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July 1, 2025

City of Colorado Springs Planning Department
30 S Nevada Ave #105
Colorado Springs, CO 80903

RE: Circle & Janitell Murphy USA Convenience Store and Fuel Dispensing Station Development Plan and Administrative Adjustment Project Statement

Existing Site Details:

Existing Site is currently a tract totaling ± 5.87 acres that has never been platted. The tract has three separate 'parcels' identified below by the TSN numbers. The entire site will have a Subdivision Plat submitted to plat the entire property with Colorado Springs and define three (3) lots under a separate application and review than this request. Future Lots 1 and 2 will remain as existing and future Lot 3 will be used for this Murphy USA convenience store and fuel canopy proposal.

TSN: 6428300011

Address: 2675 Janitell Road

Legal Description: TRACT IN SW4 SEC 28-14-66 AS FOLS, COM AT SW COR OF SD SEC, TH N ON W SEC LN 594.0 FT, ANG R ELY 30.0 FT FOR POB, N 89<31'30" E 381.13 FT, N 0<28'30" E 206.0 FT, S 89<31'30" W 318.13 FT, TH S 0<28'30" W 206.0 FT TO POB

Acreage: +/- 1.58 acres

Current Zoning: MX-M AO (Mixed Use Medium with Airport Overlay)

Current Use: Existing office building and portion of associated parking lot

TSN: 6428300012

Address: 2864 S Circle Drive

Legal Description: TRACT IN SW4 SEC 28-14-66 AS FOLS, COM AT SW COR OF SD SEC, TH N ON W SEC LN 234.0 FT, ANG R ELY 30.0 FT FOR POB, CONT ELY 381.13 FT, ANG L NLY 360.0 FT, ANG L WLY 381.13 FT, TH ANG L SLY 360.0 FT TO POB

Acreage: +/- 3.18 acres

Current Zoning: MX-M AO (Mixed Use Medium with Airport Overlay)

Current Use: Parking lot for Commercial Building on parcel directly north

TSN: 6428300014

Address: 2868 S Circle Drive

Legal Description: TRACT IN SW4 SEC 28-14-66 AS FOLS, COM AT SW COR OF SD SEC, TH N ON W SEC LN 134.0 FT, ANG R ELY 30.0 FT FOR POB, CONT ELY 100.0 FT, ANG L NLY 100.0 FT, ANG R ELY 281.13 FT, ANG R SLY 192.41 FT TO A PT ON NLY R/W LN OF HWY 29, ANG R NWLY ALG SD R/W LN TO A PT THAT IS 30.0 FT E OF W LN OF SD SEC, TH ANG R NLY 40.0 FT TO POB

Acreage: +/- 1.13 acres

Current Zoning: MX-M AO (Mixed Use Medium with Airport Overlay)

Current Use: Vacant Land

The Subdivision Plat proposing future lots 1, 2, and 3 is currently being prepared for its first submittal to Colorado Springs for review. The Subdivision Plat will be submitted and reviewed with a separate application running concurrently with this Development Plan and Administrative Adjustment application.

The TSN numbers, legal descriptions, and site descriptions will be updated when the entire site's Subdivision Plat is approved by City of Colorado Springs.

Future Lot 1 = +/- 4.07 acres

Future Lot 2 = +/- 0.48 acres

Future Lot 3 = +/- 1.12 acres

Location:

Future Lot 3 legal description and address will be defined by the separate Subdivision Plat Application intended to be reviewed concurrently with this Development Plan and Administrative Adjustment request. This site is generally located at 2868 S Circle Drive, Colorado Springs, CO 80906. The vacant site fronts S Circle Drive between Janitell Road and the first private drive directly east of Janitell Road.



Figure 1 – Project Location

Request:

Galloway and Company requests approval of the following applications on behalf of Murphy USA:

- Development Plan
 - Convenience Store and Fuel Canopy
- Administrative Adjustment – 250' Fuel Dispensing Station and Residential Zone Property Offset
 - Property to south, across S Circle Drive, is an existing and operational School that is zoned Residential
 - Closest point measured from future Lot 3 property line to the existing Residential zoned School property line is +/- 218 feet per the ALTA Survey
 - $250' - 222' = 28'$ short of 250' requirement = 11.2% deviation
 - Administrative Adjustment with Staff Approval requested because the proposed Lot 3 property line is not 250' away from residential zoned property but it is within 15% of that requirement at approximately 222' away at the closest point.

Project Description:

Future Lot 3 is anticipated to be ±1.12 acres in area. The property does not have any existing structures and is zoned MX-M Mixed Use Medium, per the City of Colorado Springs Zoning Map. Convenience Stores and Fuel Dispensing Stations are Permitted Uses within MX-M Zoning. The property has access to public and private utilities, some of which will be relocated with this proposal.

Murphy USA is proposing an approximately 2,824 SF convenience store with fueling dispensing station including six (6) Multi Product Fuel Dispensers and two (2) Cold Weather DEF dispensers. The proposed Murphy USA site plan also provides the required on-site improvements including 12 parking spaces (1 ADA stall) with landscaping per the City of Colorado Springs Unified Development Code. On-site stormwater flows will be filtered with onsite water quality then temporarily held in a detention pond proposed along the north boundary of proposed Lot 3, wrapping both sides of the proposed Murphy USA convenience store. A second water quality and detention pond is proposed in the landscape area along the south and east side of the proposed Fuel Canopy. Project frontages will include enhanced landscape areas to screen operation and complement proposed building architecture along S Circle Drive.

The primary access is proposed using the existing right in/right out movement to S Circle Drive and full movement to the private road directly east of the property. All traffic is expected to travel south to S Circle Drive if accessing the site from the east entrance. The site can also be accessed from Janitell Rd if traffic flows through the existing parking lot that is anticipated to remain on Future Lots 1 and 2.

This Murphy USA is proposed to operate 24 hours a day, 7 days a week with 2-3 employees onsite during the hours of operation.

Project Justification:

Development Plan

The project is within general conformance with the review criteria from 7.5.515 of Colorado Springs Unified Development Code

- a. **The application complies with all applicable use specific standards in part 7.3.3 related to the proposed use(s):**

The proposed use is a convenience store and fuel dispensing station and meets specific standards designated for this use.

- b. The details of the site design, building location, orientation, and exterior building materials are compatible and harmonious with the surrounding neighborhood, buildings, and uses, including not yet developed uses identified in approved Development Plans:**

The site design is complimentary to surrounding existing and proposed commercial, retail and office uses. The subject property is bordered by an existing parking lot to the north, existing tire shop to the west, a private access drive to the east, and a school to the south across S Circle Drive.

The primary building finishes will follow the MX-M zone district requirements. The use of quality building materials, varied textures and harmonious colors is intended to capture the architectural guidelines of the MX-M zone district.

- c. Significant off-site impacts reasonably anticipated as a result of the project are mitigated or offset to the extent proportional and practical:**

Only proposing off-site improvements to relocate existing utilities and connect the proposed Murphy USA to Colorado Springs Utilities services.

- d. The Development Plan substantially complies with any City adopted plans that are applicable to the site, such as Land Use Plans, approved master plans for a specific development, neighborhood plans, corridor plans, facilities plans, urban renewal plans, or design manuals:**

The site is in a New/Developing area identified on the Plan COS Vision Map. The Proposed development supports the policies, strategies and goals outlines in Plan COS.

- e. The project meets dimensional standards applicable to the zone district, or any applicable requirement in an FBZ or PDZ district:**

The project meets the dimensional standards outlined in the MX-M zone district.

- f. The project grading, drainage, flood protection, stormwater quality, and stormwater mitigation comply with the City's Engineering Criteria, the drainage report prepared for the project on file with the Stormwater Enterprise Manager, and other federal, state and City regulations:**

A Drainage Report is submitted concurrently with the Development Plan submittal. Proposed onsite improvements associated with grading, drainage and stormwater quality/mitigation are designed in compliance with the City's Engineering Criteria. The proposed improvements will reduce impervious area because the existing vacant land/paved area is being replaced with water quality, detention, and landscaping.

- g. The project complies with all the development standards of Article 7.4 (Development Standards and Incentives), including access and connectivity requirements in Part 7.4.4 (Access and Connectivity), the landscaping and green space requirements in Part 7.4.9 (Landscaping and Green Space), and the parking and loading requirements in Part 7.4.10 (Parking and Loading)**

Proposed Development Plan was designed using the code sections listed above.

- h. **The Project complies with all applicable requirements of any Overlay District in which the property is located, as listed in Part 7.2.6 (Overlay Districts):**
Not applicable, no overlay district.
- i. **The project preserves, protects, integrates, or mitigates impacts to any identified sensitive or hazardous natural features associated with the site:**
No sensitive or hazardous features identified.
- j. **The project connects to or extends adequate public utilities to the site. As required by Colorado Springs Utilities, the project will extend the utilities to connect to surrounding properties:**
The site is surrounded by existing commercial development and adequate utilities are available to the site via existing infrastructure associated with the surrounding properties and ROW.
- k. **If necessary to address increased impacts on existing roadways and intersections, the project includes roadway and intersection improvements to provide for safe and efficient movement of multi modal traffic, pedestrians, and emergency vehicles in accordance with the Engineering Criteria, public safety needs for ingress and egress, and a City accepted traffic impact study, if required, prepared for the project.**
A Traffic Impact Study is included with this submittal. Impacts on existing roadways and intersections are anticipated to be minimal.

Administrative Adjustment

The project is within general conformance with the review criteria from 7.5.515 of Colorado Springs Unified Development Code

1. General

- a. **If Subsections 2 (Contextual Standards), 3 (Preserving Valuable Trees), or 4 (Subdivision Regulations) below do not apply, the Manager may approve or approve with conditions the requested Administrative Adjustment if the Manager determines that all of the following criteria are met.**
 - i. **The strict application of the regulation in question is unreasonable given the development proposal or the measures proposed by the applicant or that the property has extraordinary or exceptional physical conditions that do not generally exist in nearby properties in the same zone district and such conditions will not allow a reasonable use of the property in its current zone in the absence of relief;**
 - ii. **The intent of the specific regulation in question is met;**
 - iii. **The granting of the Administrative Adjustment will not result in an adverse impact on surrounding properties; and**
 - iv. **The granting of the Administrative Adjustment will not allow an increase in the number of dwelling units on a parcel above the permitted density in the zone district.**

General Review Criteria and Subdivision Regulations both apply to the Administrative Adjustment Request which voids Section 2 and Section 3.

- b. **If the Manager finds that the applicant has not met the above criteria, the applicant may request that the application be forwarded to the City Planning Commission as an application for a Non-Use Variance.**

Acknowledged.

2. Contextual Standards:

Section 2 does not apply because of Section 4.

- ~~a. The Manager may use this Subsection 2 to approve or approve with conditions an Administrative Adjustment to the UDC standards for maximum building height and to front, side, street side, and rear setbacks on properties that were developed and within the City on February 13, 1951, or that were already developed but unplatted when the properties were annexed to the City after that date because platting was not required in El Paso County at the time the properties were developed.~~
- ~~b. The average dimensional standard for developed properties of the same type within the block face on which the property is located shall be the minimum contextual standard that can be approved as an Administrative Adjustment. If the Manager determines that the block face on which the property is located is not representative of the surrounding development context, the Manager may extend the calculation to properties on adjacent block faces that the Manager determines are of the same and representative of the same context.~~
- ~~c. The Manager may approve or approve with conditions the requested Administrative Adjustment for contextual standards if the Manager determines that the request will allow infill development to be more closely aligned with the context of surrounding development than if the maximum height or minimum setbacks in the zone district were met.~~
- ~~d. If the Manager finds that the applicant has not met the above criteria, the applicant may request that the application be forwarded to the City Planning Commission as an application for a Non-Use Variance.~~

3. Preserving Valuable Trees

Section 3: Preserving Valuable Trees does not apply to the existing vacant paved site. Also does not apply because of Section 4.

- ~~a. If the Manager determines that the strict application of parking standards in Part 7.4.10 (Parking and Loading) will cause the removal or destruction of high value or rare trees, the Manager may approve Administrative Adjustment to preserve those trees.~~
- ~~b. Only the standards of Part 7.4.10 (Parking and Loading) may be approved pursuant to this Subsection.~~
- ~~c. The Manager may approve or approve with conditions if the Manager determines that all of the criteria in Subsections E.1 and E.2 above are met, and that all the following additional criteria are also met:

 - ~~i. A qualified professional forester has determined that each tree to be preserved is healthy; is eight (8) inches or larger diameter at breast height; is high value or rare, and that necessary measures to ensure continued tree health will be used in site design and construction; and~~
 - ~~ii. The Traffic Engineer has determined that the surrounding property will not be adversely affected by the requested Administrative Adjustment.~~~~
- ~~d. If the Manager finds that the applicant has not met the above criteria, the applicant may request that the application be forwarded to the City Planning Commission as an application for a Non-Use Variance.~~

4. Subdivision Regulations

- a. If an Administrative Adjustment request for the requirements of Section 7.4.302 (Design Standards) relate to approval or modification of a Final Plat, the provisions**



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of Subsections 1 through 3 above do not apply. Instead the Manager, after consultation with the City Engineer, Public Works Director, Fire Department, and other relevant City officials involved in subdivision review, may approve the request if the Manager determines that the adjustment is the minimum adjustment necessary to respond to terrain, soils, engineering, utility, and access constraints, while conforming with the purposes of Subsection 7.4.301A (Subdivision Standards Purpose) and complying with other applicable standards in this UDC to the maximum extent feasible.

Future Lot 3 will be defined by the Subdivision Plat submitted for review concurrently with this Development Plan and Administrative Adjustment application.

Issues:

Entire Site Subdivision Plat

- Can staff please confirm the entire site Subdivision Plat can be reviewed and approved separately from this Development Plan and Administrative Adjustment Application without any delays?

Administrative Adjustment

- Can Staff please confirm the measured distance from this proposed site plan to the nearest residential zoned property to ensure Administrative Adjustment is the appropriate application?

Conclusion:

The proposed Development Plan supports the existing infrastructure and will aid the growing demand in the area. The proposed development complies with all requirements of the zone district in which it is located, is consistent with the intent and purpose of the zoning code and is compatible with the surrounding land uses. The proposed Administrative Adjustment clarifies the proposed Murphy USA site plan meets the minimum separation requirements from residential zoned properties and the fact this site is a school should be taken into consideration.

Please contact me at (303) 962-8428 with any questions.

Sincerely,

Dan Kraus

Development Services Manager

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