



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

Updated: 6/26/2019

Please provide exhibits, details, sections, etc that will help justify and show compliance of design to county criteria.

PROJECT INFORMATION

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

APPLICANT INFORMATION

Company : Matrix Design Group
 Name :
 Owner 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
 Mailing Address : 2435 Research Parkway, Suite 300
 Colorado Springs, CO 80920

 Phone Number : 719-575-0100
 FAX Number :
 Email Address :

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

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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.

Please provide additional reasons that require the need for the smaller curves, other than utility placement. Has a 400' curve been looked at in place of the 300' one?

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.

Sufficient justification has not been provided for the approval of this deviation. Please provide additional reasons that require the need for the smaller curves, other than utility placement. If other jurisdictions provide smaller radius for similiar classification of road, please provide that criteria and use as a justification.

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

Include discussion of how this design still compares to county criteria, or where it does not meet, but what can be adjusted to meet the criteria.

The deviation will not adversely affect safety or operations.

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

Discuss how the smaller curves would impact design speed (would lower speed be warranted), design vehicle (can DV and fire truck maneuver thru this curve). Discuss how sight and stopping distance are impacted due to smaller curves and no tangent between the curves. Due to the smaller curves, discuss proposed access location and if it meets criteria or will there need to be restrictions placed upon it.

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

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

Explain why there won't be any maintenance issues.

The deviation will not adversely affect aesthetic appearance.

Aesthetic appearance will not be adversely affected.

Explain why

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.

Include discussion of how this design still compares to county criteria, or where it does not meet, but what can be adjusted to meet the criteria.

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.

Include that a full spectrum pond will be built.

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.