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40 Years

EL PASO COUNTY

LETTER OF INTENT FOR: CANYON CREEK RANCH MS

TSN # 6214000112

EXISTING ZONE: RR-5

July 9, 2025

Revised January 28, 2026

OWNER/APPLICANT, AND PLANNING CONSULTANT:

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PROJECT LOCATION/DESCRIPTION AND HISTORY OF PROPERTY:

The *Canyon Creek Ranch* properties for this Minor Subdivision application are located in El Paso County in Black Forest, CO, approximately 17 miles northeast of downtown Colorado Springs,

situated near Milam Road and Burgess Road. It is approximately two and a half miles northeast of State Highway 21. Large Lot Single-Family detached residential dwelling units best recognize and respect the character of the surrounding Black Forest community within two miles of the site.

The proposed lots (2 and 3) will be accessed from Creek View Road to the east, which bisects Lot 3, Block 1 and Lot 2, Block 1 of the adjacent Kettle Creek Subdivision. This access will become a private entry driveway within the subdivision. The existing home on Lot 1 is accessed via Parallax Heights.

The **2021 Your El Paso County Master Plan** identifies the Placetype of this development as *"Large Lot Residential."* The primary land use in this Placetype is Single-Family Detached Residential. Agriculture, Commercial Retail/Commercial Services, and Parks and Open Space are allowed as support uses. Residential lot development, within the Large Lot Residential Placetype, allows for lots having a minimum area consisting of 2.5 acres and larger.

This Placetype is more connected and less remote than the *Rural* Placetype that comprises the larger eastern half of the county. The proposed plan proposes 3 single-family lots and two "no-build" tracts for areas unable to be developed due to existing geographic conditions. A proposed private driveway from Creek View Lane cul-de-sac on the northeast of the site will provide access to lots 2 and 3. Lot 1, with its existing home, is accessed via Parallax Heights.

The site is approximately 24.6325 acres and is covered in native vegetation, trees, bushes, and grasses. There is currently a single-family residence on the site.

Core Principle 7: Maintain and expand the County's recreation and tourism options.
Goal 7.3 - Plan for and provide a variety of parks, trails, and open space within the region.

Large-Lot Residential Within the Large-Lot Residential Placetype*, conservation design should be primarily utilized for preserving El Paso County's rural character, defined by large swaths of open space with minimal development. Additionally, some Large-Lot Residential parts of the County include environmentally sensitive areas that need to be protected. Development should not be allowed within a certain distance of the critical natural assets to ensure they are not negatively impacted by future development. Protecting farmland and scenic views is also an important component of conservation design within Large-Lot Residential areas. The County should evaluate new developments on a case-by-case basis to determine their impact on these natural assets.*

In seeking approval of this plan, the zoning would remain unchanged from the current RR-5. In accordance with County standards, the minimum lot sizes proposed within the property will not be less than 5.0 acres for each lot. The residential density proposed in this plan is .12 dwelling units per acre.

Pursuant to this application, the applicant proposes to develop the site with three (3) single-family residential lots. Large Lot Single-Family detached residential dwelling units best recognize and respect the character of the surrounding Black Forest community within two miles of the site.

Infrastructure to serve the new lots, including driveways, drainage improvements, and utilities will all be constructed in compliance with applicable county standards, regulations, and criteria in effect at the time of this application. This is in keeping with the character of the surrounding Black Forest community.

The **2021 YOUR EL PASO MASTER PLAN** identifies the entire Canyon Creek Ranch property as being within the *Large-Lot Residential Priority Development Areas.* Interquest Parkway and Highway 21 are major roadways that connect the northeastern part of the County to Colorado Springs. Significant growth has been seen along the Interquest Parkway corridor between I-25 and Highway 21, serving the Black Forest community. The Master Plan suggests for an overall density of 2.5 acres to 5 acres per lot to be maintained within this area, consistent with the Large-Lot Residential Placetype, although there is denser development to the south and west.

Surrounding properties are rural, single-family homesites and farm homesteads. Land use within these properties has traditionally been ranchland, with some farming and forestry.

DEVELOPMENT REQUEST

The Owner and Applicant request plan approval for the development of three (3) rural residential single-family lots on 24.6325 acres (e.g., .12 DU/Acre density).

JUSTIFICATION FOR REQUEST

This request is consistent with the purposes of the 2021 Your El Paso Master Plan. The plan is in conformance with subdivision design standards and establishes an adequate level of compatibility with surrounding areas of the site already constructed and other known surrounding areas currently proposed for development, particularly the existing Kettle Creek Subdivision flanking Creek View Road immediately to the east of our development and Timber Lakes to the north.

EXISTING AND PROPOSED IMPROVEMENTS

Electric and telecommunication service points-of-connection will be extended from the roadway to all new lots. Electric service will be provided by Mountain View Electric Association, Inc., while natural gas service will be provided by Black Hills Energy. Water for each lot will be

provided via wells. Individual septic systems will be provided per lot in accordance with El Paso County Department of Health policy guidelines.

Incorporating Water-saving Actions in Land Use & Development Planning in El Paso County
Discourage individual wells for new subdivisions with average lot sizes smaller than 2.5 acres when there is a reasonable opportunity to connect to an existing central system or construct a new central water supply system when the economies of scale to do so can be achieved, especially in the Laramie-Foxhills, Lower Arapahoe, Denver and Lower Dawson aquifers.

Grading and earthmoving activities will be limited to internal residential streets, driveways, drainage, and utility construction areas. Individual lot owners will assume responsibility for grading their respective lot; no 'overlot' grading is proposed to occur over most of the site.

The subdivision will not interfere with the extraction of any known commercial mining deposit.

As such, prior to construction of proposed residences, lot-specific subsurface soil investigations will be performed to determine whether shallow groundwater, hydro-compacted soils, and/or potentially expansive soils are present on the lot, and to determine an appropriate foundation design, basement or crawl-space suitability, and/or lot-specific recommendations are necessary to mitigate these conditions. Language requiring lot-specific subsurface soil investigation will appear as a Note on the future Final Plat.

NO-BUILD / OPEN SPACE / RESIDENTIAL LOT OPEN SPACE TRACTS

The Canyon Creek Ranch development will contain tracts designated as "no-build" areas. These consist of Tract A and Tract B. Tract A is 3.2831 acres (143,011 square feet), and Tract B is 2.1762 acres (94,794 square feet). Access to Tract A is via Tract B which is adjacent to Lot 1. Tract A and Tract B are to be owned and maintained by Lot 1's owner.

GEOLOGICAL CONDITIONS

Geologic hazards found to be present at this site include faults, seismicity, steep slopes, floodplain and radon. Records show that dating back to 1900 Colorado Springs has not experienced an earthquake greater than 1.6 in magnitude. The nearest recorded earthquakes over 1.6 occurred in December of 1995 in Manitou Springs, which experienced magnitudes ranging between 2.8 and 3.5. Additional earthquakes over 1.6 occurred between 1926 and 2001 in Woodland Park, which experienced magnitudes ranging from 2.7 to 3.3. Both locations are near the Ute Pass Fault, which is more than 10 miles from our site. Potential earthquakes felt at this site will most likely result from minor shifting of the Pikes Peak Batholith, which includes pull from minor movements along faults found in the Denver basin. Authors of our Soils and Geology Report are of the opinion that ground motions resulting from minor earthquakes may affect structures (and the surrounding area) at this site if minor shifting were to occur. Based upon our geologists' experience with similar subsurface conditions, their recommendation is that the site

be classified as Site Class B, with average shear wave velocities ranging from 2,500 to 5,000 feet per second for the materials in the upper 100 feet. This is accordance with the Pikes Peak Regional Building Code, 2017 Edition, which indicates maximum considered earthquake spectral response accelerations of 0.213g for a short period (S_s) and 0.059g for a 1-second period (S_1).

Northern El Paso County and the 80908 zip code in which the site is located, has an EPA assigned Radon Zone of 1. A radon zone of 1 predicts an average indoor radon screening level greater than 0.4 pCi/L (picocuries per liter), which is above the recommended levels assigned by the EPA. *The EPA recommends corrective measures to reduce exposure to radon gas.* Mitigation at the time of building design and construction phases would include providing increased ventilation of basements, crawlspaces, creating slightly positive pressures within structures, and sealing of joints and cracks in the foundations and below-grade walls. Passive radon mitigation systems are also available to effectively reduce the buildup of radon gas.

Installing a blower connected to the foundation drain and sealing the joints and cracks in concrete floors and foundation walls may be actions taken for mitigation after the residence is enclosed during construction. If radon exposure is a concern, it's recommended that the residence is tested after it is enclosed and commonly used techniques are in place to minimize the risk.

In terms of mitigation, Geologic conditions found to be present at this site include potentially expansive and compressible soils, ponding water, shallow groundwater, and flood prone areas. The geologic hazards do not prohibit the subdivision or can be mitigated. The subdivision is appropriate, and the design is based on mitigating the constraints of topography, soil types, geologic hazards, aggregate resources, environmental resources, floodplain, airplane flight overlays, or other constraints.

Based on the review of the FEMA community panel maps available, and the online ArcGIS El Paso County Risk Map, the site lies within the 100-year floodway of Kettle Creek. The proposed build sites, as presented on the previously submitted *Canyon Creek Ranch Drainage Plan for Existing Conditions,* prepared by Land Development Consultants, Inc., indicates that no construction is to be within the FEMA 100-year floodplain.

Visible evidence of scour, referring generally to a localized loss of soil, often around foundation elements was not observed within the proposed lots. Likewise, erosion, a reference to lowering the ground surface over wide area, was unseen. The drainage channels run perpendicular to Kettle Creek and the northern boundary of the site. It is the opinion of our geologists that additional drainage improvements (beyond those indicated on the *Canyon Creek Ranch Drainage Plan for Existing Conditions,* prepared by Land Development Consultants, Inc.) may be required prior to the driveway installation for Lot 2.

Mitigation for scour and erosion would include taking care to divert surface drainage and downspout discharge water around the proposed structures, during construction and in the final

lot grading, to a location that will not significantly alter the overall drainage of the development or result in the need for additional drainage mitigation measures at the time of construction on nearby lots.

Stormwater and snowmelt runoff from parking (driveway) areas should be directed towards drainage channels and away from slopes, both during construction activities and upon completion of site development.

It should be the responsibility of the future homeowner(s) to periodically observe the ravine drainage channels that parallel the proposed lots to identify signs of new or localized erosion. Areas undergoing active erosion should be immediately corrected and restored to ensure the ongoing stability of development.

Our geologists understand that limited construction is proposed to be within the existing eastern ravine drainage channel located on proposed Lot 3. Based upon their communications with our civil engineers, it is their understanding that they will match the existing Creek View Road elevation and fill in the ravine as necessary to build up the roadway. The fill is to be provided with a culvert to allow passage for the drainage waters. JR Engineering is also proposing walls to accommodate the increased road width. Currently there are four separate retaining walls proposed. Two of the walls are to be placed within the drainageway designated as Ravine 2, between Lot 3 and the eastern property boundary. The other two walls are to be placed within the drainageway designated as Ravine 1, in Lot 3. The walls are to be segmented blocks ranging in height up to approximately eight feet.

The construction of the retaining walls and placement of fill shall be performed in accordance with recommendations provided by the geotechnical engineer of record, in coordination with the civil/drainage engineer. The retaining walls and associated culverts shall be designed and constructed in such a way that they don't impede the flow of surficial runoff water within the drainageway.

There is an occurrence of steep slopes on the property. Kettle Creek creates a "U" shape north of the property boundary. The banks along Kettle Creek are made up of competent sandstone bedrock that's weathering in place from surficial water temporarily pouring over the top of the banks during heavy precipitation. Although not designated on the *Final Plat,* Kettle Creek is encompassed within Tract A and Tract B with two intermittent drainageways branching off to the south from Kettle Creek. With the two "branches" of Kettle Creek, one located between Lots 1 and 2, and a second along the eastern quarter of Lot 3, consideration will need to be taken in the placement of the residence and on-site wastewater treatment system (OWTS). The banks of Kettle Creek have slopes at or greater than 30%. Generally, slopes greater than 30% are considered "No Build" zones.

The mitigation for areas of unstable or potentially unstable slopes include avoidance of new residences encroaching within the banks of the creek. The location of the proposed new residences on Lots 2 and 3 are finalized. It is understood that the banks and slopes are not to be regraded in preparation of the building pads prior to construction of the proposed residence. Since the residences were to be set back from the banks of the creek, a slope stability analysis was not undertaken as part of this investigation. However, based on the geologist's experience with similar soils/bedrock and conditions within this region, the banks of Kettle Creek are currently stable at an approximately 2:1 (H:V) slope. The proposed location of the future residences on Lots 2 and 3 are denoted on the *Final Plat.*

The geologists recommend a "No-Build Zone" be established for the slopes that are greater than 30% along the banks of Kettle Creek, as well as a minimum 50-foot setback from the top of the creek banks and drainageways. The "No-Build Zone" is depicted on Figure 5 of the Soils and Geology Study provided by RMG. As currently shown, the location of the future residences meets this recommendation. If future structures are to encroach within this "No-Build Zone", additional review and/or slope stability analyses may be required.

In conclusion, the geologist's evaluation determined that the proposed development is feasible. The geologic conditions identified are considered typical for the Front Range region of Colorado. Mitigation of geologic conditions is most effectively accomplished by avoidance. However, when avoidance is not a practical or acceptable alternative, geologic conditions should be mitigated by implementing appropriate planning, engineering, and suitable construction practices. The specific methodologies are found in the Soil and Geology report provided as part of this submittal.

ADHERENCE WITH THE 2021 YOUR EL PASO MASTER PLAN, AND WATER MASTER PLAN

Land Use & Development, Core Principle: *Manage growth to ensure a variety of compatible land uses that preserve all character areas of the County.*

The 2021 Your El Paso Master Plan (the "Master Plan") addresses issues directly related to the Canyon Creek Ranch Minor Subdivision. Policies specifically related to this Minor Subdivision request include:

Goal 1.1 - *Ensure compatibility with established character and infrastructure capacity*

The Minor Subdivision proposed for the new single-family rural residential lots is compatible with the existing adjacent rural residential lots in the Black Forest area. New lots will be similar in character to existing lots and roads serving the new lots will be compatible with the types of rural roadways in nearby adjacent neighborhoods.

Goal 1.4 – *Continue to encourage policies that ensure "development pays for itself".*

Canyon Creek Ranch is proposed as a development of single-family rural residences within a non-urban density area (Rural Placetype) of the Black Forest community. Utilities and infrastructure needed to serve the new lots, such as a new entry driveway, drainage and detention facilities, erosion control, etc. will be constructed as part of this development.

Housing & Communities, Core Principle: *Preserve and develop neighborhoods with a mix of housing types.*

Goal 2.2 – *Preserve the character of rural and environmentally sensitive areas.*

The subdivision design with RR-5 zoning for the site is harmonious and compatible with the rural character of adjacent and nearby neighborhoods that are also zoned RR-5. The Applicant proposes to avoid overlot grading across the 24.6325 - acre site and instead will limit grading to driveways and drainage infrastructure in keeping with the established land use character of surrounding sub-areas of the county. Low density will help to sustain the appearance and unique environmental conditions of adjacent properties.

Transportation & Mobility, Core Principle: *Connect all areas of the County with a safe and efficient multimodal transportation system.*

Goal 4.1-*Establish a transportation network that connects all areas to one another, emphasizing east-west routes, reducing traffic congestion, promoting safe and efficient travel.*

The design of the Canyon Creek Ranch subdivision will locate driveways serving the new residences on lots 2 and 3 with direct access onto a central private entry gravel driveway. The existing home on lot 1 is accessed via Parallax Heights. Canyon Creek Ranch plans no direct driveway access for any new lot to any public roadway of any classification, minimizing any traffic impact.

Community Facilities & Infrastructure, Core Principle: *Continue to coordinate with local and regional agencies to provide well-managed, high-quality community facilities and services.*

Goal 5.3 – *Ensure adequate provision of utilities to manage growth and development.*

Concerning utilities, Canyon Creek Ranch has commitment letters for delivery of electrical service from Mountain View Electric Association, Inc. and natural gas from Black Hills Energy established utility providers in the vicinity. On-site wells will provide water to each new lot and wastewater will be accommodated by individual on-site wastewater treatment systems. Based upon evaluations by Canyon Creek Ranch environmental and geotechnical engineers, it has been determined that the site is suitable for individual on-site wastewater treatment systems without contamination of surface and subsurface water systems.

Goal 5.4-*Use best management practices to protect water quality, conserve water, minimize impacts of flooding, and beautify El Paso County*.

The submitted drainage report specifically details a four-step process to minimize adverse impacts of development. The process includes reducing runoff volume, stabilizing drainageways, treating the water quality capture volume (WQCV), and considering the need for Industrial Commercial best management practices (BMPs).

Environment & Natural Resources, Core Principle: *Prioritize and protect the County's natural environment.*

Goal 9.2- *Promote sustainable best practices with regard to development and infrastructure.*

The area surrounding the property has sufficient carrying capacity to support the new development regarding roadway capacity, water supply, septic suitability, educational facilities, and organized structural fire protection. Commitment letters have been provided for natural gas service, fire protection, and electrical service. The serving entities are listed below.

The project design, which includes 3 homes on 5.0 acre lots, ensures that development of this site will remain compatible and contiguous with existing low-density rural residential areas. With a density of .12 DU/AC, Canyon Creek Ranch is compatible with numerous other subdivisions adjacent to and within a 2-mile radius of the property.

GAS SERVICE

Black Hills Energy has provided a natural gas will serve letter for the property.

FIRE PROTECTION

Fire protection shall be provided by the Black Forest Fire Protection District.

ELECTRICAL SERVICE

The electric service provider for the area is Mountain View Electric Association, Inc.

POLICE PROTECTION

Police protection will be provided by the El Paso County Sheriff's Office.

SCHOOL DISTRICT

The property lies within the Academy School District (20).

WATER SERVICE

The following information is provided at the request of El Paso County per the El Paso County Water Master Plan, Chapter 7, Implementation:

Water Quality, Quantity and Dependability:

A water resources report and water supply information summary have been provided to the County with this application.

The water resource report provides data for the Planning Commission and the Board of County Commissioners (BoCC) which confirms the proposed water supply for all of Canyon Creek Ranch is sufficient in terms of quality, quantity, and dependability for the proposed subdivision. The report includes documentation that the proposed water supply is sufficient in terms of quantity, dependability, and quality for the proposed subdivision.

Canyon Creek Ranch is a proposed single-family residential development located in the Black Forest community in northeast El Paso County. The total acreage of the subdivision is 24.6325 acres. The subdivision is proposed to be subdivided into three (3) residential lots and two "no-build" tracts. All 3 residential lots are to be served by on-site residential wells drilled into the not-nontributary Denver aquifer below the Canyon Creek Ranch property.

The not-nontributary Denver Aquifer, which will serve as the water source for the Canyon Creek Ranch Subdivision, is estimated to provide an annual allocation 300-year supply of 5.89 AF/year of water. Each residential lot is assumed to require 0.74 AF/year/lot of water, totaling 2.22 AF/year of residential demand at full build-out. Therefore, total demand at full build-out is less than the 300-year supply out of the Denver Aquifer to the Canyon Creek Ranch Subdivision.

This property is located within a 4% not-nontributary formation within the Denver Aquifer. It is estimated that 0.0672 AF/year of depletions to the alluvial will occur on an annual basis through the pumping of the three proposed wells. Estimated return flows through the septic system total 0.27 AF/yr, which is in excess of required replacement water for alluvial depletions due to not-nontributary pumping from the Denver Aquifer.Thus, the current water rights and augmentation plan in place are adequate to meet the estimated overall demand and resulting alluvial depletions of 0.0672 acre-feet for three (3) lots.

The water quality in the Denver aquifer formation in this area has typically been suitable for residential potable use. Water samples were obtained from the existing well (well permit #268558) constructed via an exterior water tap on the side of the house located at 11550 Parallax Road. Water samples were obtained from the tap on 05/02/2022, with water quality testing performed Colorado Analytical Laboratories, per the El Paso County Land Development

Code section 8.4.7(B). Most results were found to be below primary and secondary Maximum Contaminant Limits (MCLs).

The only constituent of concern was iron. The secondary maximum contaminant limit (SMCL) for this compound is 0.3 mg/l and the well produced a result of 0.663 mg/l. An SMCL is not an enforceable exceedance. Excess iron in a water system can cause red/brown staining of laundry as well as staining of water appliances. Iron removal treatment can be added as an under-the-sink point of use system, or whole house filter system if the purchaser desires to remove iron from their well water.

Because of the absence of all evidence of fecal contamination in the form of E. Coli or Total Coliform, or that all sampled and analyzed constituents were below all primary and secondary standards the proposed water source emanating from the Denver Aquifer is deemed safe for public consumption.

TRANSPORTATION

Subdivision Access *Local access is key to connecting residents to the region and residents have identified subdivision access as a primary concern. Input received as part of Your El Paso County outreach process cited a need for subdivision communities to have two points of access, or two ways in and out. Generally, single access subdivisions create points of high traffic and congestion where they join the primary street network and are disconnected from other neighborhoods by roads that dead end at cul-des-sac. Having two points of access allows for a more contiguous street network and would remove these barriers.*

The traffic generated from Canyon Creek Ranch, with its limited development, is anticipated to be minimal into Creek View Road. The internal drive which connects to Creek View Road to the east will only be used by Lot 2 and Lot 3. The access to the existing residence on Lot 1 is Parallax Heights. Likewise, the rural nature of the central private entry gravel driveway will allow residents to walk or bicycle in safety, considering the scant impact from residents' motor vehicles. No traffic impact study was required for this development.

END.