



Development Services Department  
 2880 International Circle  
 Colorado Springs, Colorado 80910

# DEVIATION REVIEW AND DECISION FORM

Phone: 719.520.6300  
 Fax: 719.520.6695  
 Website www.elpasoco.com

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): 11910 Tourmaline Drive

Tax Schedule ID(s) #: 4230319054

Legal Description of Property:

Lot 4, The Shops Filing 1 at Meridian Ranch

Subdivision or Project Name: The Shops – Lot 4 EPC 18033

please call out what this is? is this intended to be the file number? if so, missing some letters.

Section of ECM from which Deviation Is Sought: I.7.1.B. BMPs for New Development or Significant Redevelopment. All sites that include total development/redevelopment areas of one (1) acre or larger except developments with low density (rural) housing (2.5 acre or larger lots). Water Quality Capture Volume (WQCV), as discussed later in DCM2, shall be provided for the total site or individual lots/parcels. Other permanent BMPs may also be required as appropriate.

Specific Criteria from which a Deviation Is Sought: Volume 2 of the City/County Drainage Criteria Manual outlines specific methods by which water quality capture volume is to be calculated. The request is to use the alternative method for sites draining to a WQ facility as provided in the currently adopted El Paso County 2019 MS4 Permit.

Proposed Nature and Extent of Deviation: The use of an alternative method to provide the required water quality measures necessary for the proposed project as outlined in the currently adopted MS4 Permit for projects with site drainage to a WQCV facility. A.k.a. the 20-10 Rule. This alternative method has not been written into the criteria manual at this time.

### Applicant Information:

Applicant: GTL Development Inc.  
 Applicant Is:  Owner  Consultant  Contractor  
 Mailing Address: P.O. Box 80036, San Diego  
 Telephone Number: 619-223-1663

Email: raul@techbilt.com  
 State: CA Postal Code: 92138  
 Fax Number: N/A

### Engineer Information:

Applicant: Thomas A Kerby Email Address: tom@meridianranch.com  
 Company Name: Tech Contractors.  
 Mailing Address: 11886 Stapleton Dr, Falcon State: CO Postal Code: 80831  
 Registration Number: 31429 State of Registration: Colorado  
 Telephone Number: 719-495-7444 Fax Number: N/A

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

Section of ECM from which Deviation Is Sought: .7.1.B. BMPs for New Development or Significant Redevelopment

Specific Criteria from which a Deviation Is Sought: Volume 2 of the City/County Drainage Criteria Manual outlines specific methods by which water quality capture volume is to be calculated. The request is to use the alternative method for sites draining to a WQ facility as provided in the currently adopted El Paso County 2019 MS4 Permit.

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Reason for the Requested Deviation: The project is part of the Shops at Meridian Ranch Filing 1 commercial subdivision and is located within the Bennett Ranch Drainage Basin. The drainage within this portion of the basin is directed through storm drain pipes to an unnamed tributary of the Black Squirrel Creek and then conveyed downstream to the Bennett Regional Detention Pond. Water quality capture volume was incorporated with the pond when it was constructed in 2001. During the improvements associated with the adjacent development of the single family subdivision of Meridian Ranch Filing 4b; a water quality device was installed in the furthest downstream manhole for the development with the intent to provide the necessary water quality for the developed areas upstream of the manhole. The developed upstream areas include the Meridian Ranch Filing 4b single family subdivision and the Shops Filing 1 at Meridian Ranch commercial subdivision.

Since that time, the regulations have changed and additional water quality is required as a result of the newly adopted El Paso County MS4 Permit. The new permit provides an alternative method for achieving the required water quality for projects that meet certain criteria. The applicable paragraph found in the MS4 permit is:

Applicable Development Site Draining to a Regional WQCV Facility: The regional WQCV facility is designed to accept drainage from the applicable development site. Stormwater from the site may discharge to a water of the state before being discharged to the regional WQCV facility. Before discharging to a water of the state, 20 percent of the total impervious surface of the applicable development site must first drain to a control measure covering an area equal to 10 percent of the total impervious surface of the applicable development site. The control measure must be designed in accordance with a design manual identified by the permittee. In addition, the stream channel between the discharge point of the applicable development site and the regional WQCV facility must be stabilized.

Provide the specific section in the MS4 permit where this exclusion is located. (Section 4.a.iv.E)

The subject site meets the above stated criteria. The development site discharges to a water of the state prior to being discharged to the regional WQCV facility (Bennett Pond), 20% of the site's impervious area is first directed across pervious areas equal to 10% of the total impervious area. The control measure is designed in accordance with the manual and acceptable to the County.

Comparison of Proposed Deviation to ECM Standard: The proposed design will not include a separate water quality pond designed to meet a certain volume as outlined in the appropriate sections of Volume 2 of the Drainage Criteria Manual. The design will instead provide alternative and appropriate BMPs to achieve the necessary water quality.

Applicable Regional or National Standards Used as Basis: The method is part of the adopted El Paso County MS4 permit, however it is not found in the current Engineering Criteria Manual.

this is not true, the specs didn't change, someone didn't implement them correctly. Water quality capture volume has been required since Feb 2008 in El Paso County. Was this alternative method approved prior to 2008? if so, then this is a correct statement. Please revise.

**Application Consideration:  
CHECK IF APPLICATION MEETS CRITERIA FOR  
CONSIDERATION**

- The ECM standard is inapplicable to a particular situation N/A
- 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. N/A
- 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 method is part of the adopted El Paso County MS4 permit, however it is not found in the current Engineering Criteria Manual. The ECM should be revised and updated to match the allowable methods as shown in the current MS4.

**If at least one of the criteria is not met, this application for deviation cannot be considered.**

**Criteria for Approval:**

**PLEASE REQUEST HOW EACH OF THE FOLLOWING CRITERIA HAVE BEEN SATISFIED**

- The request for a deviation is not based exclusively on financial considerations The request is not based on financial considerations.
- The deviation will achieve the intended result with a comparable or superior design and quality of improvement. Given some of the site constraints, the deviation allows for a superior design by allowing credit to be taken for the pervious surfaces to achieve the necessary water quality instead of unnecessarily using valuable space to build an water quality pond.
- The deviation will not adversely affect safety or operations The proposed deviation does not adversely impact safety or operations. The deviation improves safety concerns by eliminating a water quality pond which could become a nuisance hazard.
- The deviation will not adversely affect maintenance. The deviation does not adversely impact county maintenance operations
- The deviation will not adversely affect aesthetic appearance. The proposed deviation will not affect the aesthetic appearance. The deviation eliminates the water quality pond requirement and the future possibility of the pond becoming unsightly due to lack of maintenance.

discussing the MDCIA concept will strengthen this paragraph, and should be used throughout the document.

please elaborate. example: uses up the same amount of land, implementing a low impact design, aesthetics, MDCIA, etc.

**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.

\_\_\_\_\_  
Raul Guzman, Vice President, GTL  
Signature of owner (or authorized representative) Date

\_\_\_\_\_  
Signature of applicant (if different from owner) Date

\_\_\_\_\_  
Thomas A. Kerby, PE 31429  
Signature of Engineer Date

**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 the criteria for approval. A deviation from Section \_\_\_\_\_ of ECM is hereby denied. Comments:

\_\_\_\_\_  
\_\_\_\_\_

S:\CivilProj\Shops Phase 2\DWG\Exhibits\MS4 EXHIBIT.dwg, 11/12/2018 2:51:32 PM

**TOTAL AREA DEVELOPMENT: 4.4 AC.**  
**TOTAL PERVIOUS AREA: 1.3 AC. (56,628 SQ. FT.)**  
**TOTAL IMPERVIOUS AREA: 3.1 AC. (135,036 SQ. FT.)**

**REQUIRED:**  
**20% IMPERVIOUS AREA: 27,007 SQ. FT.**  
**10% PERVIOUS AREA: 13,504 SQ. FT.**

MERIDIAN ROAD

TOURMALINE DRIVE

FLEECE FLOWER WAY

SWALE AREA  
6,845 SQ. FT.

ROOF DRAIN (TYP)  
PROP. BLDG D  
19,320 SQ. FT.

LOT 4

FUTURE BLDG E  
14,800 SQ. FT.

GRASSY AREA  
9,890 SQ. FT.

ROOF DRAINS DIRECT TO GRASSY AREA, THEN SHEET FLOW TO STREET

MERIDIAN RANCH FILING 4B

THE SHOPS - LOT 3

AREA PROVIDED:

BLDG D:	BLDG E:	TOTAL:
IMPERVIOUS: 19,320 SQ. FT.	14,800 SQ. FT.	34,120 SQ. FT.(25.3% OF IMP.)
PERVIOUS: 6,845 SQ. FT.	9,890 SQ. FT.	16,735 SQ. FT.(12.4% OF IMP.)



A

SCALE: N.T.S.  
 DATE: SEPT 2018  
 DRAWN: TAK  
 CHECK: RG

**WATER QUALITY EXHIBIT**  
 PHASE 2, LOT 4  
 SHOPS AT MERIDIAN RANCH

TECH CONTRACTORS  
 11886 STAPLETON DRIVE  
 FALCON, CO 80831  
 TELEPHONE: 719.495.7444