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DEVIATION REVIEW AND DECISION FORM

Procedure # R-FM-051-07
Issue Date: 12/31/07
Revision Issued: 00/00/00

DSD FILE NO.:

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REV. 9-21-18

General Property Information:

Address of Subject Property (Street Number/Name): 111680 Woodmen Road E.

Tax Schedule ID(s): # 5300000589

Legal Description of Property:

SE4SE4 SEC 1-13-65 INCLUDING THAT PART OF BLK 1
FALCON LY WITHIN THE SE4SE4 SEC 1-13-65, EX PT CONV TO
R/W BY REC #204062427 & WOODMEN METRO BY
REC # 207116129

Subdivision or Project Name: Falcon Marketplace

Section of ECM from Which Deviation is Sought: 2.2.5.B.1 Rural and Urban Principal Arterial and Rural Minor Arterial Access Criteria Spacing.

Specific Criteria in Which a Deviation is Sought: Spacing of roads accessing a principal arterial or rural minor arterial that will result in a full-movement intersection shall be planned at one-half mile (one-quarter mile for rural minor arterials)

Proposed Nature and Extent of Deviation: The deviation is a request to allow a proposed right-in/right-out-only access to Meridian Road (Principal Arterial) 740 feet north of Woodmen Road and 515 feet south of the Meridian/Eastonville Road intersection. Section 2.2.5.B.1 prescribes half-mile spacing of roads accessing a Principal Arterial that will result in a full movement intersection. The access requested with this deviation is not proposed as a full-movement, rather a right-in/right-out-only. ECM section 2.3.7.B "Intersection Spacing and General Access Standards" outlines the deviation criteria for right-in/right-out access points. This section indicates that right-in/right-out access points may be permitted as a deviation if the access meets ECM criteria for sight distances, turn lane requirements, grades, and would not negatively impact traffic operations or safety.

Applicant Information:

Applicant: Hummel Investments LLC

Email Address: steve@hummelinvestments.com

Applicant is: X Owner Consultant Contractor

Mailing Address: 8117 Preston Road, Suite 120, Dallas

State: TX

Postal Code: 75225

Telephone Number: (214) 416-9820

Fax Number: (214) 416-9824

Engineer Information:

Engineer: Jeffery C. Hodsdon, P.E., P.T.O.E.

Email Address: jeff@LSCtrans.com

Company Name: LSC Transportation Consultants, Inc.

Mailing Address: 545 E Pikes Peak Ave, Suite 210, Colorado Springs

State: CO

Postal Code: 80903

Registration Number: 31684

State of Registration: Colorado

Telephone Number: (719) 633-2868

Fax Number: (719) 633-5430

El Paso County Procedures Manual

Procedure # R-FM-051-07

Issue Date: 12/31/07

Revision Issued: SP-17-001 - Deviation #2 - Meridian Road RI/RO (Rev. 9-21-18)

Explanation of Request (Attached diagrams, figures and other documentation to clarify request):

Please refer to attached overall site exhibit for reference.

Please refer to the accompanying traffic impact study (TIS) for details and the traffic operations analysis. The TIS also includes exhibits requested by staff showing intersection/access spacing, acceleration and deceleration lengths and sight distance. The applicable exhibits are attached to this deviation.

Section of ECM from Which Deviation is Sought: 2.2.5.B.1 Rural and Urban Principal Arterial and Rural Minor Arterial Access Criteria Spacing

Specific Criteria from Which a Deviation is Sought: Spacing of roads accessing a principal arterial or rural minor arterial that will result in a full-movement intersection shall be planned at one-half mile.

Proposed Nature and Extent of Deviation: The deviation is a request to allow a proposed right-in/right-out-only access to Meridian Road (Principal Arterial) 740 feet north of Woodmen Road and 515 feet south of the Meridian/Eastonville Road intersection. Section 2.2.5.B.1 prescribes half-mile spacing of roads accessing a Principal Arterial that will result in a full movement intersection. The access requested with this deviation is not proposed as a full-movement, rather a right-in/right-out-only. ECM section 2.3.7.B "Intersection Spacing and General Access Standards" outlines the deviation criteria for right-in/right-out access points. This section indicates that right-in/right-out access points may be permitted as a deviation if the access meets ECM criteria for sight distances, turn lane requirements, grades, and would not negatively impact traffic operations or safety.

Reason for the Requested Deviation: The deviation is required for the proposed access location because the resultant spacing would be less than the prescribed one-half mile spacing. This access is important for site circulation and viability of the proposed commercial center. The commercial development is planned to be a grocery-anchored shopping center with convenience businesses, medical office, and an emergency room and as such it will be important to have access to Meridian other than only in the northeast corner of the site. This site is very challenging from an access perspective and this access would be an important part of the proposed overall access plan.

Comparison of Proposed Deviation to ECM Standard: The access is 1,900 feet closer than the required one-half mile (2,640 feet) spacing (per section 2.2.5.B.1 for full-movement intersections) to the south and 2,125 feet closer than the half-mile spacing to the north. However, this access is not proposed as a full-movement, rather a right-in/right-out-only. ECM section 2.3.7.B "Intersection Spacing and General Access Standards" outlines the deviation criteria for right-in/right-out access points.

Applicable Regional or National Standards used as Basis: City of Colorado Springs "Traffic Criteria Manual" -Section 3.2 Access Control - City Streets - The design, number, and location of access drives shall be approved by City Engineering. The number of access drives shall be a balance to allow for efficient traffic flow while providing adequate access to private property. City Engineering realizes that the adequacy of access points is a critical issue in the economic success of commercial developments and redevelopment areas. 1. Provisions of Access – Property owners have the right of reasonable access to the public street system. This manual provides standards for approving access to the City street system based on the street classification. If a property cannot be served by any access point meeting these standards, City Engineering shall designate access point(s) based on traffic safety; operational needs, economic development, and conformance to as much of the requirements of these guidelines as possible. Access drives shall not be approved for parking or loading areas that require backing movements in a public street right-of-way except for single-family or duplex residential uses on local streets.

Colorado State Highway Access Code 3.10 CATEGORY NR-A - Non-Rural Principal Highway - (6) Additional right-turn-only access shall be allowed where required acceleration and deceleration lanes can be provided, would relieve an identified congestion condition on the local street or road system, would not be detrimental to the safety and operation of the highway, would be in compliance with Code Section Four design standards, and the additional access would not knowingly cause a hardship to an adjacent property or interfere with the location, planning, and operation of the general street system.

El Paso County Procedures Manual

Procedure # R-FM-051-07

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DSD File No. SP-17-001 - Deviation #2 - Meridian Road RI/RO (Rev. 9-21-18)

Application Consideration:

CHECK IF APPLICATION MEETS CRITERIA FOR CONSIDERATION

JUSTIFICATION

☐ 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.

The deviation is requested to ECM criteria 2.2.5.B.1 relative to intersection spacing for full-movement access points and consideration criteria for additional full-movement access points. As half-mile spacing per 2.2.5.B.1 cannot be achieved given the limited public roadway property frontage to the north and west as well as the south frontage along the higher-classification Woodmen Road, the request for deviation for a right-in/right-out access per ECM section 2.3.7.B is requested. The Criteria for Approval section below references section 2.3.7.B.

☐ 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.

If at least one of the criteria listed above is not met, this application for deviation cannot be considered.

Criteria for Approval:

PLEASE EXPLAIN HOW EACH OF THE FOLLOWING CRITERIA HAVE BEEN SATISFIED BY THIS REQUEST

The request for a deviation is not based exclusively on financial considerations.

This access request is not "based exclusively on financial considerations." The request is being made because it is critical for site circulation and viability of the proposed commercial center. The commercial development is planned to be a grocery-anchored shopping center with convenience businesses, medical office, and an emergency room and as such it will be important to have access to Meridian other than only in the northeast corner of the site. This site is very challenging from an access perspective and this access would be an important part of the proposed overall access plan.

The deviation will achieve the intended result with a comparable or superior design and quality of improvement. The deviation will not adversely affect safety or operations.

The deviation will achieve a superior design because the access will provide options to motorists for entering and exiting the site rather than a single Meridian access in the northeast corner. This additional option will significantly help to distribute the traffic generated by this site as well as background traffic. This will result in improved operations at adjacent intersections -- especially the Eastonville/Meridian intersection. The need to allow for reasonable access/egress to/from commercial parcels within the downtown Falcon commercial area is an important consideration. This parcel is within this identified commercial "node" in the Falcon/Peyton Plan and as such, needs to be able to provide adequate access and egress to serve the people in the market area. This includes providing reasonable access and egress for area residents, employees and others traveling to/from (or passing by) "downtown Falcon" to shop, dine and access needed services.

ECM 2.3.7.B "Intersection Spacing and General Access Standards" includes criteria for consideration of right-in/right-out accesses if they meet the criteria for sight distances, turn-lane requirements, grades, and do not negatively impact traffic operations or safety. The proposed site access would have a right-turn lane in the form of a continuous acceleration/deceleration lane between Eastonville Road and Woodmen Road. This would be consistent with the section of Meridian Road south of Woodmen. There are continuous accel/decel lanes for access

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points through that section, although the lanes for this requested access may be configured differently. The exact configuration would be determined at the design stage. This access is proposed at a location nearly 200 feet "upstream" of the southbound left-turn storage lanes for the Meridian/Woodmen intersection. Gaps created from the proposed traffic signal just to the north at Eastonville will allow right-turning traffic to turn onto Meridian Road without impeding southbound through traffic. Traffic will not be able to turn left out of the access onto northbound Meridian due to the raised center median. Please refer to the attached exhibits (from the TIS) requested by staff showing intersection/access spacing, acceleration and deceleration lengths and sight distance.

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

The deviation would not significantly affect maintenance or costs with the exception of minor maintenance of signs, pavement markings, curb/gutter etc. It is important to note that this access would serve a commercial center, and PPRTA sales tax revenues would be generated.

The deviation will not adversely affect aesthetic appearance.

Aesthetic appearance will not be adversely affected.

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, 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

9/21/18

Signature of applicant (if different from owner)

Date

Signature of Engineer

Date

Engineer's Seal



Review and Recommendation:
APPROVED by the ECM Administrator

_____ Date _____
This request has been determined to have met the criteria for approval. A deviation from Section _____ of ECM is hereby granted based on the justification provided. Comments:

Conditions:

- This access is subject to future modification in accordance with ECM, LDC, State Access Code (as adopted by reference), and Colorado CRS requirements.
 - An access permit may be required prior to construction of this intersection. - Pavement design shall be based on Non-Residential Collector requirements, at a minimum.
 - Additional requirements may apply at the time of final design, at the discretion of the ECM Administrator.
- _____ Additional comments or information are attached.

DENIED by the ECM Administrator

_____ Date _____
This request has been determined not to have met criteria for approval. A deviation from Section _____ of ECM is hereby denied. Comments:

_____ Additional comments or information are attached.

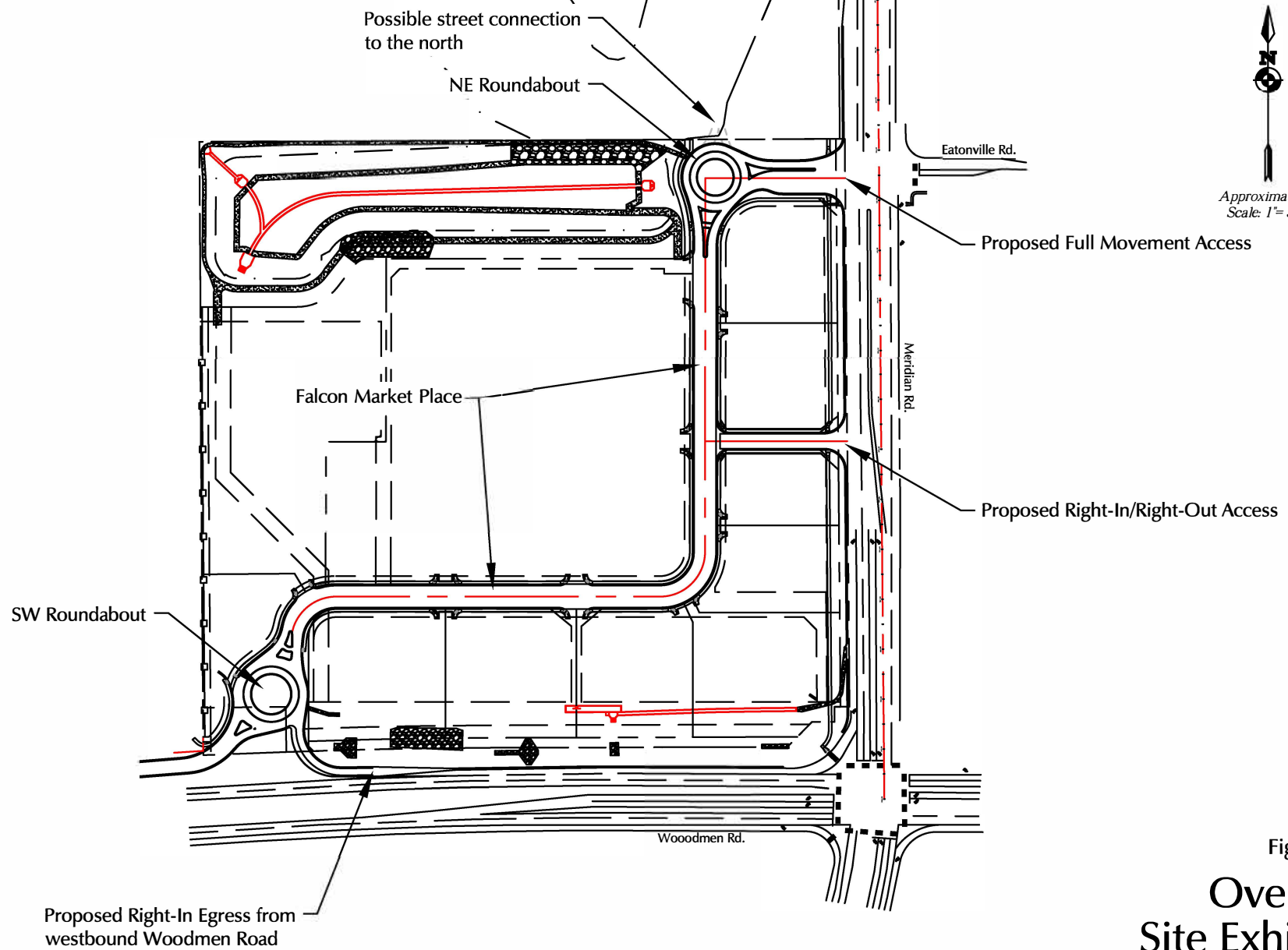


Figure 1
**Overall
Site Exhibit**
Falcon Marketplace (LSC #164350)

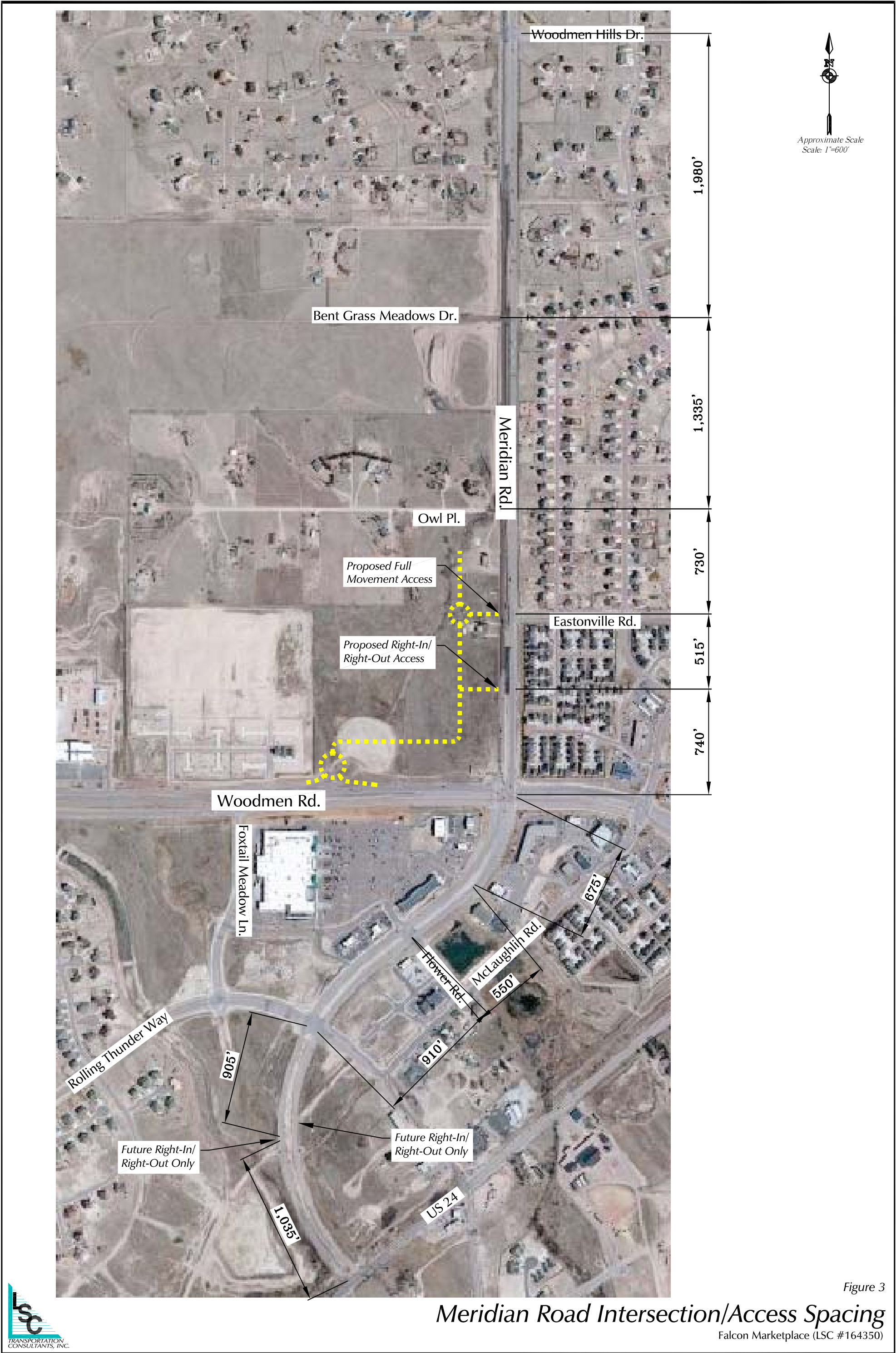
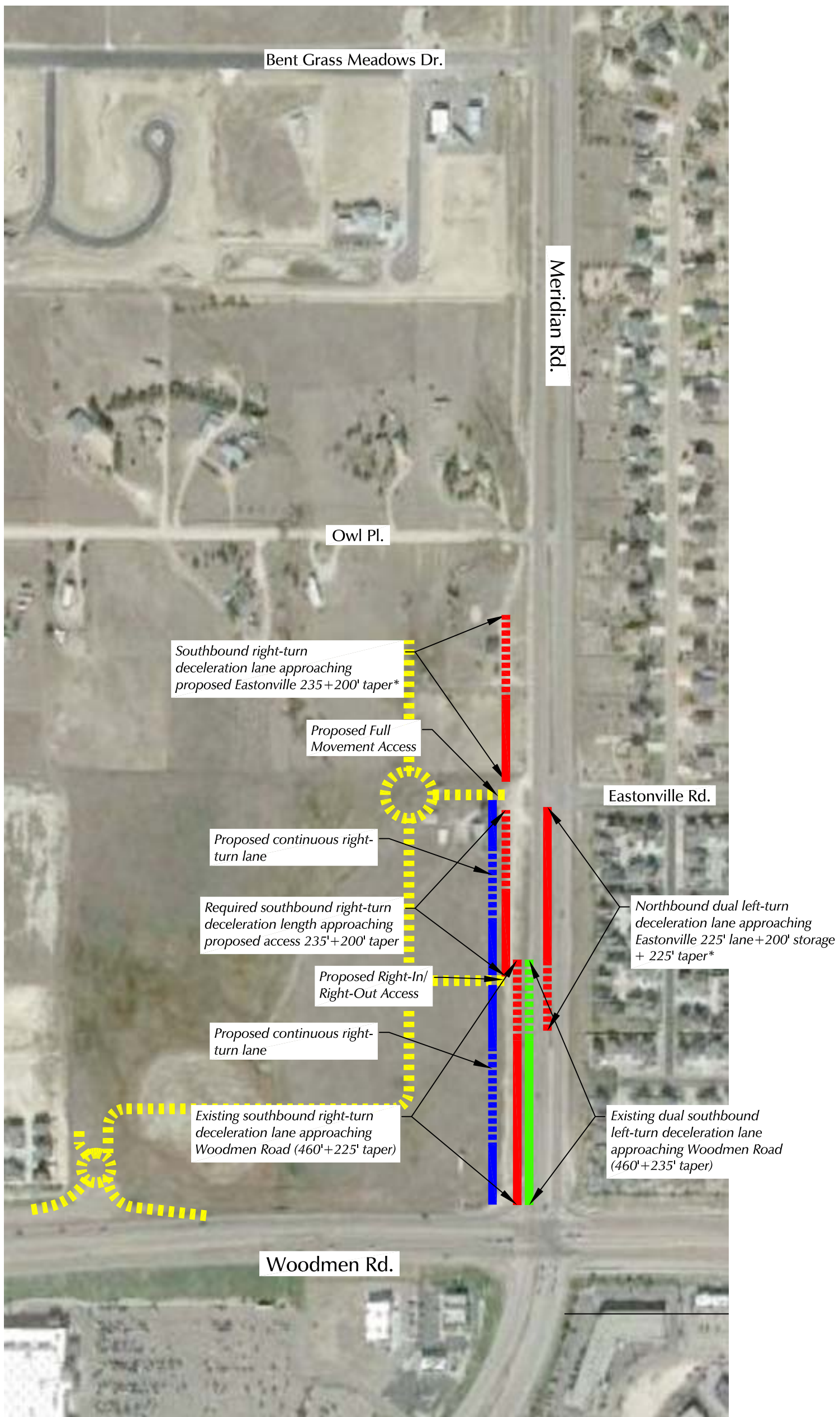
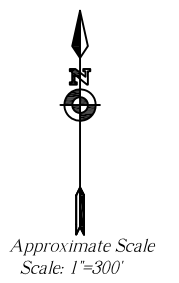


Figure 3

Meridian Road Intersection/Access Spacing

Falcon Marketplace (LSC #164350)

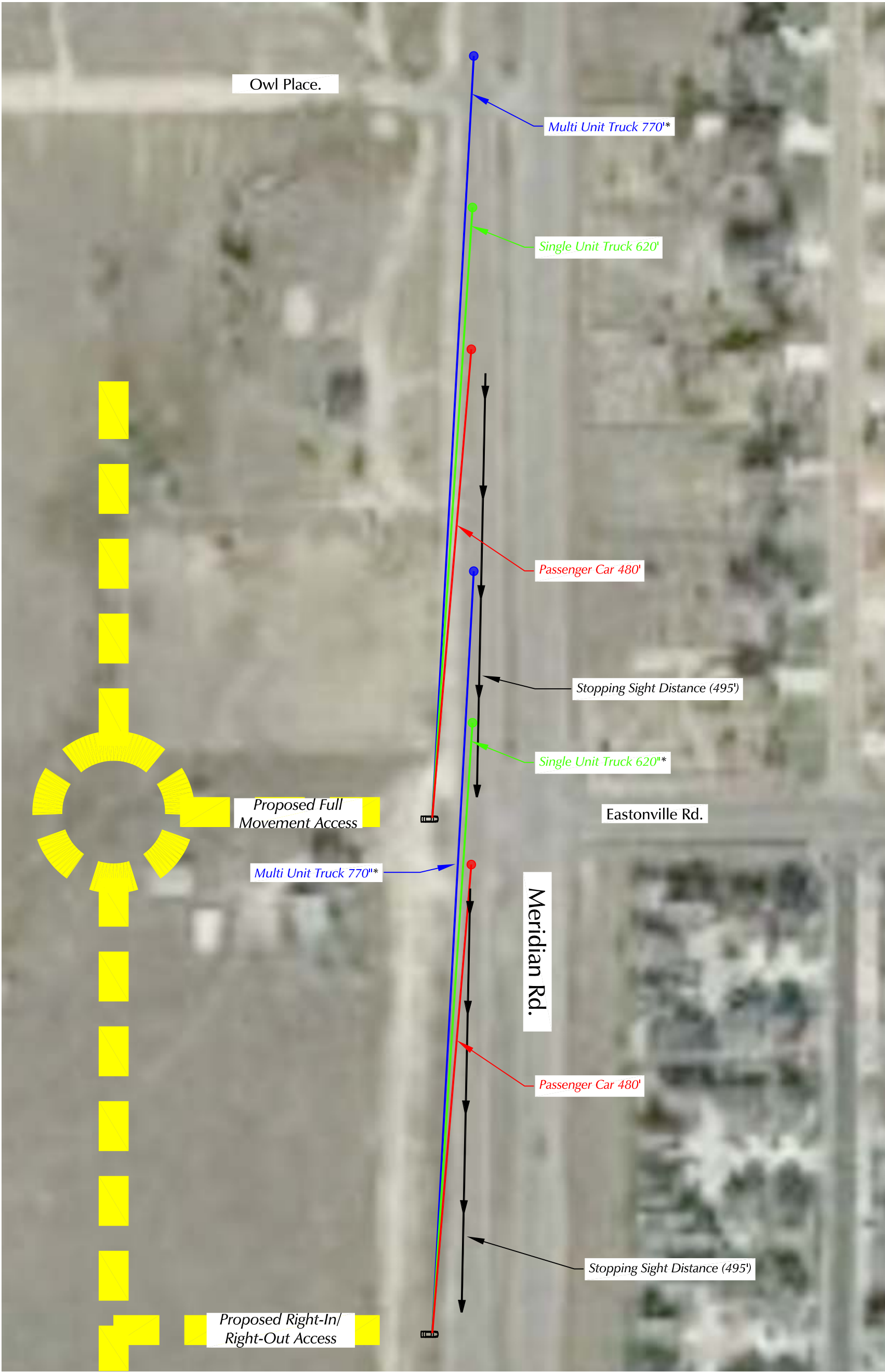


Note: Lane lengths from the Meridian Road (North) Corridor Plan (December 2009). Also assumes an anticipated post-development speed limit of 45mph (50mph design speed).

Figure 23

Accel/Decel Distances for Meridian Road North of Woodmen Road

Falcon Marketplace (LSC #164350)



LEGEND:

- Red line = Required intersection sight distance for passenger cars
- Green line = Required intersection sight distance for single-unit trucks
- Blue line = Required intersection sight distance for multi-unit trucks
- Black arrow = Required stopping sight distance

Based on an anticipated post-development speed limit of 45mph (50 mph design speed)



Figure 4
Sight Distance for Meridian Road
Falcon Marketplace (LSC #164350)