



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

Updated: 6/26/2019

PROJECT INFORMATION

Project Name : Hay Creek Valley Subdivision
 Schedule No.(s) : 7133007014, 7133000001, 7100000270, 7100000267, 7100000268, 7100000269
 Legal Description : See attached

APPLICANT INFORMATION

Company : Matrix Design Group
 Name : Jason Alwine
 Owner Consultant Contractor
 Mailing Address : 2345 Research Parkway, Suite 300, Colorado Springs, Colorado 80920

 Phone Number : (719) 575-0100
 FAX Number :
 Email Address : Jason.alwine@matrixdesigngroup.com

ENGINEER INFORMATION

Company : Matrix Design Group
 Name : Jeff Odor Colorado P.E. Number : 39265
 Mailing Address : 2345 Research Parkway, Suite 300, Colorado Springs, Colorado 80920

 Phone Number : (719) 575-0100
 FAX Number :
 Email Address : Jeff.odor@matrixdesigngroup.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.

Jason Alwine Signature of owner (or authorized representative) 8/15/23 Date

Engineer's Seal, Signature
And Date of Signature



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

A deviation from the standards of or in Section **2.3.8.A** of the Engineering Criteria Manual (ECM) is requested.

Identify the specific ECM standard which a deviation is requested:

Cul-de-sacs shall be used only where absolutely necessary. Cul-de-sacs shall have a minimum radius of 45 feet and a maximum length of 750 feet for urban conditions and a minimum radius of 50 feet and a **maximum length of 1,600 feet for rural conditions**, be designed in conformance with Figure 2-31.

State the reason for the requested deviation:

The nature of the topography in this site does not allow for access from multiple points to the main roadway, therefore the single access road will need to terminate in a cul-de-sac with a maximum length greater than 1,600 feet in a rural setting. The existing roadway is to be improved by widening, paving, and the addition of a cul-de-sac with a 50 ft radius to accommodate large emergency vehicles.

A letter provided by the Monument Fire District dated April 10, 2023 with one point of access and one cul-de-sac was agreed to by the Division Chief/ Fire Marshall.

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

The proposed alternative to the ECM standard is requested because site topography and surrounding private properties prohibit the ability to create more than one access point to the site resulting in the roadway terminating at a cul-de-sac greater than 1,600 ft in length. The proposed site is comprised of 20 large single-family lots (5-17 acres each) spread out along a single access point private road. The current roadway is dirt and narrow with no turn-around points or cul-de-sac. The proposal for this site will include a wider paved road per ECM standard 60' ROW for a rural residential road. This road will terminate in a cul-de-sac with a 50ft radius to accommodate emergency vehicles. No mid-way turnaround will be provided however the fire department may utilize the individual driveways as additional turnaround points.

The ECM Table 2-3 for Roadway Design Criteria states that roads should be designed to complement local character to minimize the space devoted to road use. In this case, the proposed single-access roadway with a cul-de-sac will be the best option for complementing the local rural character of the site and surrounding area by minimizing the amount of roadway that runs through the open meadows and meandering forests on the site. This will allow for the natural setting of the site to be conserved for the residents and local wildlife that inhabit the area.

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 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:

Topography and large private properties surrounding the site prohibit access points to existing roadways such as Hay Creek Road. The fire department will utilize the individual driveways as additional turnaround points as well as the proposed cul-de-sac. (See attached follow-up letter from the Monument Fire Department for additional information)

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 design proposed will allow accessibility throughout the site through the provision of driveways as turn-around locations and will offset the longer-than-desired road length by allowing multiple opportunities for traffic to turn around and exit the subdivision. A large radii cul-de-sac will be designed at the termination of the road allowing for emergency vehicles to have full access to the site and ample room to maneuver. (See attached follow-up letter from the Monument Fire Department for additional information)

The deviation will not adversely affect safety or operations.

The design proposed will achieve the same results for public safety and accessibility as similar two-access point roadways for single-family rural residential dwellings through the provision of driveways as turn-around locations and a large radii cul-de-sac for emergency vehicles. (See attached follow-up letter from the Monument Fire Department for additional information)

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

The roadway proposed will be designed per EPC Standards for private residential roads and will be owned and maintained by the governing HOA for the subdivision.

The deviation will not adversely affect aesthetic appearance.

The proposed roadway will improve the aesthetic appearance of the subdivision by providing a smooth and wide paved surface for traffic that also reduces dust and dirt clouds from local traffic compared to the current dirt road through the site.

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

The deviation will meet the design intent and purpose of the ECM standards by providing access to dwellings with a wide road, turn-around points, and a large radius cul-de-sac for emergency vehicle access. Traffic will be limited to residents of the HOA as the proposed project is gated limiting access.

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.

Water quality requirements will be met regardless of the road length.

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.

MONUMENT FIRE DISTRICT
16055 Old Forest Point, Suite #102
Monument, CO 80132
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www.monumentfire.org
Proudly serving the Tri-Lakes Region



Jamey Bumgarner, Division Chief

April 10, 2023

To Whom it may Concern:

The Monument Fire District provides fire protection and emergency medical services to 70 square miles of northern El Paso County. Our current ISO rating is 3/3Y. The Hay Creek Valley Subdivision is located within our current district boundaries, and we will continue providing services to the area.

This is a follow to our letter dated January 4, 2023.

We have met with the developer and agreed to the following items for the Hay Creek Valley community.

- The road into the community will be private & gated with Fire Department-approved KnoxBox
- The Rural Local Street Section proposed for this road has 24' of asphalt with 4' shoulders on each side
- The road will be approximately 1 mile long and is required to provide a 100' diameter cul-de-sac at the end of the road. (No second point of access or mid-way turn-around is required)
- At the end of the cul-de-sac, we will install a 33,000-gallon cistern within a community tract, including a submersible pump and hydrant. (a second cistern is not required)

Please let me know if you have additional questions.

Jamey Bumgarner

Division Chief / Fire Marshal