



**Planning and Community
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DEVIATION REQUEST AND DECISION FORM

Updated: 6/26/2019

PROJECT INFORMATION

Project Name :	Antlers Range
Schedule No.(s) :	4218000022
Legal Description :	THAT PT OF N2 SEC 18-12-64 DESC AS FOLS: BEG AT W4 COR OF SD SEC 18, TH N 00<01'46" E 733.50 FT, TH S 89<18'55" E 1424.82 FT, N 03<34'23" W 1064.36 FT, N 07<48'04" E 100.84 FT, N 12<02'48" E, S 89<03'55" E 224.99 FT, N 73<29'34" E 3.47 FT TO A PT ON THE N LN OF SD SEC 18, TH S 89<15'44" E 1673.16 FT, S 79<47'59" E 140.68 FT, S 76<04'16" E 177.22 FT, N 77<17'17" E 186.46 FT, N 88<44'05" E 573.80 FT, S 74<05'06" E 610.14 FT, S 00<06'41" E 2474.89 FT TO E4 COR OF SD SEC 18, TH N 89<18'34" W ON S LN OF N2 OF SD SEC 18 5089.68 FT TO POB

APPLICANT INFORMATION

Company :	Antlers Range, LLC
Name :	Grant Langdon
	<input checked="" type="checkbox"/> Owner <input type="checkbox"/> Consultant <input type="checkbox"/> Contractor
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ENGINEER INFORMATION

Company :	SM ROCHA, LLC		
Name :	Fred Lantz	Colorado P.E. Number :	23410
Mailing Address :	8700 Turnpike Drive, Suite 240 Westminster, Colorado 80031		
Phone Number :	303-458-9798		
FAX Number :			
Email Address :	fred@smrocha.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



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

A deviation from the standards of or in Section 2.3.7.5.1 of the Engineering Criteria Manual (ECM) is requested.

Identify the specific ECM standard which a deviation is requested:

Pursuant to the latest Traffic Impact Study (TIS), Ayers Road from Meridian Road east to White Antler Trail is recommended to be classified as a Rural Minor Collector based on projected 24-hour (ADT) volumes. As a result, pursuant to Section 2.3.2, Table 2-5 of the County's ECM, intersection spacing requirements along Rural Minor Collector roadways are described as being spaced 660 feet apart.

State the reason for the requested deviation:

While the 660-foot spacing requirement can be met, it would create left-turn conflicts along Ayers Road at its existing intersection with Broken Antler Court approximately 565 feet east of Meridian Road, therefore negatively impacting public safety.

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

Proposed alternative is to construct development access aligning with Broken Antler Court, creating a 4-leg intersection with Ayers Road approximately 565 feet east of Meridian Road. With this proposed design, Section 2.3.7.C of the County's ECM would be satisfied which describes intersection alignment as, "All lanes traversing an intersection shall be in alignment."

Compared to Section 2.3.2, Table 2-5 of the County's ECM, this would entail a new access location approximately 95 feet shy of the Rural Minor Collector roadway access spacing requirements. However, in review of Section 2.4.1 of the County's ECM, the proposed access location would maintain the 455 feet entering sight distance requirement along Ayers Road.

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:

Due to property boundary constraints, direct access is necessary for the approximate 24 acres of the site located directly on the northeast corner of Meridian Road and Ayers Road in order for this land to be developable. While the County's 660-foot access spacing requirement can be met, it would create eastbound and westbound left-turn conflicts along Ayers Road between Broken Antler Court and proposed site access.

Allowing access approximately 565 feet east of Meridian Road (to align with Broken Antler Road) is expected to be a better alternative than proposing access onto Meridian Road. Additionally, the results within the accompanying traffic impact study support the proposed access location. Moreover, pursuant to the guidelines and requirements described in Sections 2.3.7.C and 2.4.1 of the County's ECM mentioned previously, public safety and accessibility are not expected to be compromised.

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.

Pursuant to Section 2.4.1 of the County's ECM, the intention of access drives and their designs are described as follows,

"Access points shall be designed to provide safe movement for both those entering and traveling on roadways within the County. Like intersections, access points are conflict locations. The basic design of access points includes the following objectives:

- Adequate spacing
- Proper alignments
- Clear sight distances
- Coordinated widths with its intended use
- Clearances from intersections"

Pursuant to justifications mentioned previously, proper alignment and clear sight distances are being satisfied. It is further noted that access widths will be designed to meet County requirements.

Additionally, per the latest traffic impact study, analysis results conclude how traffic operations are within the County's design objective of LOS D or better (Section B.4.1.A of the County's ECM) with little to no vehicle queuing.

The deviation will not adversely affect safety or operations.

So long as proposed access aligns with Broken Antler Court and does not create left-turn conflicts along Ayers Road, public safety and operations are not expected to be negatively impacted.

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

The requested deviation will not negatively impact roadway maintenance. To the contrary, the proposed location will result in a roadway that better aligns with the adjacent roadway (Broken Antler Road) will increase maintenance efficiencies. The location will also avoid the challenging terrain located at 660', resulting in a roadway meeting the County's grade and width requirement.

The deviation will not adversely affect aesthetic appearance.

The deviation will not adversely affect aesthetics. Aligning roadway intersections (Broken Antler) results in a more visually appealing intersection when compared to disjointed access points.

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

This deviation request meets the design intent and purpose of the ECM standards. The intent of a traffic impact study is to assess traffic impacts associated by a proposed development and verify compliance to jurisdictional requirements and design objectives.

Pursuant to all the access location justification mentioned previously, all County ECM standards are being met with exception to access spacing requirements described in Section 2.3.2, Table 2-5 of the County's ECM.

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 deviation will not impact meeting the MS4 permit requirements. The drainage report demonstrates compliance with all drainage and MS4 requirements.

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.