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October 17, 2022

El Paso County  
Planning and Community Development Department  
2880 International Circle  
Colorado Springs, CO 80910

PCD File #VR-22-003

**RE: Letter of Intent – Proposed Replat of Parcel Nos. 5312402015, 5312402016, 5312403003, 5312403004, 5312404003, 5312405003, 5312405005**

**Owner/Applicant and Consultant**

Randy L. Gibbs and Vicky L. Gibbs - OWNER  
6810 North Meridian Road  
Peyton, CO 80831-8136

Malone William G. Trust - OWNER  
3612 Pennington Cir.  
Modesto, CA 95356-1223

CST Metro LLC, D.B.A. Circle K Stores Inc. – OWNER/APPLICANT  
5500 S. Quebec St., Ste. 100  
Greenwood Village, CO 80111  
(720) 341-7015

Land Development Consultants, LLC – CONSULTANT  
950 S. Cherry St. Ste. 512  
Denver, CO 80246  
(303) 717-3305

**Site location, size and zoning**

The site is located on the southwest corner of US HWY 24 and Old Meridian Road. Overall size is 8.99 acres. The zoning respective zoning for the parcels are C-2 (5312402016), RR-5 (5312402015, 5312403003, 5312403004, 5312404003, 5312405003, 5312405005).

## Areal Map



### Request & Justification

Circle K Stores Inc. is proposing the redevelopment of their existing facilities. The new development will encompass a new 5200 SF convenience store with a single stack fuel canopy with (7) fuel dispensers with (14) fueling positions. The previously listed parcels require a replat to reconfigure the parcels into (2) lots in order to allow for the larger redevelopment of the Circle K facilities. The proposed replat takes into consideration the CDOT ROW dedication required the future expansion of US HWY-24.

### Existing & Proposed Facilities

The current Circle K facilities reside within parcel 5312402016, the remaining parcels are residential with one single family dwelling. The parcels are bound by US HWY-24 to the north, Old Meridian Rd to the east, New Meridian Road to the west and Swingline to the south. Access to the existing CK is from US HWY-24 and Old Meridian Rd. Access to the residential parcels is provided via Old Meridian Rd.

The proposed development will consist of a raze and rebuild of a new larger convenience store and passenger fuel canopy. The residential dwelling will be demolished and parcels via a separate application will be rezoned to commercial. Through CDOT coordination the existing access from US HWY-24 will be closed and access will be provided via Old Meridian and New Meridian Rd. A private road between both proposed parcels is being proposed to provide access to either Old or New Meridian Rds.

A 60 foot right-of-way, Pacific Avenue, and a 20 foot alley right-of-way are being requested to be vacated. This will allow for Circle K to incorporate the 20 foot alley into the proposed Lot 2 of the plat. Vacating Pacific Avenue allows for a 60 foot private road/access to the proposed Lot 1, the new Circle K site. The private road will be maintained by Circle K.

Land Development Code 8.4.4, Transportation System Considerations and Standards, 8.4.4.C – This section states that public roads are required and that divisions of land, lots and tracts shall be served by public roads. Pacific Avenue will be a road that connects Meridian Road to Meridian Sol Drive as well as access to the Circle K site. Pacific Avenue will be a public road.

Provide justification on the waiver criteria for 7.3.3

**Waiver Requests**

There is one waiver being requested with the private road along Pacific Avenue which will provide access to Highway

Land Development Code 7.3 Waivers, 7.3.3 Criteria for Approval of Waivers – This section states that waivers from standards can be approved if the following apply:

- Waiver does not nullify intent and purpose of Code
- Waiver will not result in need for subsequent waivers
- Waiver will not be detrimental to public safety, health, welfare or injurious to other property
- Waiver conditions unique to property and are applicable
- Waiver required because strict application of code would result in non-economic hardship
- Waiver will not vary zoning
- Waiver is not contrary to any Master Plan provision

**Utilities**

This area will be annexed into the Woodmen Hills Metropolitan District for water and sewer. Power will be supplied by Mountain View Electric Association and Colorado Springs Utilities will supply gas.

**Hazards**

There are no constraints, hazards, or potentially sensitive natural or physical features within this area.

**Traffic**

A separate traffic study has been conducted.

**Engineering Design Standards**

A deviation request has been submitted under SDP PPR2230, 3<sup>rd</sup> submittal. The deviation is being requested due to a lack of 90 degree access to Meridian Sol Drive and in order to fit with the established lot/tract lines. The proposed private access road, now named Pacific Avenue, connects to Meridian Sol Drive at a 60 degree angle and connects to Meridian Road at a 90 degree angle. There are/will be stop signs at both exits from the private access road where the proposed speed is to be 25mph.

The intersection at Meridian Sol Drive has adequate site distance and does not negatively impact driving conditions entering or existing the proposed site. Designing the intersection to be at 90 degrees to the existing Meridian Sol Drive alignment would result in poor site configuration within the established property lines. To design the private access road to meet at a 90 degree angle would create adverse conditions given the 60' width of Tract A and the alignment of Meridian Road to the west of the site.

**Public Improvements**

Private improvements will include the detention pond, the private road, landscaping, and the driveways and parking areas of the store. These private improvements will be maintained by Circle K.

Common Improvements will include sidewalks and buffer landscaping and will also be maintained by Circle K.

**Payment of County’s Road Impact Fee**

The County’s Road Impact Fee will be paid at time of building permit issuance.

**Approval Criteria**


From a Planning and Community Development perspective and the over Commissioners, the following criteria are met:

Please provide an analysis of the review criteria rather than stating the criteria points with no justification.

- The replat complies with the Land Development Code, and the original conditions of approval associated with the recorded plat.
- No nonconforming lots are created, and in the case of existing nonconforming lots, the nonconformity is not increased.
- The replat is in keeping with the purpose and intent of this Code.
- The replat conforms to the required findings for a minor or major subdivision, whichever is applicable.
- Legal and physical access is provided to all parcels by public rights-of-way or recorded easement, acceptable to the County in compliance with this Code and the ECM.
- The approval will not adversely affect the public health, safety, and welfare.
- Where the lots or parcels are subject to any CC&Rs or other restrictions, any potential conflict with the CC&Rs or other restrictions resulting from the vacation of the plat has been resolved.

We look forward to working with the County on this new development which has been some time in the making. We appreciate all the assistance from county planning to bring this project to fruition. If any additional information is needed, please let me know.

Sincerely,  
LAND DEVELOPMENT CONSULTANTS



Sofia Hernandez  
Project Manager