



**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 : Joyful View Subdivision

Schedule No.(s) : 3300000466, 330000047

Legal Description : TR IN SW4 SEC 33-13-63 DESC AS FOLS: COM AT THE SW COR OF SD SEC 33, TH S 89<29'18" E 1167.44 FT FOR POB, TH N 00<43'29" E 2633.72 FT, S 89<29'18" E 577.00 FT, S 00<34'42" W 2633.71 FT, TH N 89<29'18" W 583.72 FT TO POB AKA TRACT 3

TR IN SW4 SEC 33-13-63 DESC AS FOLS: COM AT THE SW COR OF SD SEC 33, TH S 89<29'18" E 1167.44 FT FOR POB, TH N 00<43'29" E 2633.72 FT, S 89<29'18" E 577.00 FT, S 00<34'42" W 2633.71 FT, TH N 89<29'18" W 583.72 FT TO POB AKA TRACT 3

APPLICANT INFORMATION

Company : Vertex Consulting Services

Name : Nina Ruiz

☐ Owner ☒ Consultant ☐ Contractor

Mailing Address : 455 E Pikes Peak Ave
Suite 101
Colorado Springs, CO 80903

Phone Number : 719-733-8605

FAX Number : N/A

Email Address : Nina.ruiz@vertexcsc.com

ENGINEER INFORMATION

Company : LSC Transportation Consultants, Inc.

Name : Jeffrey C. Hodsdon

Colorado P.E. Number : 31684

Mailing Address : 2504 E Pikes Peak Ave
Suite 304
Colorado Springs, CO 80909

Phone Number : 719-633-2868

FAX Number : 719-633-5430

Email Address : jeff@LSCtrans.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 **2.3.2** of the Engineering Criteria Manual (ECM) is requested.

Identify the specific ECM standard which a deviation is requested: The applicant is requesting a deviation to allow construction of Joyful View and Ellas Way, which will provide access to the proposed subdivision, as **private** Rural Local (Gravel) roads with a 30-foot roadway cross section with a 26-foot travel surface. Please refer to the attached Deviation Exhibit.

2.3.2 Design Standards by Functional Classification

Table 2-5: Roadway Design Standards for Rural Collectors and Locals

Criteria for a Rural Local Gravel roadway (roadway surface width and ROW width standards)

State the reason for the requested deviation:

- No adjacent or connecting public ROW is available. Joyful View is being added as a private road easement and will be the only available connection to public ROW.
- The applicant does not have legal rights to access beyond the 30-foot easement that is in place.
- Adjacent property owners will not provide the applicant with an additional easement.
- It is not possible to meet the EPC requirement for a public road due to easement constraints.

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

The following alternatives to Rural Local gravel roadway standards are requested, per criteria in Table 2-5 of the ECM.

- Joyful View and Ellas Way would have a 30-foot roadway cross section with a 26-foot travel surface.
- The ECM requires that Rural Local gravel roadways consist of one 12-foot-wide travel lane per direction and 4-foot outside shoulders on each side, totaling 32 feet.
- The proposed total roadway travel width (26 feet) would be 6 feet narrower than the ECM standard (32 feet).
- The roadway design includes drainage facilities. There will be a swale on one side starting at the Joyful View property directly adjacent to the road (ranges from 4' wide to 10' wide). The road will be superelevated to drain to that swale.
- Joyful View is being proposed as a half-section, which would allow for expansion to the full ECM cross section in the future (by others) if an additional easement or potentially future ROW becomes available.

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:

- No adjacent or connecting public ROW is available. Joyful View is being added as a private road easement and will be the only available connection to the public ROW.
- The applicant does not have legal rights to access beyond the 30-foot easement that is in place.
- Adjacent property owners will not provide the applicant with an additional easement.
- It is not possible to meet the EPC requirement for a public road due to easement constraints.

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 alignment of Ellas Way does not have horizontal or vertical curvature, so a narrower roadway width would not affect sight distance for oncoming vehicles in either direction.
- Ellas Way would be a low-volume roadway. The projected ADT of 135 vehicles/day (vpd) would be lower than the design ADT for a Rural Local gravel roadway (200 vpd).
- The roadway design includes drainage facilities. There will be a swale on one side starting at the Joyful View property directly adjacent to the road (ranges from 4' wide to 10' wide). The road will be superelevated to drain to that swale.
- Joyful View is being proposed as a half-section, which would allow for expansion to the full ECM cross section in the future (by others) if an additional easement or potentially future ROW becomes available.

The deviation will not adversely affect safety or operations.

- The projected short-term ADT of 135 vpd would be relatively low and significantly lower than the design ADT for a Rural Local gravel roadway (200 vpd).
- The cul-de-sac will allow passenger, maintenance, and emergency vehicles to perform their duties along Ellas Way (the proposed site access roadway).
- This low-volume roadway cross section will serve (in the short term) as access to this 9-lot subdivision and the adjacent lot to the west. Therefore, use will be predominantly by familiar drivers (mostly all passenger vehicles from subdivision residents). Note: Joyful View has the potential to provide access in the future to parcels located to the east of the site – please refer to the TIS for details.
- Per Table 13-1 of the *Colorado Department of Transportation (CDOT) 2018 Roadway Design Guide* (Chapter 13: *Alternate Standards (Low Volume Roads)*, Section 13.4 *Cross Section Design*, Subsection 13.4.1 *Very Low-Volume Local Roads in Rural Areas Cross Section*), a 20-foot **[Update: the currently proposed width for this project is 26-feet]** total roadway width (including the width of both traveled way and shoulders) would be an acceptable roadway width given the site-specific conditions for this development. The design guidelines defined in the above referenced CDOT document provide a less strict design guideline and do not compromise safety when applied to very low-volume roadways with familiar drivers. These guidelines suggest options for flexibility in designs to accommodate specific needs. Please refer to the table below for more details:

The deviation will not adversely affect safety or operations.

Total Roadway Width (ft) by Functional Classification						
Design Speed (mph)	Major Access	Minor Access	Recreational and Scenic	Industrial/Commercial Access	Resource Recovery	Agricultural Access
15	-	18.0	18.0	20.0	20.0	22.0
20	-	18.0	18.0	20.0	20.0	24.0
25	18.0	18.0	18.0	21.0	21.0	24.0
30	18.0	18.0	18.0	22.5	22.5	24.0
35	18.0	18.0	18.0	22.5	22.5	24.0
40	18.0	18.0	20.0	22.5	-	24.0
45	20.0	20.0	20.0	23.0	-	26.0
50	20.0	20.0	20.0	24.5	-	-
55	22.0	-	22.0	-	-	-
60	22.0	-	-	-	-	-
Note: Total Roadway width includes the width of both traveled way and shoulders.						

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

- The owner's association will maintain these roadways.

The deviation will not adversely affect aesthetic appearance.

- The roadway will have a 30-foot roadway cross section with a 26-foot travel surface and will have an appearance similar to other gravel roadways in rural El Paso County.

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

- The intent can be met, given the relatively low traffic volume.
- The number of lots does not exceed the threshold number requiring a waiver of the Land Development Code.

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 proposed deviation requests have no impact on control measure requirements specified by the County's MS4 Permit.
- Appropriate stormwater control measures will be implemented by the project in accordance with the approved Drainage Report and Drainage Plans.

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:

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Deviation Exhibit

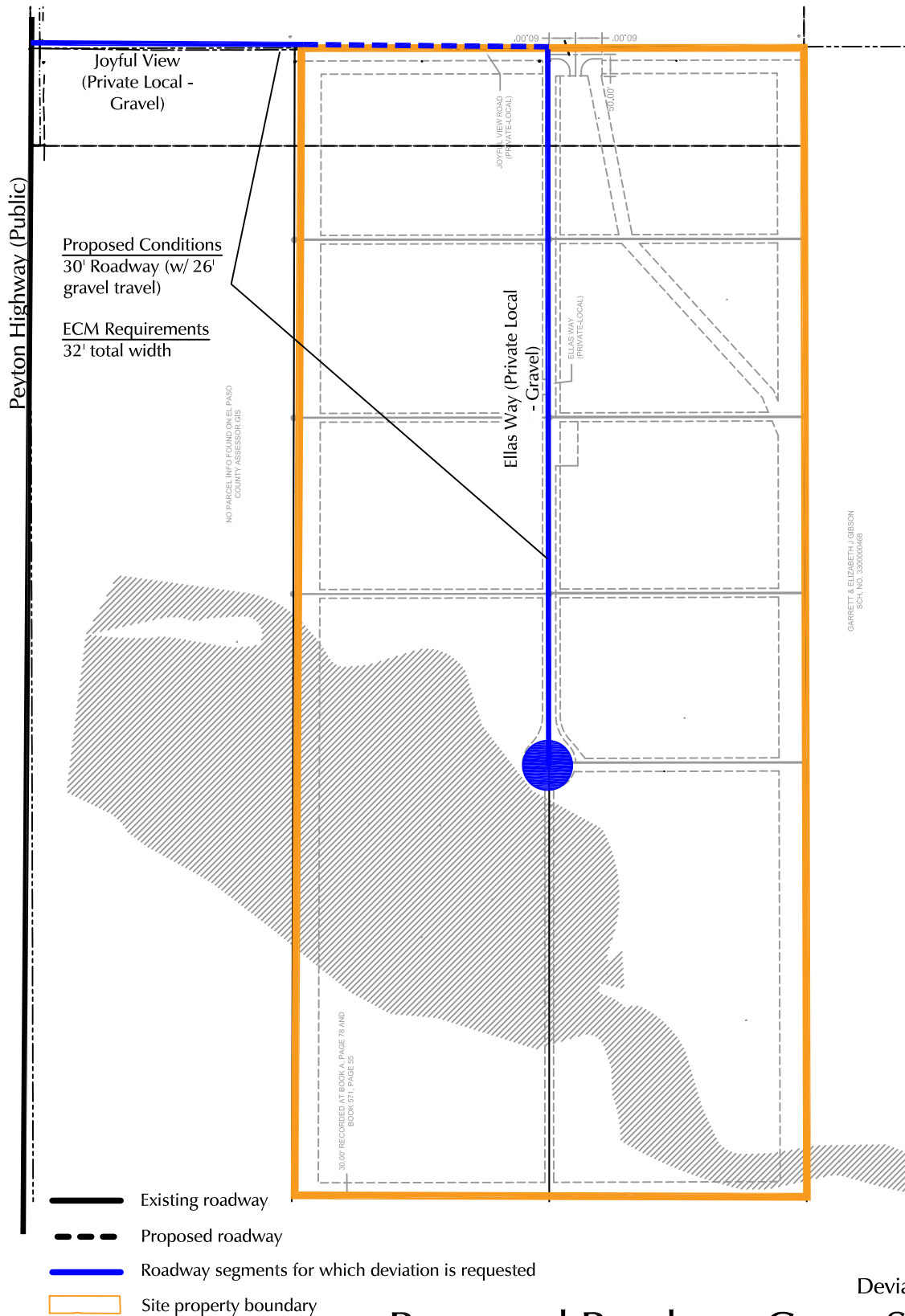


Deviation Request 2

2 2.3.2 Design Standards by Functional Classification - Rural Local Gravel Roadway



Approximate
Scale
1" = 350'



Deviation Exhibit

Proposed Roadway Cross Section

Joyful View (LSC# S214051)

