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**DEVIATION REQUEST  
AND DECISION FORM**

Updated: 6/26/2019

**PROJECT INFORMATION**

Project Name :	Forest Lakes Filing No. 7
Schedule No.(s) :	71000-00-454
Legal Description :	Forest Lakes Filing No. 7

**APPLICANT INFORMATION**

Company :	FLRD #2, LLC
Name :	Jim Boulton (Vice President)
	<input checked="" type="checkbox"/> Owner <input type="checkbox"/> Consultant <input type="checkbox"/> Contractor
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**ENGINEER INFORMATION**

Company :	Classic Consulting Engineers & Surveyors	Colorado P.E. Number :	29794
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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 └

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**DEVIATION REQUEST** (Attach diagrams, figures, and other documentation to clarify request)

A deviation from the standards of or in Section **3.3.1.J.8** of the Engineering Criteria Manual (ECM) is requested.

Identify the specific ECM standard which a deviation is requested:

The maximum storm sewer velocity shall be 18 fps..

State the reason for the requested deviation:

Due to the existing steep topographic conditions of this site (84' of fall within the right-of-way), several proposed storm sewer mains have velocities in excess of 18 fps.

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

Utilizing El Paso County criteria, this community contains several streets with slopes of 8%. Steeper streets are needed in order to maintain ADA accessibility at intersections. Due to the long length of some of these streets (with corresponding storm under them), Velocities in excess of 18 fps are present in both the proposed public and private storm systems.

**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:

As mentioned above, the existing site topography and resultant street profiles result in storm sewer slopes that result in velocities in excess of 18 fps. All outfalls towards the adjacent creek require pipe slopes that result in the velocities presented. Lessening the pipe slope would create undesirable system depths based upon over 110' of vertical fall over the site (84' of fall in the proposed 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 **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.

Based upon the topography of the site and the design constraints, every effort has been made to reduce velocity where possible with the storm pipe. For all public storm sewer, the county requires Class III RCP storm pipe. Manufacturer information for this pipe material show that this pipe has an equivalent concrete strength to Class IV. This data shows that the proposed Class III RCP also provides the increased abrasion resistance desired for all reaches of storm sewer that exceed 18 fps since the actual concrete compressive strengths exceed the minimum required for RCP Class IV (4000psi) and RCP Class V (6000psi). The pipe class required D-load minimum capacity is given in ASTM C 76 or AASHTO M170.

Based upon these findings no impacts to design or quality of the improvement will be realized. Only 520 linear feet of the proposed 2665 linear feet of public system has velocities exceeding 18 fps (19.5%)

The deviation will not adversely affect safety or operations.

There are no safety or operation concerns with this request. Bury depth of the storm systems have been minimized, and flows at respective discharge points are adequately designed to mitigate the flow velocities.

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

No adverse impacts to maintenance or its associated costs will be realized. As stated above, bury depth have been minimized to facilitate ease of access.

The deviation will not adversely affect aesthetic appearance.

No adverse impacts to aesthetics will be realized, as these proposed systems are all underground.

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

Design intent and purpose of the ECM standards is not compromised, as the velocity in excess of 18 fps still allows for a safe and orderly transfer of storm drainage flows to their respective outfalls.

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.

As required and reflected in the prior approved Drainage Report for this overall site, and specifically for the Filing No. 7 site in the Final Drainage Report, Stormwater Quality is being provided via the proposed public storm facilities under consideration with this deviation request transferring the flows to treatment facilities.

**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.