 Engineer’s Seal, Signature
 And Date of Signature

L ┘

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'), Right of Way (60'), pavement width (24'), landscape area (5.5'), and minimum intersection spacing standards (175') for urban local roadways is requested. A summary of the standards in this table is provided below. The proposed roadways will be private.

This seems like it would be more of a design speed deviation, with a requirement that private roads be posted at 20 mph or less.

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

Criteria	Collectors		Local	
	Non-Residential	Residential	Local	Local ⁴ (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' ³	60' ³
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
Blive Lanes Permitted	No	Yes	No	No
Access Permitted	No ⁵	No ⁵	Yes	Yes
Access Spacing	See Table 2-35	See Table 2-35	Frontage	Frontage
Intersection Spacing	660' ²	660' ²	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. An exhibit is provided as an attachment depicting the affected areas.

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;

- 100' minimum intersection spacing at one location (Blue Feather Point & Bynum Drive), others below minimum are 127.5' and 165', whereas typical cross section intersection spacing is 175' when intersecting local roadways.
- 100' minimum centerline radius whereas typical cross section is 200' minimum centerline radius.
- 60' access easement for proposed, private roadways, whereas typical cross section is within 60' public Right of Way.
- 30' pavement, whereas typical cross section has 24' pavement
- 2.5' landscape area, whereas typical cross section has 5.5'

An exhibit is attached that depicts site centerline radii & intersection spacing distances.

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** – Impact of the deviation on traffic volume capacity of the local roadways (25mph design & posted speeds) is negligible. This would be of greater concern at higher vehicular speeds. The deviation therefore achieves a comparable level of performance as the standards dictate.
- **Utility placement** – Utility placement and design, although facing tighter spacing constraints, is comparable to the non-deviation condition and continues to meet associated EPC criterion, therefore, impacts are considered negligible.
- **Stormwater conveyance** – Stormwater is able to be conveyed in a comparable manner as the non-deviation condition and continues to meet associated EPC criterion, therefore, impacts are considered negligible.
- **Pedestrian access and circulation** – Pedestrian access and circulation impacts are considered negligible since no obstructions are proposed near the affected areas that would impact vehicular sight distances, reaction, and braking times where pedestrians are crossing the roadway. Therefore, a comparable design is achieved with the proposed alternative.
- **Fire District Approval** - Fire district has reviewed and approved the access and circulation based on their criteria. The approval letter is included as an attachment.

Please include letter from Fire District



The deviation will not adversely affect safety or operations.

The deviation will not adversely affect safety or roadway operations. Internal roads are classified by El Paso County as "Priority Three Roads" which are the lowest priority for scheduled plowing. This, along with the minor-moderate need for plowing in the area throughout the year, assist with concluding negligible impacts to maintenance operations. Ped ramps at the affected areas have been carefully placed to negate safety impacts by eliminating potential conflict points near the substandard spaced intersections (see T-Intersection Ped Ramp Deviation accompanying this submittal). Obstructions are not proposed near ped ramps within the immediate vicinity of roadways with substandard centerline radii to avoid decreases in sight distances. 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.

How is this relevant? As county does not maintain or plow private roads.

Incorrect, as private roads, County will not maintain access.

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. Fire apparatus vehicles are able to navigate the proposed roadways, therefore, similar-size and smaller maintenance vehicles are anticipated to have no issues. Internal roads are classified by El Paso County as "Priority Three Roads" which are the lowest priority for scheduled plowing. This, along with the minor-moderate need for plowing in the area throughout the year, assist with concluding negligible impacts to maintenance operations.

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. Comparable design features that were accommodated to the proposed layout include: obstructions affecting sight distances, standard vehicle speeds, ped ramp locations, utility placement, pedestrian safety, pedestrian access and circulation, stormwater conveyance, maintenance effects, and fire apparatus navigation.

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. Water Quality treatment is being provided for the on-site discharge downstream at Pond W-5

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.

Γ

∩

L

J

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.

Γ

∩

L

J

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.

DEVIATION EXHIBIT: CENTERLINE RADII & INTERSECTION SPACING

