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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  
\_\_\_\_\_

**PUDSP-22-002**

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

A deviation from the standards of and **Section 2.5.2.C.4: Mid-Block Ramps on Local Roadways**- of the Engineering Criteria Manual (ECM) is requested.

Identify the specific ECM standard which a deviation is requested:

A deviation from the maximum mid-block ped ramp spacing on local roadways (600') is requested. An excerpt of the standard is provided below.

4. **Mid-Block Ramps on Local Roadways.** Curb ramps on local roadways shall be spaced no greater than 600 feet apart. Where spacing is greater than 600 feet, mid-block curb ramps shall be provided at spacings that minimize travel distances between curb ramps. Private accesses may be used for these access points where the access is designed to meet curb ramp requirements. The pavement markings and signing required by the ECM and MUTCD shall be provided for mid-block curb ramps.

State the reason for the requested deviation:

The deviation is being requested in order to promote a reasonable sidewalk layout to accommodate pedestrian traffic from a logical access point that is considered comparable or superior to that of the ECM standards.

Provide exhibit showing and labeling distances between mid-block crossings.

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

The proposed layout includes the following deviation(s) from standard ECM Standards for mid-block pedestrian ramp spacing. Requesting;

- 610' maximum spacing. Standard maximum spacing is 600' for local roadways.

**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 for an increase in the maximum ped ramp spacing include:

- Proposed access point (ped ramp) location avoids conflict with drainage structures, potentially ponded area, and steep grading
- Less directional changes when traveling from open-space area to public facilities on Sterling Ranch Road
- Only occurs at one location (SE corner) on-site

**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 maximum ped ramp spacing will achieve a comparable level of performance as the standard distance with respect to the following:

- Pedestrian ramp traffic volume accommodation
- Pedestrian traffic patterns
- Provides superior means of travel from private to public facilities

What public facilities?

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

The deviation will not adversely affect safety or operations.

The deviation will not adversely affect safety or roadway operations.

Explain how this change does not affect safety or roadway operations.

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

Deviation will not affect maintenance and its associated cost.

Explain how this change does not affect maintenance.

The deviation will not adversely affect aesthetic appearance.

Deviation will not affect aesthetic appearance 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 layout nearly identical to the standards that provides a more efficient means of travel from private to public facilities and a comparable level of performance.

What public facilities?



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.

**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 - Mid Block Ramp Spacing.pdf Markup Summary

CDurham (8)

<p><b>PUDSP-22-002</b></p> <p>e No. ___ SP-XX-XXX</p>	<p><b>Subject:</b> Text Box <b>Page Label:</b> 1 <b>Author:</b> CDurham <b>Date:</b> 4/26/2022 7:53:31 AM <b>Status:</b> <b>Color:</b> ■ <b>Layer:</b> <b>Space:</b></p>	<p>PUDSP-22-002</p>
<p><small>This deviation is being submitted in order to provide a treatment that is not consistent with the environmental consequences of a response to</small></p> <p><small>Provide exhibit showing and labeling distances between mid-block crossings.</small></p>	<p><b>Subject:</b> Text Box <b>Page Label:</b> 2 <b>Author:</b> CDurham <b>Date:</b> 4/26/2022 7:56:55 AM <b>Status:</b> <b>Color:</b> ■ <b>Layer:</b> <b>Space:</b></p>	<p>Provide exhibit showing and labeling distances between mid-block crossings.</p>
<p><small>to public facilities</small></p> <p><small>What public facilities?</small></p>	<p><b>Subject:</b> Callout <b>Page Label:</b> 4 <b>Author:</b> CDurham <b>Date:</b> 4/27/2022 1:36:31 PM <b>Status:</b> <b>Color:</b> ■ <b>Layer:</b> <b>Space:</b></p>	<p>What public facilities?</p>
<p><small>Explain how a comparable level of performance is achieved in each of the stated categories.</small></p>	<p><b>Subject:</b> Text Box <b>Page Label:</b> 4 <b>Author:</b> CDurham <b>Date:</b> 4/27/2022 1:37:01 PM <b>Status:</b> <b>Color:</b> ■ <b>Layer:</b> <b>Space:</b></p>	<p>Explain how a comparable level of performance is achieved in each of the stated categories.</p>
<p><small>Explain how this change does not affect maintenance.</small></p>	<p><b>Subject:</b> Text Box <b>Page Label:</b> 5 <b>Author:</b> CDurham <b>Date:</b> 4/27/2022 1:37:45 PM <b>Status:</b> <b>Color:</b> ■ <b>Layer:</b> <b>Space:</b></p>	<p>Explain how this change does not affect maintenance.</p>
<p><small>Explain how this change does not affect safety or roadway operations.</small></p>	<p><b>Subject:</b> Text Box <b>Page Label:</b> 4 <b>Author:</b> CDurham <b>Date:</b> 4/27/2022 1:39:21 PM <b>Status:</b> <b>Color:</b> ■ <b>Layer:</b> <b>Space:</b></p>	<p>Explain how this change does not affect safety or roadway operations.</p>



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

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Add statement that WQ is being provided.

The deviation meets the design intent and purp  
The deviation meets the intent by providing a li  
rom private to public facilities and a comparat  
What public facilities?

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What public facilities?