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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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General Property Information:

Address of Subject Property (Street Number/Name): N. Carefree Circle and Akers Drive
Tax Schedule ID(s) #: 5329400012

Legal Description of Property: TR IN E2 SEC 29-13-65 DESC AS FOLS: COM AT NE COR OF SD SEC, TH S 89<10'57" W 2105.32 FT, S 04<23'18" W 3857.57 FT TO POB, TH CONT ON SD LN 1456.87 FT, N 89<19'38" E 1240.25 FT, N 00<02'55" E 1451.73 FT, S 89<18'20" W 1391.65 FT TO POB, EX PT PLATTED TO N CAREFREE CIR, EX THAT PT CONV BY REC #206084137
Subdivision or Project Name: Gardens at North Carefree

Section of ECM from Which Deviation is Sought: Section 2.3.2 Design Standards by Functional Classification; and 2.2.4 Roadway Functional Classifications and Urban/Rural Designations.

Specific Criteria from Which a Deviation is Sought: Section 2.3.2 Table 2-7: ROW on an Urban Local street; Section 2.2.4.B.6 Figure 2-16 Typical Urban Local street cross section.

Proposed Nature and Extent of Deviation: The proposed deviation is to allow a 45-foot right-of-way for the proposed Urban Local subdivision streets by eliminating the 2.5-foot strip between the back of sidewalk and the ROW line on each side (5' total). The ROW line would be at the back of sidewalk on each side. No other modifications to the standard cross section shown in ECM Figure 2-16 are proposed.

Applicant Information:

Applicant: Mule Deer Investments, LLC. Email Address: hherber@wheatlandscapital.com_
Applicant is: Owner Consultant Contractor
Mailing Address: 2727 Glen Arbor Drive Colo. Springs State: CO Postal Code: 80920
Telephone Number: (719) 575-0083 Fax Number: _____

Engineer Information:

Engineer: Jeffrey C. Hodsdon Email Address: jeff@LSCtrans.com
Company Name: LSC Transportation Consultants, Inc.
Mailing Address: 545 East Pikes Peak Ave. Suite 210, Colo Springs State: CO Postal Code: 80903
Registration Number: 31684 State of Registration: CO
Telephone Number: 719-633-2868 Fax Number: 719-633-5430

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

Section of ECM from Which Deviation is Sought: Section 2.3.2 Design Standards by Functional Classification; and 2.2.4 Roadway Functional Classifications and Urban/Rural Designations.

Specific Criteria from Which a Deviation is Sought: Section 2.3.2 Table 2-7: ROW on an Urban Local street; Section 2.2.4.B.6 Figure 2-16 Typical Urban Local street cross section.

Proposed Nature and Extent of Deviation: The proposed deviation is to allow a 45-foot right-of-way for the proposed Urban Local subdivision streets by eliminating the 2.5-foot-wide strip between the back of sidewalk and the ROW line

on each side (5' total). The ROW line would be at the back of sidewalk on each side. No other modifications to the standard cross section shown in ECM Figure 2-16 are proposed. Please refer to the attached proposed modified cross section exhibit.

Reason for the Requested Deviation: The primary reason for this deviation is to accommodate the prescribed ECM intersection centerline spacing along Running Deer Way. The deviation will allow a shift in the lots to the east to meet the 175-foot ECM-prescribed intersection centerline spacing. Also, the deviation will allow the site to accommodate the lots and open space given that the site is narrower on the south side.

Comparison of Proposed Deviation to ECM Standard: The proposed deviation is to allow a 45-foot ROW instead of the standard 50-foot ROW for the proposed subdivision streets. The only difference from the ECM-standard cross section would be the elimination of the 2.5-foot-wide strip between the back of sidewalk and the ROW line on each side (5' total). The ROW line would be at the back of sidewalk on each side. No other modifications to the standard cross section shown in ECM Figure 2-16 are proposed.

Applicable Regional or National Standards used as Basis:

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.

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.

The primary reason for this deviation is to accommodate the prescribed ECM intersection centerline spacing along Running Deer Way. The deviation will allow a shift in the lots to the east to meet the 175-foot ECM-prescribed intersection centerline spacing. Also, the deviation will allow the site to accommodate the lots and open space given that the site is narrower on the south side

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 deviation is not based exclusively on financial consideration, rather site planning considerations. The primary reason for this deviation is to accommodate the prescribed ECM intersection centerline spacing along Running Deer Way. The deviation will allow a shift in the lots to the east to meet the 175-foot ECM-prescribed intersection centerline spacing. Also, the deviation will allow the site to accommodate the lots and open space given that the site is narrower on the south side.

The deviation will achieve the intended result with a comparable or superior design

The deviation would result in a comparable design. The streetscape corridor will be 5' less than the standard. However, this will be consistent with the density and design of the subdivision. Sidewalk maintenance will not be impacted with the

and quality of improvement. removal of the 2.5 feet behind the sidewalks because there will still be a 5-foot public improvements easement adjacent to the back-of-sidewalk on each side.

The deviation will not adversely affect safety or operations. Safety and operations will not be negatively affected by this deviation. The narrowing of the streetscape corridor, although minor (5-feet) in this case, has the potential (in general) to actually encourage slower vehicles speeds along the Local street.

The deviation will not adversely affect maintenance and its associated cost. Sidewalk maintenance will not be impacted with the removal of the 2.5 feet behind the sidewalks because there will still be a 5-foot public improvements easement adjacent to the back-of-sidewalk on each side.

The deviation will not adversely affect aesthetic appearance. The deviation will not adversely affect aesthetic appearance as the slightly narrower streetscape corridor will be consistent with this particular subdivision.

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.

Keith A Herber, Mgr Aug 9, 2018
Signature of owner (or authorized representative) Mule Deer Investments Date

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:

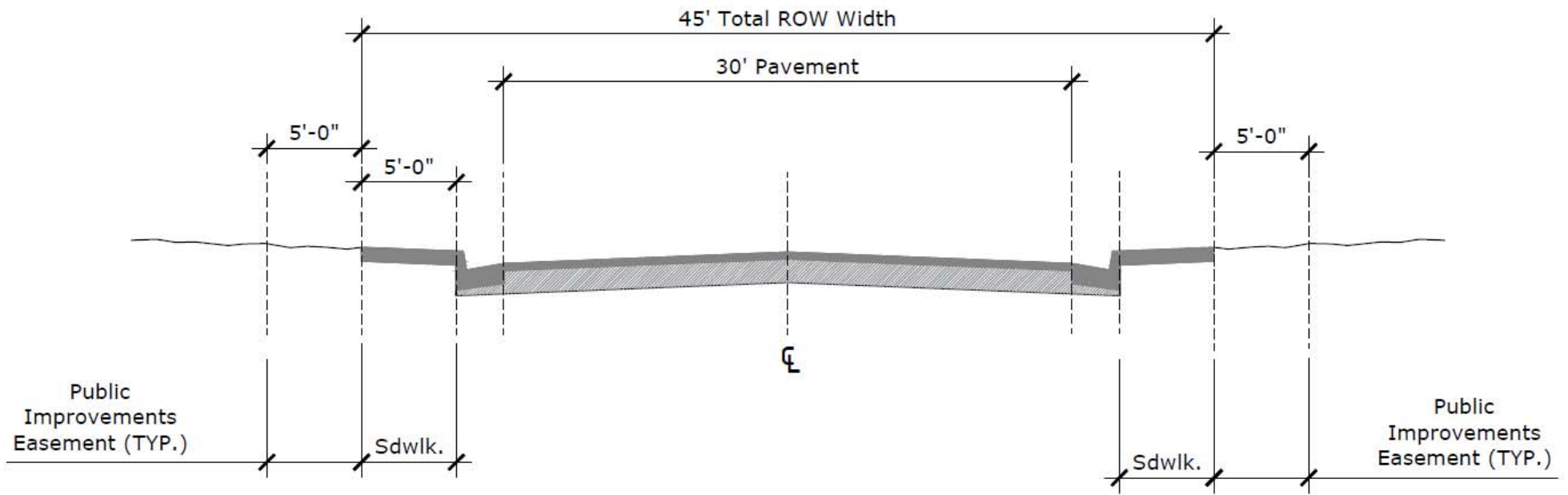
____ Additional comments or information are attached.

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.



1 **TYPICAL SECTION - PUBLIC STREET**
 SCALE: NTS (URBAN LOCAL)

Deviation Exhibit