



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

Updated: 6/26/2019

**PROJECT INFORMATION**

5

Project Name : The Commons at Falcon Field      Deviation No. 5 (1<sup>st</sup> Submittal)      Date: 2/7/2024 rev. 4/3/2024

Schedule No.(s) : 4307000001 and 4307200015

Legal Description : TRACT IN SEC 7-13-64 DESC AS FOLS: BEG AT NW COR OF LOT 13 ARROWHEAD ESTATES FIL NO 1; TH S 00<46'12" W 197.28 FT ALG WLY LN OF SD LOT 13 TO A PT, N 41<58'50" W 798.01 FT TO SELY R/W LN OF US HWY 24, TH ALG SD SELY R/W LN ALG ARC OF CUR TO L SD CUR BEING CONCAVE TO NW HAVING A RAD OF 5800.00 FT AN ARC DIST OF 193.53 FT A C/A OF 01<54'42" WHICH CHORD BEARS N 47<22'56" E 193.52 FT, N 46<25'11" E 760.04 FT TO INTSEC SD SELY R/W LN OF US HWY 24 & WLY R/W LN OF RIO LN, TH SLY ALG SD R/W OF RIO LN S 22<22'28" E 219.81 FT, S 89<10'21" E 1071.23 FT TO NW COR OF LOT 14 OF FALCON RANCH ESTATES SUB, S 00<10'51" E 705.04 FT ALG WLY LN OF SD LOT 14 & LOT 13 FALCON RANCH ESTATES SUB TO THE MOST NLY NW COR OF LOT 10 ARROWHEAD ESTATES FIL NO 1, TH CONT S 00<10'51" E 151.74 FT, TH N 88<55'44" W 1314.29 FT TO POB

TRACT IN SEC 7-13-64 DESC AS FOLS: COM AT NW COR OF LOT 13 ARROWHEAD ESTATES FIL NO 1; TH S 00<46'12" W 197.28 FT FOR POB; TH CONT S 00<46'12" W 988.14 FT, S 86<00'46" W 327.52 FT, S 00<25'05" W 68.17 FT, N 89<59'43" W 430.45 FT, N 00<14'15" E 1475.39 FT TO SELY R/W LN OF US HWY 24, TH ALG SD SWLY R/W LN N 50<05'41" E 125.34 FT, TH ALG ARC OF CUR TO L SD CUR BEING CONCAVE TO NW HAVING A RAD OF 5800.00 FT AN ARC DIST OF 178.20 FT A C/A OF 01<45'37" WHICH CHORD BEARS N 49<13'05" E 178.19 FT, TH S 41<58'50" E 798.01 FT TO POB

**APPLICANT INFORMATION**

Company : FALCON FIELD LLC  
Name : Jim Berger  
 Owner     Consultant     Contractor

Mailing Address : 3230 Electra Drive  
Colorado Springs, CO 80906

Phone Number : 719-330-4000  
FAX Number : 719-633-2221  
Email Address : papaberg34@aol.com with a copy to pja5713@gmail.com

**ENGINEER INFORMATION**

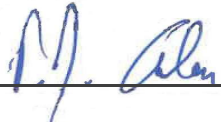
Company : LSC Transportation Consultants, Inc.  
Name : Jeffrey C. Hodsdon      Colorado P.E. Number : 31684

Mailing Address : 2504 E. Pikes Peak Ave  
Suite 304  
Colorado Springs, CO 80909

Phone Number : 719-633-2868  
FAX Number : 719-633-5430  
Email Address : jeff@LSCtrans.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.

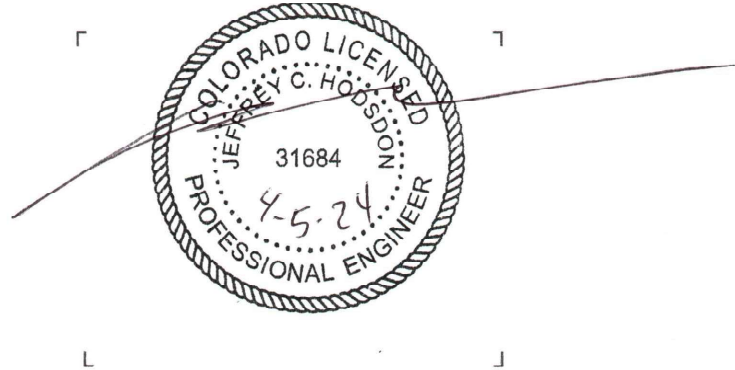


4/10/24

\_\_\_\_\_  
Signature of owner (or authorized representative)

\_\_\_\_\_  
Date

Engineer's Seal, Signature  
And Date of Signature



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

**DEVIATION No. 5 – rev. 4/3/2024 - Modified Urban Non-Residential Collector Cross Section and Design Standards by Functional Classification (Urban Non-Residential Collector)**

The deviation requests modifications to the design standards of an Urban Non-Residential Collector Street (Retail Row Way). This and the other deviations are requested to strike a balance between providing a public street connection (to replace the current Rio Lane connection to US Highway 24 and to allow for future access to properties to the west) and allowing the site to develop as a functional shopping center. The functional shopping center requires reasonable commercial lot access, and numerous constraints exist, which in combination with the applicant's accommodation for the closure of Rio/US Hwy 24 and helping to implement the CDOT *US 24 Access Management Plan*, create significant parcel access challenges. To overcome these challenges, this deviation includes the following: the 80-foot ROW needs to be reduced to 50 feet plus six-foot public improvement easements on each side. This deviation also includes modifications to the standard non-residential collector cross section.

Given the necessary modifications to the standard design elements and the commercial lot access, the result is a necessary reduction in design speed.

This deviation is one of five submitted with this application. Deviation No. 4 was withdrawn with the last submittal. Deviation Exhibit A (attached) graphically summarizes all four remaining deviation requests, including this one.

Please refer to the attached **Deviation Exhibits**:

**Deviation Exhibit A** – Summary of all deviation requests with this application.

**Deviation Exhibit 5-1**: Graphically shows the elements of this Deviation request No. 5.

**Deviation Exhibits 1-3 and 2b-1**: Sight Distance at the commercial access points along Retail Row Way and Rio Lane.

**AutoTurn Exhibits 2, 3 and 5**: AutoTurn truck-turning exhibits for commercial access points along Retail Row Way, the Retail Row Way/Rio Lane corner ("knuckle"). (Note: the entire set, including Exhibit 1 and 4, is attached for completeness/for reference, although Exhibits 1 and 4 are not on Retail Row Street).

Identify the specific ECM standard which a deviation is requested:

- 2.2.4.B.4 - Urban Non-Residential Collector Cross Section;
- 2.3.2 - Design Standards by Functional Classification (Urban Non-Residential Collector in Table 2-7, specifically) including - 2.3.3.C (Design Speed)
- 2.3.7.F.1 Curb Radii (in Table 2-31)

The elements of these other deviations, in combination with the modified cross section, also factor into the proposed change to the standard design speed of Retail Row Street:

- 2.2.5.D - Roadway Access Criteria - Collector Access Standards; (**See Deviation No. 2b**)
- 2.3.7.B - Intersection Spacing/General Access Standards; **See Deviation No. 1**
- 2.2.3.7.D.5 - Conflicts between Exclusive Turn Lanes; **See Deviation No. 3**
- 2.2.3.7.E Turn Lane Design; and **See Deviation No. 3**

State the reason for the requested deviation:

Reason for the Requested Deviation: The deviation requests modifications to the design standards of an Urban Non-Residential Collector Street. This deviation is needed to assist with implementation of the CDOT *US 24 Access Management Plan* but doing so within several **property and access constraints** (including no lot access to US Highway 24 or the Woodmen Road entry street).

The spacing between the proposed Rio Lane connection into the site, the proposed Willet Way, and the proposed roundabout, as well as between the proposed roundabout, Dunlin Drive, and the west property boundary, is such that a reduction in design speed consistent with the resulting access/intersection spacing is needed. The access points to proposed commercial lots from Retail Row Way are needed due to the need to provide for a replacement Rio Lane connection to US Highway 24 to the Woodmen/US Highway 24 intersection per the *US 24 Access Management Plan* (Retail Row Street will also provide future access to parcels to the west, which will help implementation of the *Access Management Plan*), the need to create a circuitous connection to replace the existing Rio Lane connection, and the need to provide two access points to the commercial area. To meet the above goals and work within the **property and access constraints** (no access to US Highway 24 or the Woodmen Road entry street) this deviation is necessary.

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

2.2.4.B.4 Urban Non-Residential Collector Cross Section;

- R.O.W. - 50 feet (with six-foot public improvement easements on each side) instead of 80 feet.
- Paved Width - 44 feet instead of 48 feet.
- Outside Shoulder Width - Four-foot outside shoulders instead of six-foot outside shoulders.
- Sidewalks - Attached six-foot sidewalks instead of five-foot detached sidewalks.

2.3.2 Design Standards by Functional Classification (Urban Non-Residential Collector in Table 2-7, specifically) including -

- R.O.W. - 50 feet instead of 80 feet; 50 feet (with six-foot public improvement easements on each side) on the short access drive extending west from the proposed RI/RO access.
- Paved Width - 44 feet instead of 48 feet; ~~30 feet instead of 48 feet on the short access drive extending west from the proposed RI/RO access.~~
- Outside Shoulder Width - Four-foot outside shoulders instead of six-foot outside shoulders.
- Sidewalks - Attached six-foot sidewalks instead of five-foot detached sidewalks.

- 2.3.3.C - Design Speed – Design speed of 25 mph instead of 40 mph.

2.3.7.F.1 Curb Returns-Radii (ECM Table 2-31): 20 feet instead of 25 feet. Please refer to attached AutoTurn exhibits

This deviation is similar to the one approved for Falcon Market Place (PCD File No. SP 17-001),

## 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:

Several factors necessitate this deviation.

This deviation is needed to assist with implementation of the CDOT *US 24 Access Management Plan* but doing so within several **property and access constraints** (including no lot access to US Highway 24 or the Woodmen Road entry street).

The spacing dimensions between the proposed Rio Lane connection into the site (the Rio Lane/Retail Row Street corner ("knuckle"), the proposed the proposed Willet Way, and the proposed roundabout, as well as between the proposed roundabout, Dunlin Drive, and the west property boundary, is such that a reduction in design speed consistent with the resulting access/intersection spacing is needed.

The access points to proposed commercial lots from Retail Row Way are needed due to the requirement to provide for a replacement Rio Lane connection to US Highway 24 to the Woodmen/US Highway 24 intersection per the *US 24 Access Management Plan*, the need to create a circuitous connection to replace the existing Rio Lane connection, and the need to provide two access points to the commercial area. To meet the above goals and work within the **property and access constraints** (no access to US Highway 24 or the Woodmen Road entry street) significant relief from the ECM standards, and thus this and the other deviations, is necessary.

## 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 deviation will facilitate the closure of Rio Lane at US Highway 24 and assist with implementation of other elements of the CDOT *US 24 Access Management Plan*.

The elements of the deviation and the other deviations go along with a reduced design speed of the street.

The function of the street will also be reduced from that of the standard Non-Residential Collector. However, the volume of through traffic served by this street is far below the 20,000 vehicles per day of a standard Non-Residential Collector. Providing the replacement Rio Lane connection to US Highway 24 will be an improvement over the current situation where the current Rio Lane intersection does not meet the Colorado State Highway Access Code intersection spacing criteria. Providing the street stub to the west assists with implementation of other elements of the CDOT *US 24 Access Management Plan*.

The deviation will not adversely affect safety or operations.

The narrowing of the cross section, along with the other deviations, the centrally located roundabout, and the relatively short segments of Collector Street on either side of the roundabout will work together to slow the travel speeds at which most drivers will be comfortable driving, and thus the proposed lower design speed is reasonable. The Autoturn truck-turning exhibits and the sight distance exhibits demonstrate that the proposed deviation will not adversely affect traffic operations or safety.

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

The width of the street will be reduced from the standard Non-Residential cross section and, as such, there will be less pavement to maintain.

The deviation will not adversely affect aesthetic appearance.

Aesthetic appearance would be improved as the width of asphalt pavement would be reduced.

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

The proposed elements of this deviation combined with the other deviations, will be consistent with the requested modification to the standard design speed of Retail Row Way.

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:**

[2.2.4.B.4](#)

**Approved by the ECM Administrator**

[2.3.2](#)

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.

[2.3.7.F.1](#)

\_\_\_\_\_ of the ECM is

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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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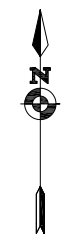
**ECM ADMINISTRATOR COMMENTS/CONDITIONS:**

ROW width shall be a min. 62 ft. such that the sidewalks are located within the ROW and 6" from the ROW boundary line. Please see comments on exhibit 5-1.

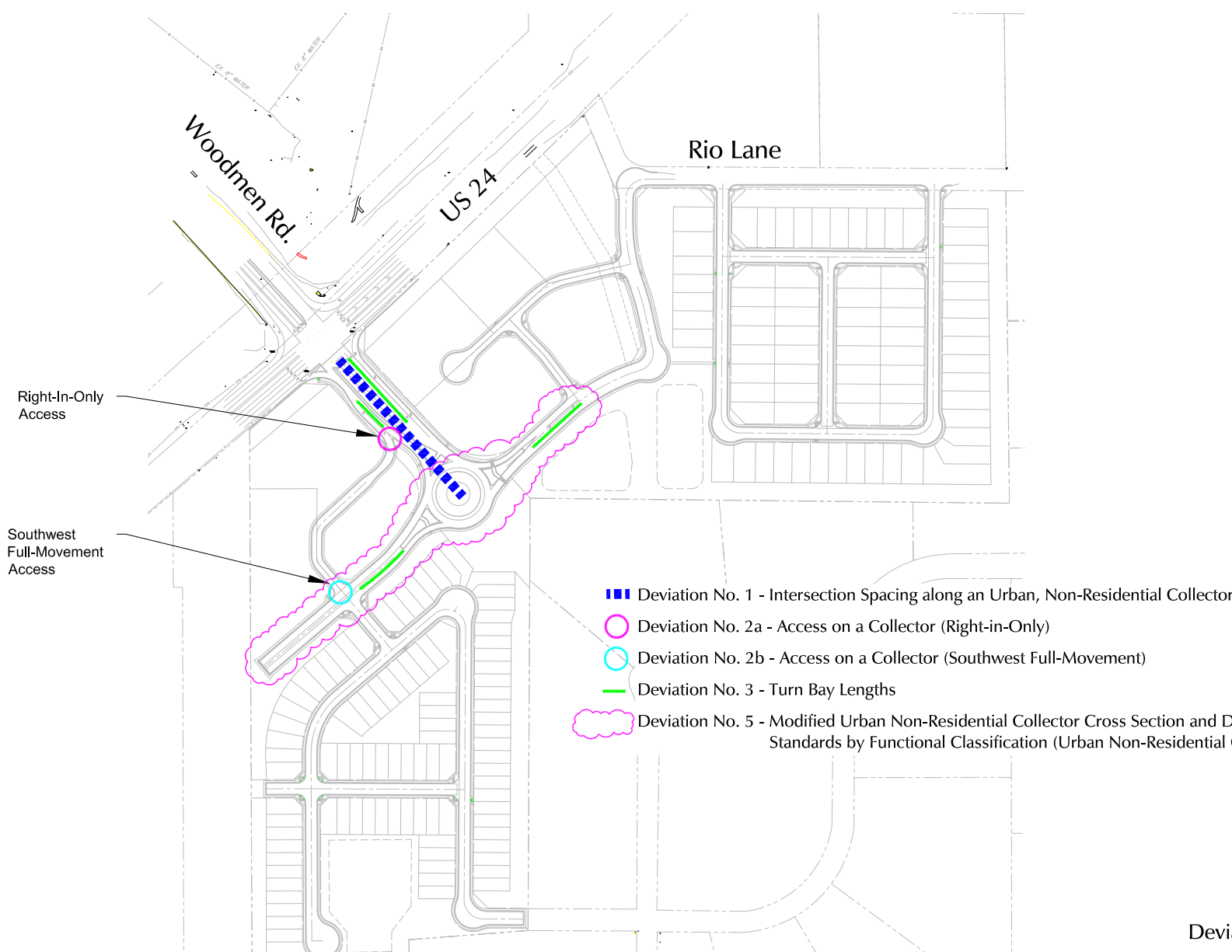
# Deviation Exhibits

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Not to scale



Right-In-Only Access

Southwest Full-Movement Access

-  Deviation No. 1 - Intersection Spacing along an Urban, Non-Residential Collector
-  Deviation No. 2a - Access on a Collector (Right-in-Only)
-  Deviation No. 2b - Access on a Collector (Southwest Full-Movement)
-  Deviation No. 3 - Turn Bay Lengths
-  Deviation No. 5 - Modified Urban Non-Residential Collector Cross Section and Design Standards by Functional Classification (Urban Non-Residential Collector)

# Deviation Requests 1, 2a, 2b, 3, and 5

Deviation Exhibit A

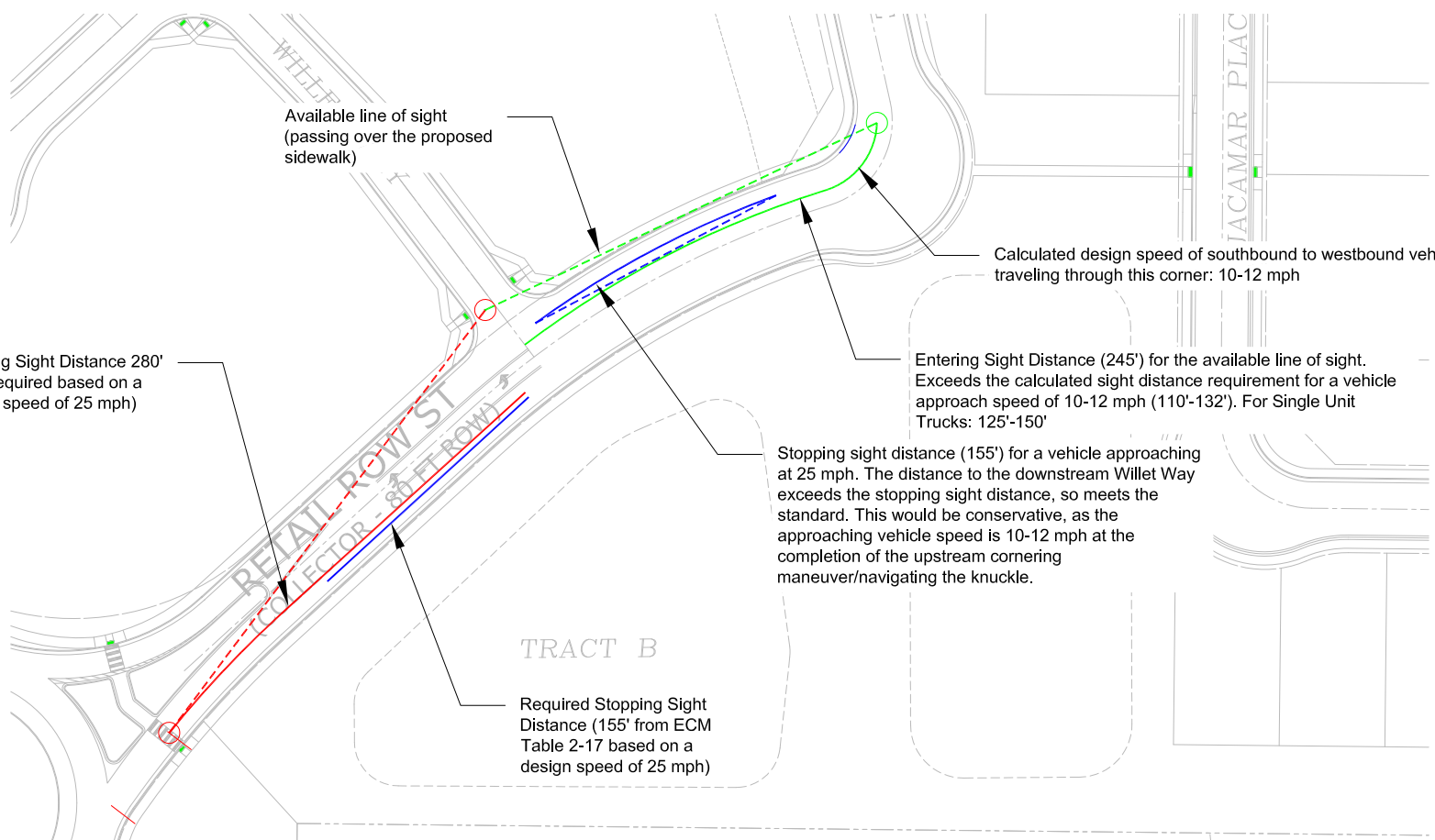
Commons at Falcon Field (LSC# 234220)







1"=100'



Entering Sight Distance 280'  
(280' required based on a  
design speed of 25 mph)

Available line of sight  
(passing over the proposed  
sidewalk)

Calculated design speed of southbound to westbound vehicle  
traveling through this corner: 10-12 mph

Entering Sight Distance (245') for the available line of sight.  
Exceeds the calculated sight distance requirement for a vehicle  
approach speed of 10-12 mph (110'-132'). For Single Unit  
Trucks: 125'-150'

Stopping sight distance (155') for a vehicle approaching  
at 25 mph. The distance to the downstream Willet Way  
exceeds the stopping sight distance, so meets the  
standard. This would be conservative, as the  
approaching vehicle speed is 10-12 mph at the  
completion of the upstream cornering  
maneuver/navigating the knuckle.

TRACT B

Required Stopping Sight  
Distance (155' from ECM  
Table 2-17 based on a  
design speed of 25 mph)

Deviation Exhibit 1-3

# Sight Distance Analysis Retail Row St./Willet Way

Commons at Falcon Field (LSC# 234220)





Approximate  
Scale  
1" = 100'

Access Entering Sight Distance for Single-unit Trucks (325' from ECM Table 2-35 based on a posted speed of 25mph which is just over the fastest path speed for the southbound to eastbound right turn in the roundabout (the R5 speed))\*

ECM Table 2-36 indicates for Commercial/Retail Access points with less than multi-unit trucks per day (average), use single-unit truck (which is shown on the exhibit).

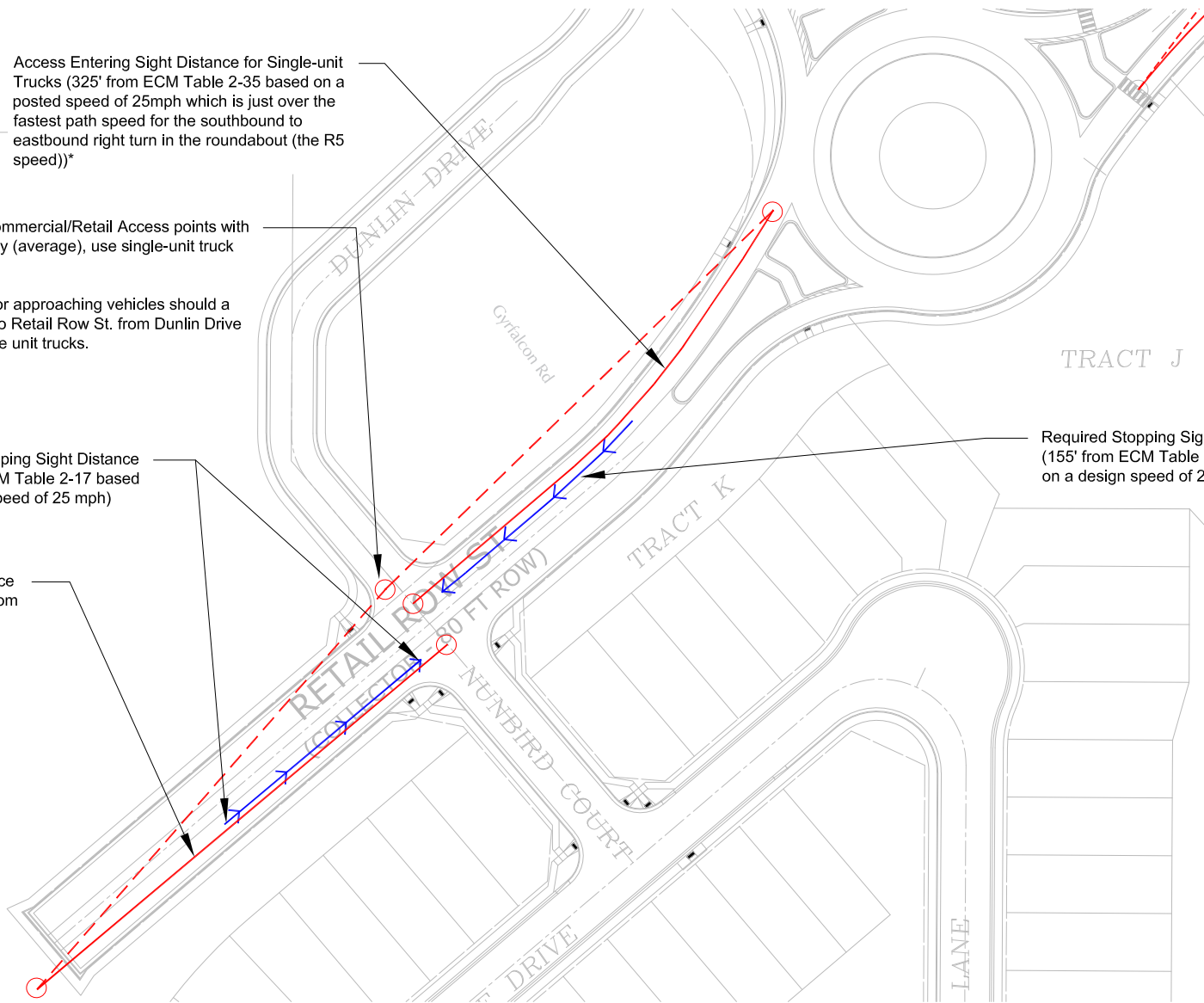
There would be sufficient SSD for approaching vehicles should a multi-unit truck begin turning onto Retail Row St. from Dunlin Drive based on sight distance for single unit trucks.

Required Stopping Sight Distance (155' from ECM Table 2-17 based on a design speed of 25 mph)

Access Entering Sight Distance for Single-unit Trucks (325' from ECM Table 2-35 based on a posted speed of 25mph)

Required Stopping Sight Distance (155' from ECM Table 2-17 based on a design speed of 25mph)

\*Note: based on AASHTO criteria, the departure sight distance to the left is 312' for a design speed of 25 mph. [AASHTO Green Book Section 9.5.3.2.1

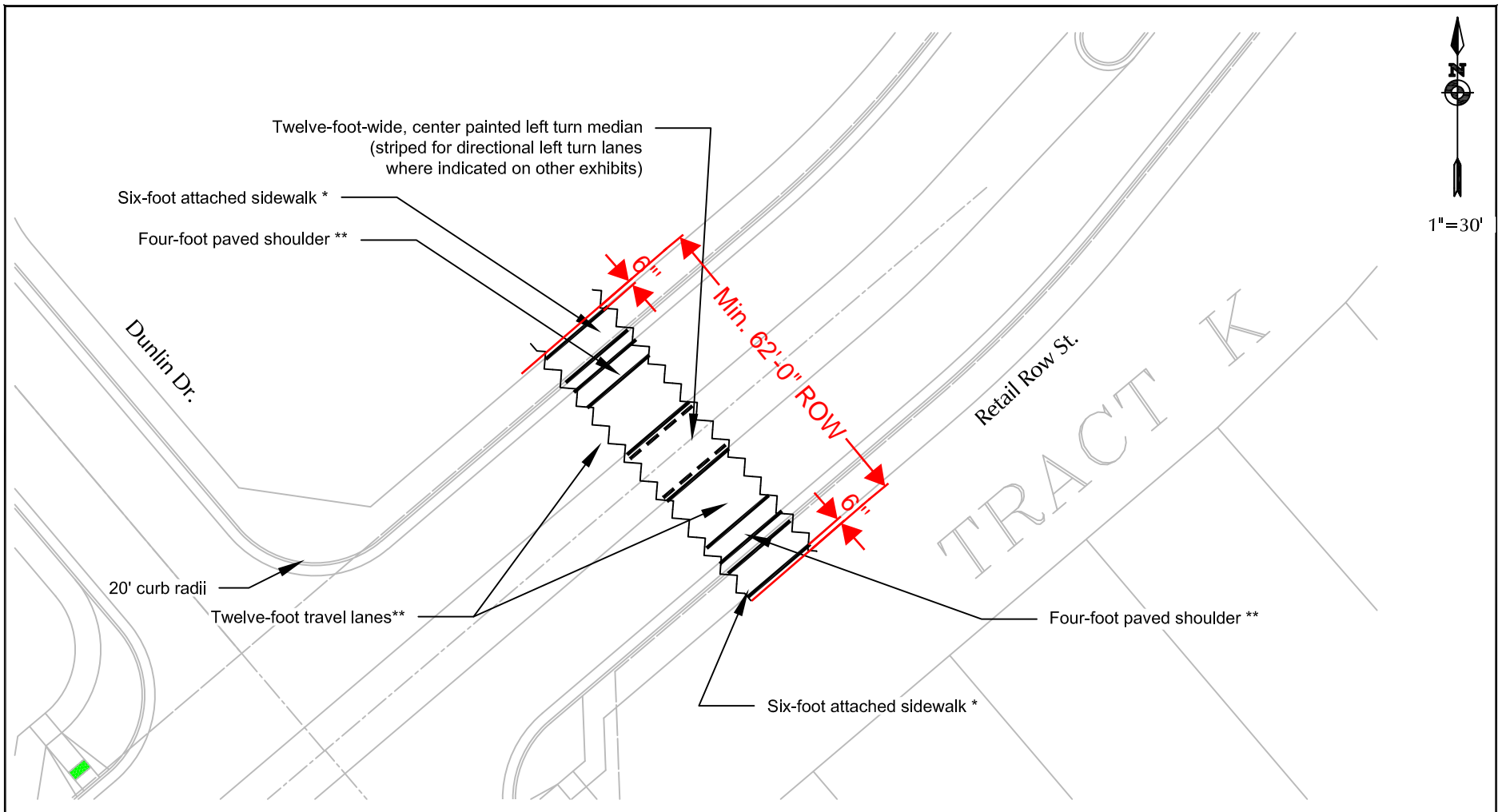


# Sight Distance Analysis Retail Row St./Dunlin Dr./Nunbird Ct.

Commons at Falcon Field (LSC# 234220)



Deviation Exhibit 2b-1



\*except adjacent to roundabout circulating lane where buffer between curb and sidewalk/concrete path is required  
 \*\*sections east and west of the roundabout geometric elements (including splitter islands) - not applicable within roundabout approach and departure lanes as widths are based on roundabout-specific design criteria.



# Proposed Retail Row Street Cross Section (Typical)

Deviation Exhibit 5-1

Commons at Falcon Field (LSC# 234220)

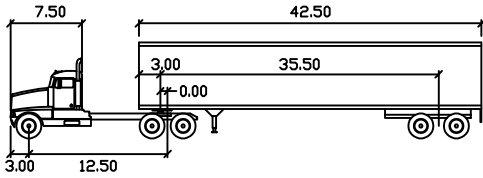
# AutoTurn Exhibits

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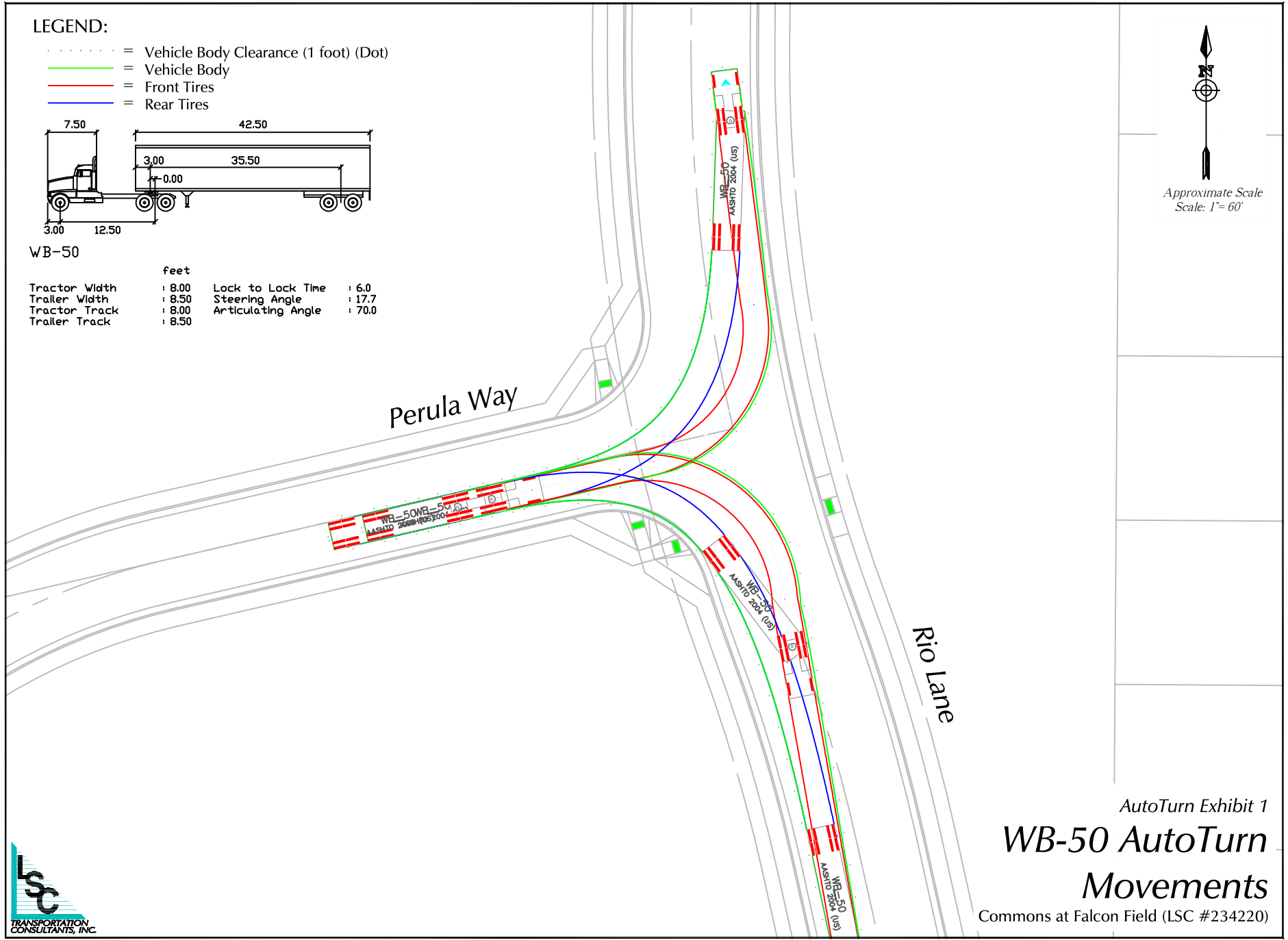
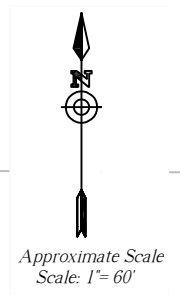
**LEGEND:**

- ..... = Vehicle Body Clearance (1 foot) (Dot)
- = Vehicle Body
- = Front Tires
- = Rear Tires



WB-50

	feet	
Tractor Width	: 8.00	Lock to Lock Time : 6.0
Trailer Width	: 8.50	Steering Angle : 17.7
Tractor Track	: 8.00	Articulating Angle : 70.0
Trailer Track	: 8.50	



Perula Way

Rio Lane

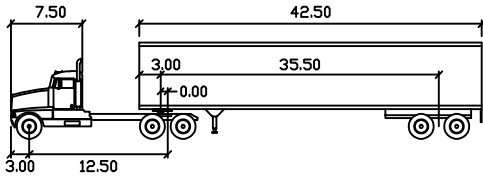
AutoTurn Exhibit 1  
**WB-50 AutoTurn**  
**Movements**

Commons at Falcon Field (LSC #234220)



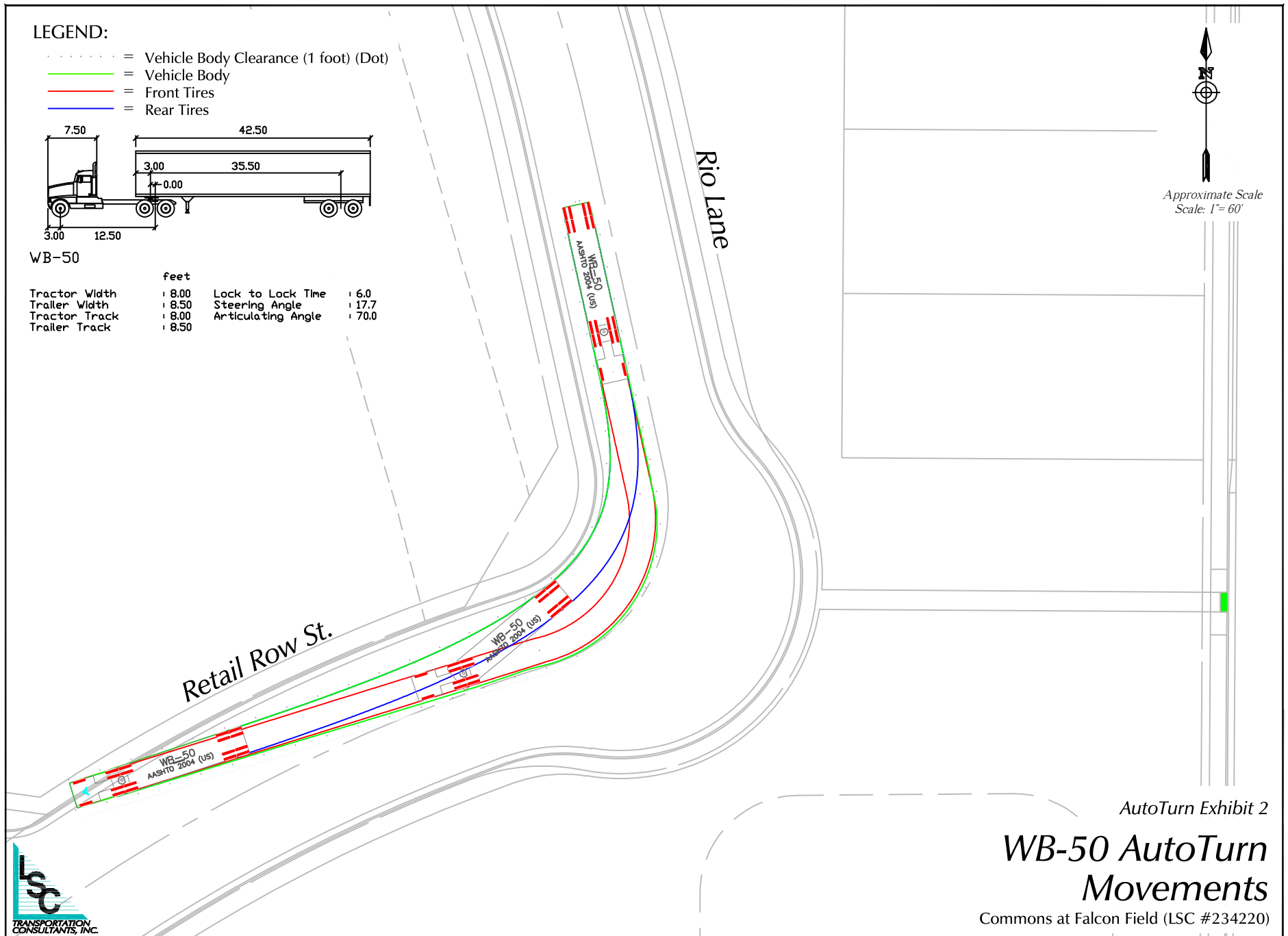
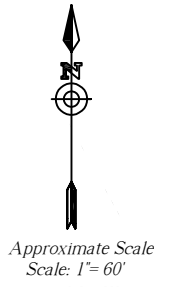
**LEGEND:**

- ..... = Vehicle Body Clearance (1 foot) (Dot)
- = Vehicle Body
- = Front Tires
- = Rear Tires



WB-50

	feet		
Tractor Width	: 8.00	Lock to Lock Time	: 6.0
Trailer Width	: 8.50	Steering Angle	: 17.7
Tractor Track	: 8.00	Articulating Angle	: 70.0
Trailer Track	: 8.50		



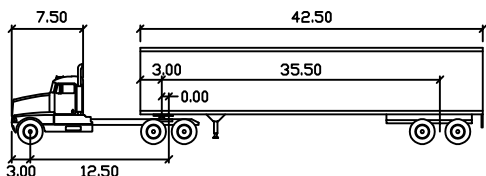
AutoTurn Exhibit 2

# WB-50 AutoTurn Movements

Commons at Falcon Field (LSC #234220)

**LEGEND:**

- ..... = Vehicle Body Clearance (1 foot) (Dot)
- = Vehicle Body
- = Front Tires
- = Rear Tires



WB-50

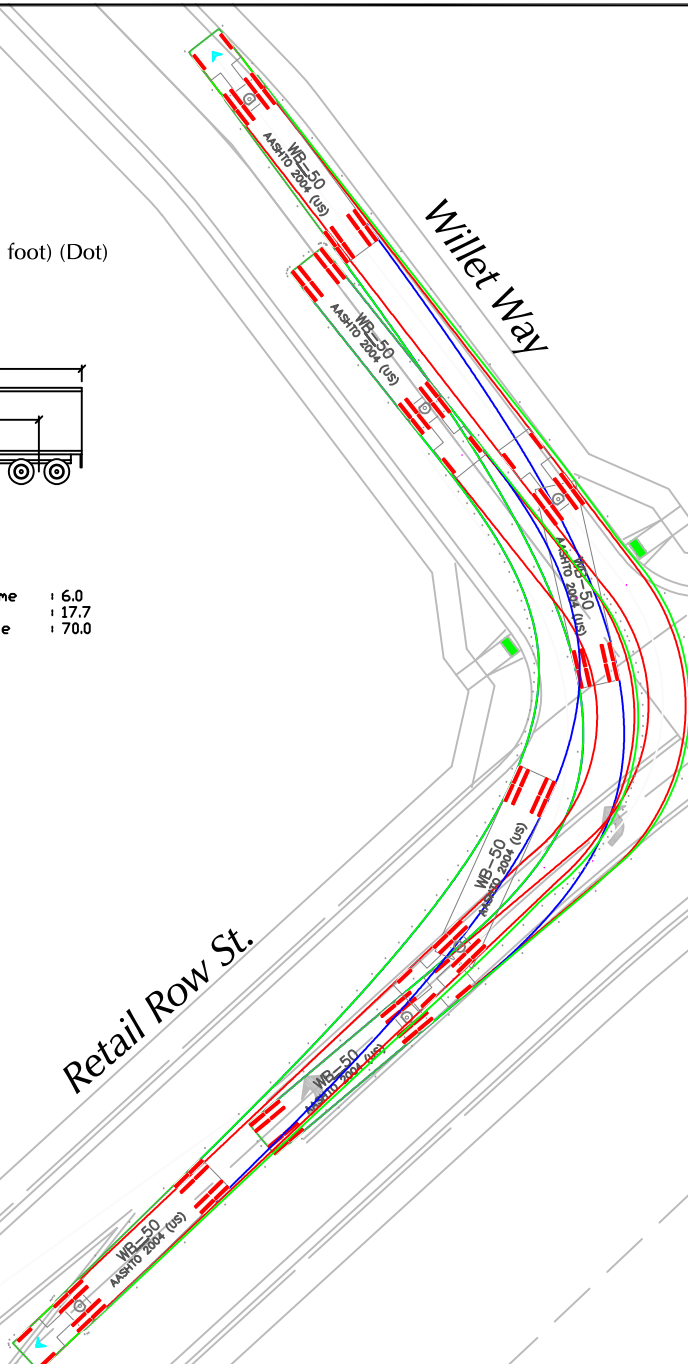
	feet	
Tractor Width	: 8.00	Lock to Lock Time : 6.0
Trailer Width	: 8.50	Steering Angle : 17.7
Tractor Track	: 8.00	Articulating Angle : 70.0
Trailer Track	: 8.50	



Approximate Scale  
Scale: 1" = 60'

Willet Way

Retail Row St.



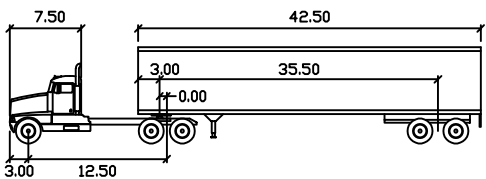
AutoTurn Exhibit 3  
**WB-50 AutoTurn  
 Movements**  
 Commons at Falcon Field (LSC #234220)



Approximate Scale  
Scale: 1" = 60'

**LEGEND:**

- ..... = Vehicle Body Clearance (1 foot) (Dot)
- = Vehicle Body
- = Front Tires
- = Rear Tires



WB-50

	feet		
Tractor Width	: 8.00	Lock to Lock Time	: 6.0
Trailer Width	: 8.50	Steering Angle	: 17.7
Tractor Track	: 8.00	Articulating Angle	: 70.0
Trailer Track	: 8.50		

Dunlin Dr.

Woodmen Rd

AutoTurn Exhibit 4

# WB-50 AutoTurn Movements

Commons at Falcon Field (LSC #234220)



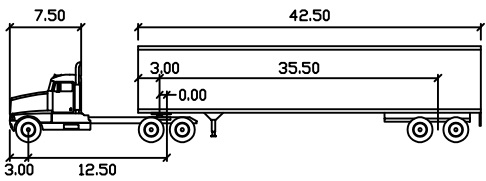




Approximate Scale  
Scale: 1" = 60'

**LEGEND:**

- ..... = Vehicle Body Clearance (1 foot) (Dot)
- = Vehicle Body
- = Front Tires
- = Rear Tires



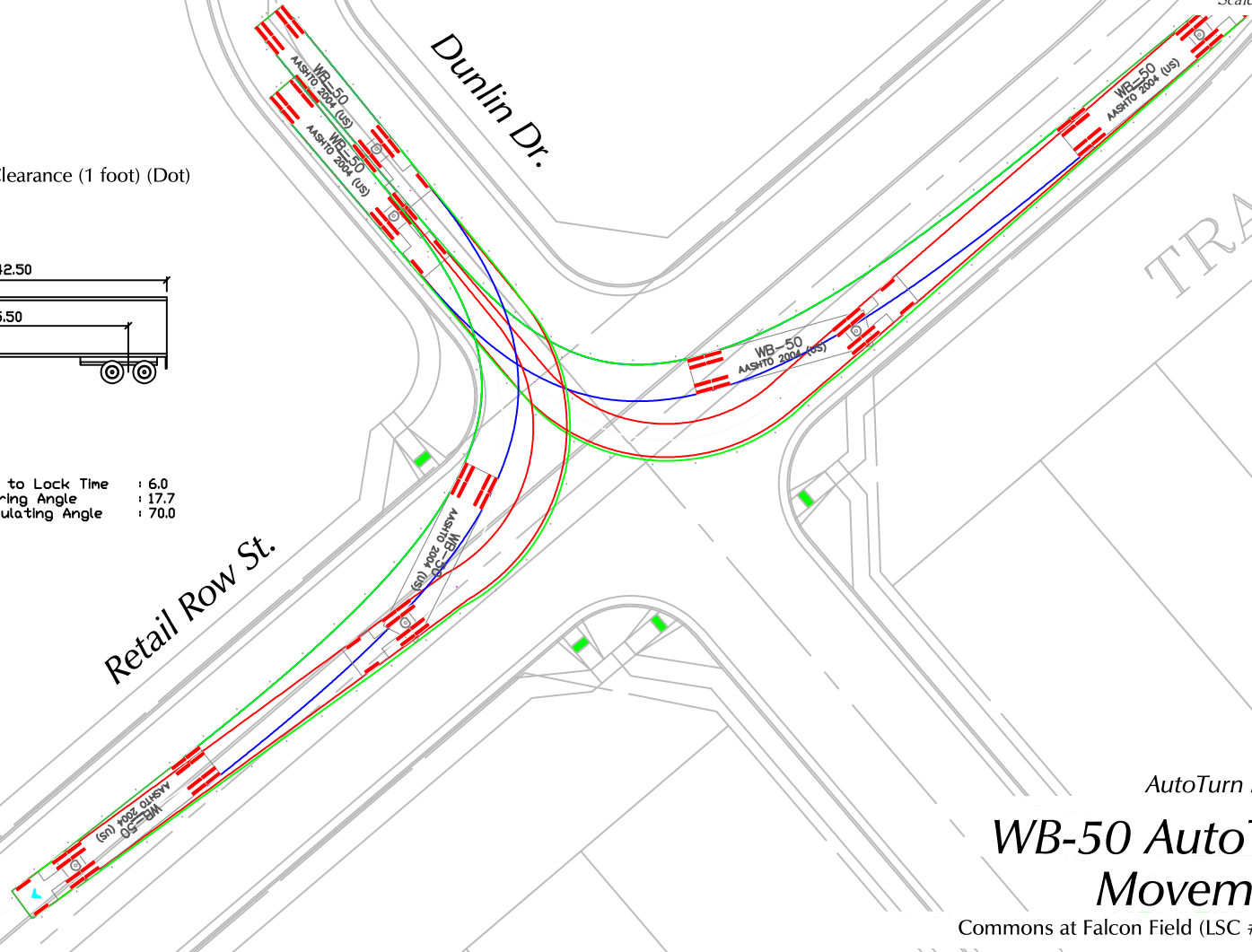
**WB-50**

	feet		
Tractor Width	: 8.00	Lock to Lock Time	: 6.0
Trailer Width	: 8.50	Steering Angle	: 17.7
Tractor Track	: 8.00	Articulating Angle	: 70.0
Trailer Track	: 8.50		

Retail Row St.

Dunlin Dr.

TRACT



AutoTurn Exhibit 5

# WB-50 AutoTurn Movements

Commons at Falcon Field (LSC #234220)

