

Planning and Community Development Department 2880 International Circle Colorado Springs, Colorado 80910 Phone: 719.520.6300 Fax: 719.520.6695 Website www.elpasoco.com

# DEVIATION REQUEST AND DECISION FORM

Updated: 6/26/2019

#### **PROJECT INFORMATION**

Project Name :Cimarron Hills SE Mixed Use Filing No 1 - SubdivisionSchedule No.(s) :5408007001, 5408007003, 5408007004Legal Description :See Submittal

#### **APPLICANT INFORMATION**

Company : Matrix Design Group	
Name :	
Owner I Consultant Contractor	
Mailing Address :	
Phone Number : 719-575-0100	
FAX Number :	
Email Address :	

#### **ENGINEER INFORMATION**

Company :	Matrix Design Group		
Name :	Jeff Odor	Colorado P.E. Number :	39265
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	Colorado Springs, CO 80920		
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#### **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	Г	г		
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### **DEVIATION REQUEST (**Attach diagrams, figures, and other documentation to clarify request)

A deviation from the standards of or in Section 2.3.2 of the Engineering Criteria Manual (ECM) is requested.

#### Identify the specific ECM standard which a deviation is requested:

In the design of Meadowbrook Parkway extension both 300' and 500' curve radiuses are used. These deviate from 565' required minimum centerline curve radius found in Table 2-7 of El Paso County ECM. In addition, the curves are a reverse curve and have no tangent length between them deviating from table 2-10 that requires a minimum 150' tangent length. All other roadway specifications horizontally and vertically have been met. The proposed extension of Meadowbrook Parkway is 35 mph.

### State the reason for the requested deviation:

The deviation request is due to the tie in points for both Meadowbrook Parkway and Peterson Road. The geometry of the road is set by the road tie in points. There is also an existing CSU sanitary main that runs from east to west that the proposed road mostly contains within the ROW limits. Containing the existing sanitary main within the proposed ROW limits enables better usage for the entire site.

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

The deviation of minimum radius and minimum reverse curve tangent length will allow for most of the existing utilities to be in the Meadowbrook Parkway ROW limits. This layout also maximizes the intersection spacing on Peterson Road. Having a reverse curve keeps the proposed extension of Meadowbrook as far north as possible from the intersection of Panamint Ct and Peterson Road and gives adequate spacing from Galley Road and Peterson 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:

If future maintenance of utilities is needed it is best that the utilities are within road right-of-way.

### **CRITERIA FOR APPROVAL**

Per ECM section 5.8.7 the request for a deviation may be considered if the request is <u>not based exclusively on financial</u> <u>considerations</u>. The deviation must not be detrimental to public safety or surrounding property. The applicant must include supporting information demonstrating compliance with <u>all of the following criteria</u>:

The deviation will achieve the intended result with a comparable or superior design and quality of improvement.

The existing utilities will be mainly within Meadowbrook Parkway right-of-way.

The deviation will not adversely affect safety or operations.

The road is a collector road and will be fairly low volume.

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

Maintenance of the Meadowbrook Parkway extension will not pose any maintenance issues.

The deviation will not adversely affect aesthetic appearance. Aesthetic appearance will not be adversely affected.

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

All other ECM standards will be followed. These deviations will improve access to existing utilities.

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. Matrix Design Group will be proposing Storm water infrastructure that meets the County's MS4 permit.

PCD File No. \_\_\_\_\_

### **REVIEW AND RECOMMENDATION:**

### Approved by the ECM Administrator

A deviation from Section	_ of the ECM is
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A deviation from Section	_ of the ECM is
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	A deviation from Section

# 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.

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