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DEVIATION REQUEST AND DECISION FORM

Updated: 6/26/2019

PROJECT INFORMATION

Project Name : Sterling Ranch Phase 2 Preliminary Plan
Schedule No.(s) : 5233000010, 5233000013, 5300000173
Legal Description : SEE ATTACHED – Exhibit D

APPLICANT INFORMATION

Company : SR Land, LLC
Name : Jim Morley
 Owner Consultant Contractor
Mailing Address : 20 Boulder Crescent, Suite 200, COLORADO SPRINGS, 80903

Phone Number : (719) 491-3024
FAX Number : N/A
Email Address : JMorley3870@AOL.com

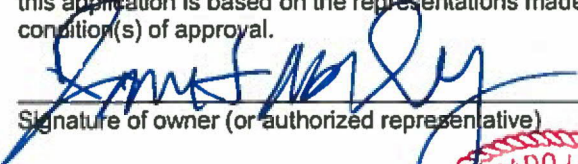
ENGINEER INFORMATION

Company : JR ENGINEERING
Name : MIKE BRAMLETT Colorado P.E. Number : 32314
Mailing Address : 5475 TECH CENTER DRIVE, SUITE 235, COLORADO SPRINGS, COLORADO, 80919

Phone Number : 719-593-2593
FAX Number : N/A
Email Address : MBRAMLETT@JRENGINEERING.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)

5/19/2021
Date

Engineer's Seal, Signature
And Date of Signature





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

A deviation from the standards of or in Section **ECM Standard Drawing SD 2 77 Urban Local Knuckle SDT Length** of the Engineering Criteria Manual (ECM) is requested.

Identify the specific ECM standard which a deviation is requested:

ECM standard drawing criteria Sight Distance Triangle dimension as shown on SD_2_77 Urban Local Knuckle, Attachment C.

and 2.3.3.M
and 2.3.6?

Added 2.3.3C but do not think 2.3.6 applies

State the reason for the requested deviation:

The strict application of the criteria would create excessively wide and deep lots inconsistent with the intent of the current urban lot zoning at six knuckles within the Sterling Ranch Phase 2 preliminary plan as shown on Attachment A. See Attachment B for a representative sketch of the proposed knuckle geometry.

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

The proposed alternative is to reduce the SDT dimension to a minimum of 26 feet vs. the 40 feet dimension listed on SD 2_77 Urban Local Knuckle. In the locations where the deviation is requested, the traffic is minimal and the design assumption of 25 miles per hour as listed in the SD_2_77 drawing is not likely. All other aspects of SD-2_77 (R/W, W, R1-R4) are adhered to in the proposed land plan.

The applicant is aware that other urban density projects in El Paso County (Meridian Ranch) have successfully obtained this deviation in the past.

Other nearby municipalities allow for flexibility in urban knuckle ROW geometry in certain situations.

Removed this sentence, it was a copy paste from prior deviation.

Is there an example you can provide?

Provide actual sight distance lines and dimensions on the roads and lots affected. Is additional signage required?

Added sight distance lines on attachment, we do not believe signage is required.

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:

To adhere to the standard would impose an undue hardship and little or no benefit to the public. To meet the standard, the interior lots would be excessively wide or deep wide and deep lots inconsistent with the intent of the current urban lot zoning..

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.

This deviation will produce a better quality urban-lot residential design.

This does not make sense. If the deviation allows for a denser or more efficient lot layout without affecting safety, state something like that. Show how the sight distances proposed will work. Are additional sight distance easements required?

Revised sentence, we do not believe additional sight distance easements are required.

The deviation will not adversely affect safety or operations.

The deviation will not adversely affect safety or operations.

Describe how safety will not be affected.

Revised sentence

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

Maintenance of the roadways will not be impacted. Except for the SDT, the knuckle geometry is consistent with the standard drawing.

If additional signage will be needed address that cost.

Signage has not been added.

The deviation will not adversely affect aesthetic appearance.

The deviation has no bearing on the aesthetic appearance.

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

Yes, the deviation meets the design intent and purpose of the ECM standards when consideration is given to the anticipated lower speeds when navigating the knuckle.

Provide analysis of the lower speeds.

Revised

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.

Yes, the deviation meets the control measure requirements of Part I.E.3 and Part I.E.4 of the County's MS4 permit.

WQ control measures meeting criteria will be provided for the subdivision regardless of this deviation.

Revised

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.

For 15 MPH:

$$R = V^2 / (15 \times (0.01E + F)) \quad E = -2, \quad F = 0.32$$

$$R = 225 / (15 \times (0.3)) = 50'$$

For R=43', V ~ 14 MPH

For 15 MPH, stopping distance ~ 75-80'?



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 619 N. Cascade Avenue, Suite 200
 Colorado Springs, CO 80903
 Tel. 719.471.0073
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STERLING RANCH PHASE 2 PRELIMINARY PLAN

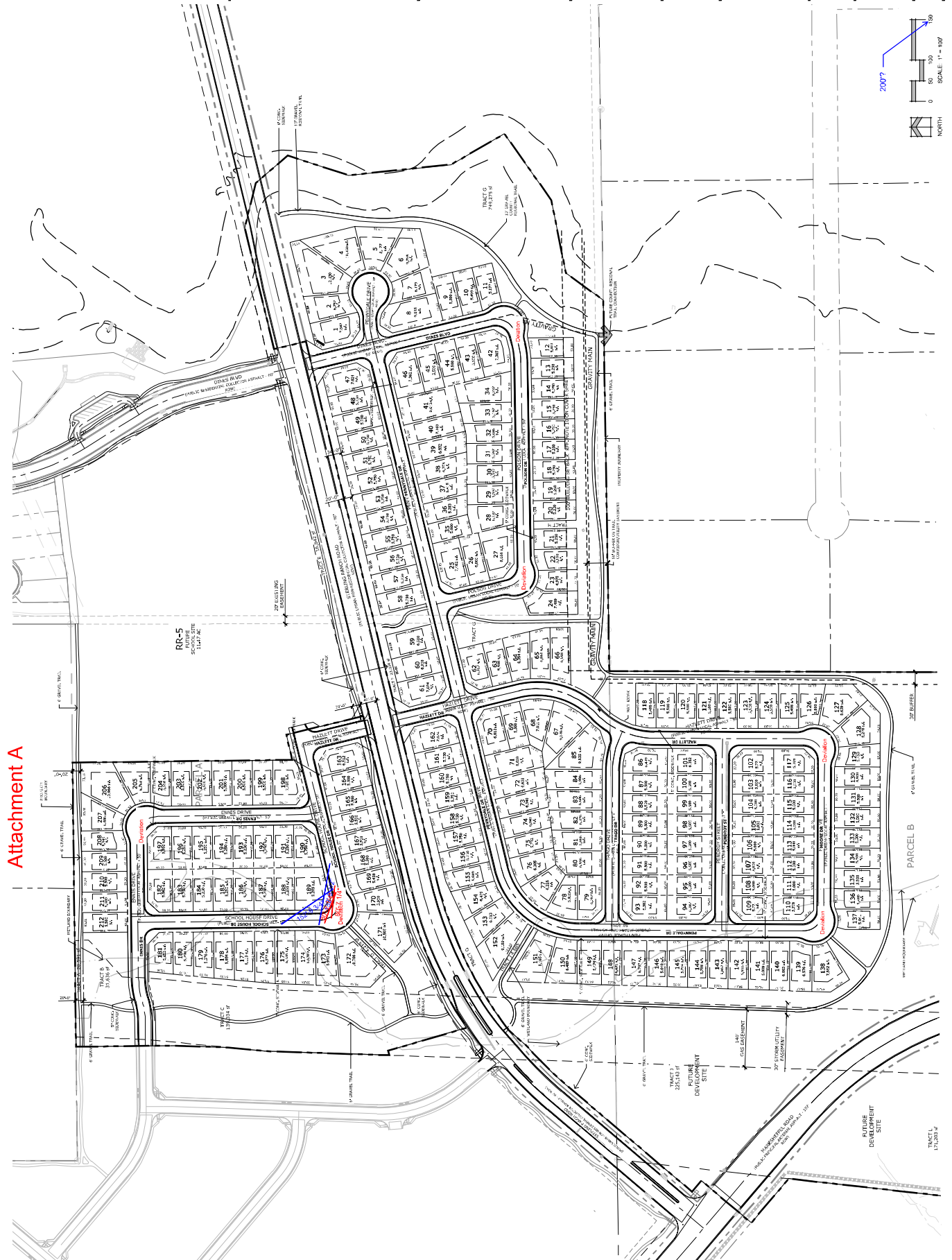
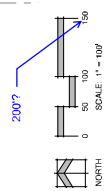
El Paso County, Colorado
 DATE: 10/20/09
 PROJECT: STERLING RANCH PHASE 2
 DRAWN BY: [Name]
 CHECKED BY: [Name]

ENTITLEMENT

DATE:	10/20/09
PROJECT:	STERLING RANCH PHASE 2
DRAWN BY:	[Name]
CHECKED BY:	[Name]

SITE EXHIBIT

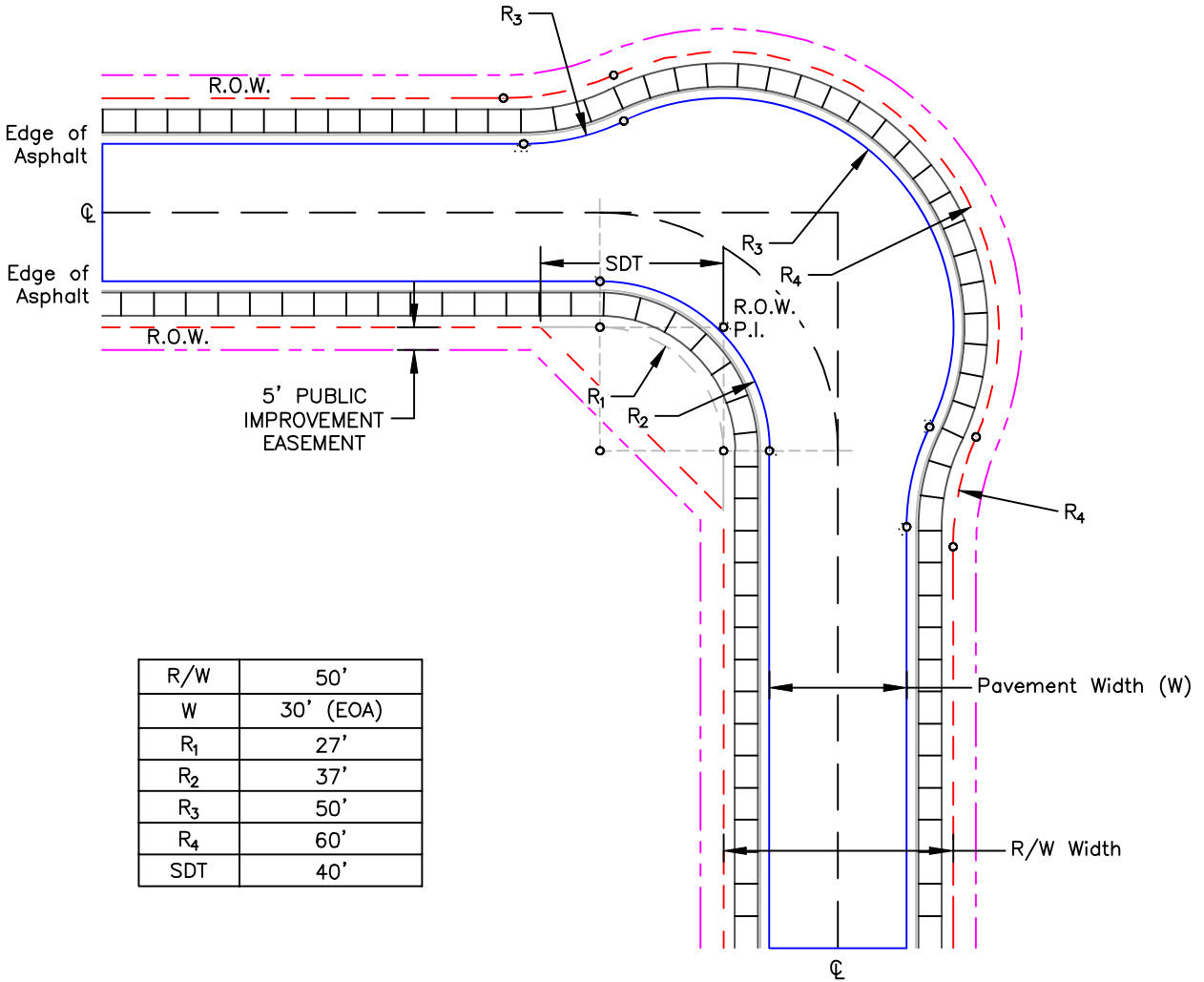
1 OF 1



Attachment A

URBAN LOCAL KNUCKLE DETAILS

Attachment 3



SDT = SIGHT DISTANCE TRIANGLE
DESIGN SPEED = 25 MPH

7/9/09

DATE APPROVED:

André Brackin

DEPARTMENT OF TRANSPORTATION

Urban Local Knuckle

Standard Drawing

REVISION DATE:

12/8/15

FILE NAME:

SD_2-77



EXHIBIT A

PROPERTY DESCRIPTION – SOUTH PARCEL

PROPERTY DESCRIPTION

A PARCEL OF LAND BEING A PORTION OF THE SOUTHWEST QUARTER OF SECTION 33, TOWNSHIP 12 SOUTH, RANGE 65 WEST, THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 4, AND THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 5, ALL IN TOWNSHIP 13 SOUTH, RANGE 65 WEST, ALL OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF EL PASO, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BASIS OF BEARINGS: THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SECTION 34, TOWNSHIP 12 SOUTH, RANGE 65 WEST OF THE 6TH PRINCIPAL MERIDIAN, BEING MONUMENTED BY A 2-1/2" ALUMINUM CAP STAMPED "LS 11624" AT THE SOUTHWEST CORNER AND 2-1/2" ALUMINUM CAP STAMPED "LS 11624" AT THE SOUTH QUARTER CORNER, SAID LINE BEARING N89°14'14"E.

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 34, TOWNSHIP 12 SOUTH, RANGE 65 WEST OF THE 6TH PRINCIPAL MERIDIAN;

THENCE N76°27'59"W A DISTANCE OF 3,258.79 FEET, TO A POINT ON THE SOUTHERLY LINE OF STERLING RANCH FILING NO. 1, RECORDED UNDER RECEPTION NO. 218714151 IN THE RECORDS OF THE EL PASO COUNTY CLERK AND RECORDER, SAID POINT BEING THE POINT OF BEGINNING;

THENCE ON SAID SOUTHERLY LINE, N76°19'20"E A DISTANCE OF 306.51 FEET;

THENCE DEPARTING SAID SOUTHERLY LINE, THE FOLLOWING SIX (6) COURSES;

1. S76°13'42"E A DISTANCE OF 113.48 FEET;
2. S40°32'14"E A DISTANCE OF 104.08 FEET;
3. S17°59'13"W A DISTANCE OF 156.80 FEET;
4. S05°59'16"E A DISTANCE OF 253.00 FEET;
5. S30°01'27"E A DISTANCE OF 151.07 FEET;
6. S54°45'26"W A DISTANCE OF 199.63 FEET;

THENCE ON THE SOUTHEASTERLY LINE OF THAT PROPERTY RECORDED UNDER RECEPTION NO. 21705379 AND ITS EXTENSION, THE FOLLOWING TWO (2) COURSES:

1. S78°47'17"W A DISTANCE OF 182.32 FEET;

2. S35°56'43"W A DISTANCE OF 113.87 FEET, TO A POINT ON THE NORTHERLY LINE OF PAWNEE RANCHEROS FILING NO. 2 RECORDED IN PLAT BOOK U-2 AT PAGE 45;

THENCE ON THE NORTHERLY AND WESTERLY LINES OF SAID PAWNEE RANCHEROS FILING NO. 2, THE FOLLOWING TWO (2) COURSES:

1. S89°04'30"W A DISTANCE OF 910.63 FEET;
2. S00°13'07"W A DISTANCE OF 1,128.08 FEET, TO A POINT ON THE SOUTH LINE OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 4, TOWNSHIP 13 SOUTH, RANGE 65 WEST OF THE 6TH PRINCIPAL MERIDIAN;

THENCE ON SAID SOUTH LINE, S89°16'22"W A DISTANCE OF 1,321.55 FEET, TO THE SOUTHWEST CORNER OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 4;

THENCE ON THE WEST LINE OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 4, N06°22'37"E A DISTANCE OF 709.00 FEET, TO A POINT ON THE SOUTHERLY LINE OF THAT ACCESS AND UTILITY EASEMENT RECORDED UNDER RECEPTION NO. 214100440;

THENCE ON SAID SOUTHERLY EASEMENT LINE, N49°38'29"W A DISTANCE OF 141.92 FEET;

THENCE DEPARTING SAID SOUTHERLY EASEMENT LINE, N40°21'31"E A DISTANCE OF 160.00 FEET, TO A POINT ON THE NORTHERLY LINE OF SAID ACCESS AND UTILITY EASEMENT;

THENCE ON SAID NORTHERLY EASEMENT LINE, N49°38'29"W A DISTANCE OF 16.00 FEET, TO A POINT ON THE SOUTHERLY LINE OF THAT 20.00' ELECTRIC EASEMENT RECORDED UNDER RECEPTION NO. 218054783;

THENCE ON SAID SOUTHERLY EASEMENT LINE, THE FOLLOWING FIVE (5) COURSES:

1. N40°21'31"E A DISTANCE OF 402.59 FEET, TO A POINT OF CURVE;
2. ON THE ARC OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 930.00 FEET, A CENTRAL ANGLE OF 08°26'12" AND AN ARC LENGTH OF 136.94 FEET, TO A POINT OF NON-TANGENT;
3. N41°03'23"E A DISTANCE OF 60.19 FEET, TO A POINT OF NON-TANGENT CURVE;
4. ON THE ARC OF A CURVE TO THE RIGHT WHOSE CENTER BEARS S37°34'00"E, HAVING A RADIUS OF 940.00 FEET, A CENTRAL ANGLE OF 23°53'20" AND AN ARC LENGTH OF 391.92 FEET, TO A POINT OF TANGENT;
5. N76°19'20"E A DISTANCE OF 386.99 FEET;

THENCE DEPARTING SAID SOUTHERLY EASEMENT LINE, N13°40'40"W A DISTANCE OF 20.00 FEET, TO A POINT ON THE NORTHERLY LINE OF SAID 20.00' ELECTRIC EASEMENT;

THENCE ON SAID NORTHERLY EASEMENT LINE, N76°19'20"E A DISTANCE OF 50.00 FEET;

THENCE DEPARTING SAID NORTHERLY EASEMENT LINE, S13°40'40"E A DISTANCE OF 20.00 FEET, TO A POINT ON THE SOUTHERLY LINE OF SAID 20.00' ELECTRIC EASEMENT;

THENCE ON SAID SOUTHERLY EASEMENT LINE, N76°19'20"E A DISTANCE OF 852.10 FEET;

THENCE DEPARTING SAID SOUTHERLY EASEMENT LINE, N13°40'40"W A DISTANCE OF 20.00 FEET,
TO A POINT ON THE NORTHERLY LINE OF SAID 20.00' ELECTRIC EASEMENT;

THENCE ON SAID NORTHERLY EASEMENT LINE, N76°19'20"E A DISTANCE OF 80.00 FEET;

THENCE DEPARTING SAID NORTHERLY EASEMENT LINE, N13°40'40"W A DISTANCE OF 80.00 FEET,
TO THE POINT OF BEGINNING.

CONTAINING A CALCULATED AREA OF 2,660,672 SQUARE FEET OR 61.0806 ACRES.

PROPERTY DESCRIPTION – NORTH PARCEL

PROPERTY DESCRIPTION

A PARCEL OF LAND BEING A PORTION OF THE SOUTHWEST QUARTER OF SECTION 33, TOWNSHIP 12 SOUTH, RANGE 65 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF EL PASO, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BASIS OF BEARINGS: THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SECTION 34, TOWNSHIP 12 SOUTH, RANGE 65 WEST OF THE 6TH PRINCIPAL MERIDIAN, BEING MONUMENTED BY A 2-1/2" ALUMINUM CAP STAMPED "LS 11624" AT THE SOUTHWEST CORNER AND 2-1/2" ALUMINUM CAP STAMPED "LS 11624" AT THE SOUTH QUARTER CORNER, SAID LINE BEARING N89°14'14"E.

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 34, TOWNSHIP 12 SOUTH, RANGE 65 WEST OF THE 6TH PRINCIPAL MERIDIAN;

THENCE N82°23'37"W A DISTANCE OF 4,105.23 FEET, TO A POINT ON THE SOUTHERLY LINE OF THAT 20.00' ELECTRIC EASEMENT RECORDED UNDER RECEPTION NO. 218054783 IN THE RECORDS OF THE EL PASO COUNTY CLERK AND RECORDER, SAID POINT BEING THE POINT OF BEGINNING;

THENCE CONTINUING ON SAID SOUTHERLY EASEMENT LINE, S76°19'20"W A DISTANCE OF 60.00 FEET;

THENCE DEPARTING SAID SOUTHERLY EASEMENT LINE, N13°40'40"W A DISTANCE OF 20.00 FEET,
TO A POINT ON THE NORTHERLY LINE OF SAID 20.00' ELECTRIC EASEMENT;

THENCE ON SAID NORTHERLY EASEMENT LINE, THE FOLLOWING TWO (2) COURSES:

1. S76°19'20"W A DISTANCE OF 381.99 FEET, TO A POINT OF CURVE;
2. ON THE ARC OF A CURVE TO THE LEFT, HAVING A RADIUS OF 1,060.00 FEET, A CENTRAL ANGLE OF 19°59'04" AND AN ARC LENGTH OF 369.72 FEET, TO A POINT OF NON-TANGENT;

THENCE DEPARTING SAID NORTHERLY EASEMENT LINE, THE FOLLOWING SIX (6) COURSES:

1. N16°30'13"W A DISTANCE OF 179.19 FEET;

2. S73°29'47"W A DISTANCE OF 11.27 FEET;
3. N01°55'19"E A DISTANCE OF 307.22 FEET;
4. N05°37'53"E A DISTANCE OF 90.96 FEET;
5. N02°02'55"E A DISTANCE OF 130.48 FEET;

6. N00°42'35"W A DISTANCE OF 241.35 FEET, TO A POINT ON THE SOUTHERLY LINE OF AMENDED PLAT BARBARICK SUBDIVISION RECORDED UNDER RECEPTION NO. 217713910;

THENCE ON SAID SOUTHERLY LINE, N89°17'25"E A DISTANCE OF 697.50 FEET;

THENCE DEPARTING SAID SOUTHERLY LINE, THE FOLLOWING THREE (3) COURSES:

1. S00°42'35"E A DISTANCE OF 539.36 FEET;
2. N76°19'20"E A DISTANCE OF 63.46 FEET;
3. S13°40'40"E A DISTANCE OF 195.00 FEET, TO THE POINT OF BEGINNING.

CONTAINING A CALCULATED AREA OF 589,966 SQUARE FEET OR 13.5437 ACRES.