



**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 : EA File No. 21-191 Owl Place
 Schedule No.(s) : 5301001015
 Legal Description : Lot 15 Falcon Ranchettes, El Paso County

APPLICANT INFORMATION

Company : Drexel, Barrell & Co.
 Name : Kate Varnum
 Owner Consultant Contractor
 Mailing Address : 3 South 7th Street, Colorado Springs, CO 80905

 Phone Number : (719) 260-0887
 FAX Number :
 Email Address : kvarnum@drexelbarrell.com

ENGINEER INFORMATION

Company : Drexel, Barrell & Co.
 Name : Kate Varnum Colorado P.E. Number : 53459
 Mailing Address : 3 South Seventh Street Colorado Springs, CO 80905

 Phone Number : (719) 260-0887
 FAX Number :
 Email Address : kvarnum@drexelbarrell.com

OWNER, APPLICANT, AND ENGINEER DECLARATION

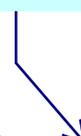
To the best of my knowledge, the information on this application and all additional or supplemental documentation is true, factual and complete. I am fully aware that any misrepresentation of any information on this application may be grounds for denial. I have familiarized myself with the rules, regulations 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

DEV223



PCD File No. _____

ECM/DCM

Please also identify ECM I.7.2.B and also reference this below (see snippet).

DEVIATION REQUEST (Attach diagrams, figures, and other documentation)

Other Specialized BMPs. The Technical Advisory Committee (TAC) selected the above structural BMPs after a comprehensive screening of known structural BMPs. The members of TAC included representatives from many city and County agencies and individuals from the development community. Final selection by TAC was based on the review of documentation on potential effectiveness in a semiarid climate, local applicability, maintenance considerations, and cost.

A deviation from the standards of or in Section 4.1 Providing WQCV of the

Development and evaluation of permanent BMPs are continuing processes. Better designs of the BMPs included in DCM2 and designs of new BMPs, including manufactured (proprietary) BMPs, will be developed and tested. To allow for this progress, additional BMPs will be considered on a case-by-case basis by County Stormwater Staff. Design and sizing details and results of independent testing of the BMP in conditions similar to those at the site will be submitted demonstrating that the BMP will meet or exceed the performance of approved BMPs for the site.

Identify the specific DCM standard which a deviation is requested:

The El Paso County Drainage Criteria Manual Vol. 2 code - Section 4.1.1 shall be incorporated into underground facilities. The code specific to be incorporated into underground detention facilities, such as

Please revise to ECM/DCM as the ECM also identifies the 6 types in appendix I.

To promote improvement in stormwater protection, County Stormwater Staff may approve promising BMPs on an experimental basis. A performance monitoring program to be pre-approved by County Stormwater Staff and an agreement to replace the Experimental System with an approved system should it not function to the required level of performance, both at the owner's expense, will be required. A request to use an "experimental system" must be submitted to El Paso County in the form of a Request for a Deviation from these standards, submitted consistent with the criteria and process described Chapters 1 and 5, respectively. Design of any "experimental system" shall not commence until a Request for Deviation is submitted to and approved by the County.

State the reason for the requested deviation:

This deviation request is to propose an alternative permanent BMP (e.g. Stormceptor) than the six standard types of BMPs outlined in the DCM for providing treatment of the WQCV, due to physical layout and geometry of the site (space limitations), and the presence of the sub-regional detention facility SR4 immediately downstream. Either one larger underground WQ facility at the southwest corner of the site is proposed, or alternatively four smaller units specifically for each lot.

Please identify any other specific proprietary product that is proposed. We need to know the specific products that you intend to use.

ECM/DCM

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

Stormceptor or equivalent unit(s) will follow El Paso County design criteria and be sized for specific site parameters such as drainage area, percent imperviousness and target TSS removal. Significant levels of sediment and pollutants such as heavy metals and oils are prevented from entering the downstream drainage system.

Of the six types of WQCV facilities established by the DCM, the only applicable options for this commercial development are:

- Extended detention basin (detention not required per pre-application meeting due to the presence of the sub-regional detention facility SR4 immediately downstream).
- Sand filter basin

how about PLD (rain garden)?

Please identify that the design base standard per ECM I.7.2.C that is intended to be met is the Pollutant removal standard (TSS). Identify applicable regional or national standards used as a basis. Identify the proprietary products pollutant removal values and how it compares to the ECM criteria.

Discuss how the four step process (ECM App I.7.2) was followed to arrive at the conclusion that this underground alternative is suitable

Refer to MHFD fact sheet T-11. reference and discuss #2 and #3 on page UG-9. We want to know which option you are proposing.

LIMITS OF CONSIDERATION

(At least one of the conditions listed below must be met for this deviation request to be considered.)

- The DCM 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:

Development of this site requires the installation of a collector roadway from Owl Place on the north side, tying into the recently constructed Falcon Market Place roundabout on the south edge. The development of this property into approximately 1-acre commercial pads requires that each lot fronts the proposed roadway. The existing grade of the site falls from northeast to southwest, and will be generally maintained in this direction for the developed condition.

The development of this property as a commercial center would indicate that the only applicable WQ facilities would be an extended detention basin, or a sand filter basin. As established at the pre-application meeting, due to the location of the sub-regional Pond SR4 immediately to the southwest of this property, onsite detention would not be required.

Installation of a WQ facility however, at the furthest point downstream would require it to be located parallel to the Eastonville leg of the Falcon Market Place roundabout, or at the southwest corner of the Owl Place property. Neither location is ideal for the following reasons:

Southwest corner of Owl Place property

- Northerly leg of the roundabout restricts space within the property at the SW corner
- Sub-regional pond SR4 is directly downstream of this project
- Storm lines would need to cross the proposed 10x6 culvert (Floodplain relocation – CLOMR request)

Southern boundary of Owl Place property

- Emergency spillway would discharge directly into public right-of-way (south, east or west).
- Placement of a pond would require consideration of existing utility easements and ROW dedication along Meridian Road, resulting in far reduced developable area for the southern lot.

Provide specifics if another product is proposed

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 Stormceptor, or equivalent underground water quality system will follow the El Paso County Drainage Manual design criteria by following the volume, release rate and water quality standards, and is sized for specific site parameters, such as drainage area, percent impervious and target TSS removal. Significant levels of sediment and pollutants such as heavy metals and oils are also prevented from entering the downstream drainage system Third party TSS removal tests, all showing a minimum of 80% TSS removal can be provided upon request.

The pollutant removal standard in I.7.1.C.2 indicates "reduce the event mean concentration of total suspended solids to a median value of 30mg/L or less. How does the proposed facility/system compare with the criteria? please address.

Does the product(s) provide WQCV? How does the bypass/overflow operate?

Please provide testing reports, spec sheets, sample design drawings, maintenance requirements etc. of the proposed proprietary products. Further review is required once these documents are submitted.

The deviation will not adversely affect safety or operations.

The underground facility would not compromise public safety or accessibility and would increase useable space of the development. Underground water quality would help with the circulation of the site allowing extra room for vehicles and pedestrians to maneuver safely throughout the site.

How about access to the underground facility? Is a confined space entry to the facility required. How will inspectors safely inspect the facility? Are any specific certifications or training required? please address

what are these requirements? please provide.

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

These water quality facilities will be privately maintained and the owner will follow maintenance intervals based on ECM Standards as well as maintenance requirements provided by the manufacturer. The water quality detention units will be inspected 4 times a year, or after any major storm event. The unit will be pumped and pressure washed at a minimum of once per year. The structure will be inspected for blockage, sediment building, and all materials will be disposed of per local and federal regulations. All associated costs with maintenance will be handled by the owner of the property.

The deviation will not adversely affect aesthetic appearance.

The self-contained underground water quality unit(s) will not be visible from the surface and will not adversely affect the aesthetic appearance of the site. Above ground water quality limits the landscaping that would be allowed in the area. Allowing the water quality to be incorporated with in the underground water quality detention system would increase the aesthetic appearance of the development by providing more room for landscaping.

This text is a bit misleading as the text above indicates that an above ground facility limits the developable area of the southerly lot.

ECM/DCM

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

The intent of this section of the DCM is to provide for water quality treatment of runoff prior to it entering the downstream system. The use of the underground self-contained Stormceptor, or equivalent units will provide for this requirement. Third party testing indicates that they will provide the equivalent functional requirement of those facilities presented in the DCM without impacting downstream facilities.

ECM

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.

Yes, the deviation will follow Part I.E.3 and Part I.E.4 of the County's MS4 permit. Required control measures will be followed for the deviation until final stabilization. Required codes, resolutions, ordinances, and program documents will be used to meet permit requirements. Control for all pollutants will be designed to follow site plan requirements and maintained for each phase of construction. Site inspection requirements, winter requirements and long-term maintenance will be followed for this deviation.

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.

Γ _____ 7

L _____ 7

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.

Γ _____ 7

L _____ 7

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.

