AGENDA ITEM or FINAL CONTRACT REVIEW SUBMITTAL FORM

Agenda Item: Resolution; Waiving Certain Provisions of the Gunn

Action Requested: Board of County Commissioners' Signature

Parties to the Agreement:

Term Begins: **Term Ends:** **Grant Contract #:**

Summary:

At the last Board meeting the request for a Waiver of Standards for the approach angle for Little Cimarron Ranch Subdivision was approved. The Resolution needs to be signed by the Board.

Fiscal Impact: None

Submitted by: Marlene D. Crosby **Submitter's Email Address:** mcrosby@gunnisoncounty.org

Finance Review: ○ Required ◉ Not Required

Comments:

Reviewed by: Discharge Date:

County Attorney Review: ◉ Required ○ Not Required

Comments:
ok db 3/9/15

Reveiwed by: Discharge Date: 3/9/2016 Certificate of Insurance Required Yes ○ No ◉

County Manager Review:

Comments:

Reveiwed by: GUNCOUNTY1\mbirnie Discharge Date: 3/9/2016

○ Consent Agenda ◉ Regular Agenda ○ Worksession Time Allotted: 5 minutes

Agenda Date: 3/15/2016

Revised April 2015

BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF GUNNISON, COLORADO

RESOLUTION NO. 2016-____

A RESOLUTION WAIVING CERTAIN PROVISIONS OF THE GUNNISON COUNTY STANDARD SPECIFICATIONS FOR ROAD AND BRIDGE CONSTRUCTION, REQUESTED BY LITTLE CIMARRON RANCH SUBDIVISION

WHEREAS, a written petition by Little Cimarron Ranch Subdivision, was filed with the Board of County Commissioners of Gunnison County, Colorado, requesting a waiver of the Gunnison County Standard Specifications for Road and Bridge Construction ("Standards and Specifications") and

WHEREAS, the request is to waive the approach angle of the Standards and Specifications for Cimarron Trail at the intersection of CR #864 (Little Cimarron) and Cimarron Trail, to an approach angle of 60 degrees.

WHEREAS, the Board has conducted a duly noticed public hearing regarding that petition.

THE BOARD OF COUNTY COMMISSIONERS OF GUNNISON COUNTY, COLORADO FINDS that Little Cimarron Ranch Subdivision has established by clear and convincing evidence that:

1. The waiver is warranted by site specific conditions that make compliance with the Standards and Specifications technically unfeasible; and

2. The waiver will not adversely affect the safe, efficient and orderly movement of motorized and non-motorized traffic; and

3. The waiver will not adversely affect health and safety; and

4. The waiver will not cause substantial injury to the owner of occupant of adjacent land(s); and

5. The waiver will not cause substantial injury to the environment; and

6. The waiver will provide the functional equivalent of the Standards and Specifications.

THEREFORE, the Board of County Commissioners of Gunnison County, Colorado resolves as follows:

1. Approach Angle:

   A 60 degree approach angle for the intersection of CR 864 and Cimarron Trail is approved.

INTRODUCED by Commissioner _____, seconded by Commissioner _____, and adopted this ___ day of March, 2016.

BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF GUNNISON, COLORADO

By _____
Paula Swenson, Chairperson

By: _____
Phil Chamberland, Vice Chairperson

By: _____
Jonathan Houck, Commissioner

ATTEST:

_____
Deputy County Clerk

GUNNISON COUNTY PUBLIC WORKS DEPARTMENT

195 Basin Park Drive
Gunnison, CO 81230
Ph: (970) 641-0044
Fax: (970) 641-8120

NOTICE OF PUBLIC HEARING
REQUEST FOR WAIVER OF
GUNNISON COUNTY STANDARD SPECIFICATIONS
FOR ROAD AND BRIDGE CONSTRUCTION

HEARING DATE, TIME AND LOCATION: The Gunnison County Board of Commissioners will conduct a public hearing, **March 1, 2016 at 8:55 a.m.,** in the Board of County Commissioners Meeting Room in the Gunnison County Courthouse, to hear public comment concerning an application for a waiver of the Gunnison County Standard Specifications for Road and Bridge Construction for the Little Cimarron Creek Ranch Subdivision. A copy of the petition and supporting documentation can be reviewed at the Gunnison County Public Works Department at 195 Basin Park Drive, Gunnison, Colorado from 7:00 a.m. to 4:30 p.m. weekdays.

PARCEL LOCATION: County Road #864, Little Cimarron Road – through the Little Cimarron Creek Ranch, approximately .33 miles from the Gunnison/Montrose County line.

PROPOSAL: The waiver requests permission for an approach angle of 60 degrees.

POSSIBLE ACTION Formal action may be taken on the waiver request at this meeting.

PUBLIC PARTICIPATION: The public is invited to submit verbal or written comments at the hearing, or to submit written comments by FAX (970) 641-8120, or by letter (to the Gunnison County Public Works Department, 195 Basin Park Drive, Gunnison, CO 81230), so long as they are received by 5:00 p.m. the evening before the date of the meeting so that they may be submitted for the public record during the hearing. Additional information may be obtained by calling the Public Works Department office at (970) 641-0044).

ADA ACCOMMODATIONS: Anyone needing special accommodations as determined by the *American Disabilities Act* may contact the Public Works Department prior to the day of the meeting.

/s/ Marlene Crosby
Public Works Director

To be published as a Legal Advertisement in the Gunnison Country Times editions of February 18, 2016, and February 25, 2016.

WILLIAMS ENGINEERING, LLC
400 N. Main
Gunnison, Co 81230
(970) 641-2499
Fax: (970) 641-3440

January 5, 2016

Gunnison County Public Works Department
195 Basin Park Drive
Gunnison, Colorado 81230

ATTN: Ms. Marlene Crosby
Director

Reference: Waiver of Standards Request for Cimarron Trail
Little Cimarron Creek Ranch Subdivision
Gunnison County, Colorado
Job No. 2371

Dear Ms. Crosby:

Pursuant to our recent conversation we are hereby submitting a request for a Waiver of Standards for Cimarron Trail a road within the Little Cimarron Creek Ranch Subdivision. We were originally required by the Planning Commission to submit a waiver for the width of road way and the angle of approach of Cimarron Trail to County Road 864, a.k.a., Little Cimarron Road. Lakeside on the Colorado obtained approval from Gunnison County for a Land Use Change to subdivide 63.27 acres into 4 single family parcels. A condition of the subdivision approval process was to obtain a waiver of standards for Cimarron Trail from Gunnison County. The Owner elected to increase the width of the road right of way from 30 ft. to 60 ft. which results in the width being in compliance with County standards. Providing you are okay with the change in width the only waiver required is the approach angle.

This request is being submitted in accordance with the provisions and requirements set forth in Article 1, Section 1.9, Waiver, of the Gunnison County Standards and Specifications for New Construction of Roads and Bridges and the following is hereby being submitted:

1. The name, address & telephone number of the applicant.

   Little Cimarron Creek Ranch Owners Group, Inc.
   Jay Dickens, President
   500 Log Cabin Road
   Mertzon, TX 769941-4103
   325-656-1203

2. Identification of the subject property and road.

Property: Little Cimarron Creek Subdivision
Road: Cimarron Trail

3. Specific description of the requested waiver (including relevant, proposed construction plans).

Gunnison County Standards set forth that "the horizontal axis of approach to the roadway shall normally be at right angles to the centerline of the roadway and extend a minimum of 40 feet beyond the traveled way. An angle between 90 and 60 degrees shall be permitted if it can be shown that physical constraints exist that require an approach new angle of less than 90 degrees." The proposed approach design angle is 60 degrees as set forth in the attached Plan and Profile Construction Drawings for Cimarron Trail.

4. A detailed explanation of why the proposed waive is warranted by site specific conditions which create an unusual aspect or feature not shared by the property in general.

The easterly property edge is directly adjacent to the county road and the natural slope from the edge of the road is very steep and the construction of the road would have significant impact to the environment. The only practical location for the road approach to access the lots is as depicted on the construction drawings. At this location a 90 degree intersection and 40 feet long road approach the fill at the outside edge of road would be approximately 15 feet on the natural slope of 60% or 38 degrees which is not cost effective or practical. With an intersection of 60 degrees and a road approach grade of 4% the natural ground is being followed and there is much less impact to the area and the overall road is much safer without the large fill on a significant natural slope. Sight distances will not be impacted as with a 60 degree approach angle and the waiver will not adversly affect the safe, efficient, and orderly movement of traffic.

5. A detailed explanation of why the proposed waiver.

See the comments under the above item number 4.

6. Any other information required by the Board or the Director of public Works.

Based on past coordination with you there are is no additional information required at this point in time.

Sincerely,

Robert L. Williams, PE
Williams Engineering, LLC

Xc: Jay Dickens - Lakeside on the Colorado, jay.d.dickens@hotmail.com