

To: City of Commerce City
Community Development

From: Galloway & Company, LLC., QuikTrip Corporation Team

Date: December 9, 2025

Re: **QuikTrip #4255**
Setback Variance Request – Project Narrative

Please accept this project narrative as the submittal for a Variance request associated with Development Plan D25-0008 with the City of Commerce City for QuikTrip store #4255. Galloway and Company, LLC (“Galloway”) are representing QuikTrip Corporation (“QT”) regarding the property located at 7160 Eudora Dr, also known as Adams County PIN 182306103018. The QuikTrip development is for a Convenience Store with a drive through and a fueling canopy. The subject property was recently rezoned from Industrial Two (I-2) to Industrial One (I-1). A convenience store and drive through are uses that are allowed by right per the Land Development Code.

The purpose of the light intensity industrial district (I-1) is to establish a general commercial and restricted industrial zone suitable for various compatible activities such as business operations, warehousing, wholesale trade, offices, and limited industrial uses. The QT parcel is zoned I-1, which is considered to be less intense zoning.

The medium intensity industrial district (I-2) aims to provide a less restrictive industrial environment where light and medium industrial activities, along with similar uses, can be conducted.

After two Development Plan submittals QuikTrip is requesting a maximum front setback variance request from Elm Street. Within the I-1 zoning the requirements for front setbacks are a minimum of twenty (20) feet and a maximum of seventy-five (75) feet. Due to the same regulation from Eudora Drive needing to be adhered to QuikTrip is seeking relief from the maximum front setback requirement from Elm Street. After discussions with Commerce City Planning locating the convenience store towards the west is more desirable and will meet the intent of the code. Please reference Table IV-13. I-1 Light-Intensity Industrial District Standards Maximum front yard setback.

The requested variance is as follows:

- To request a maximum 160-foot front setback from Elm Street where a maximum of seventy-five (75) feet is allowed within the I-1 zone district.

Within the Variance Facts to Know document from the City of Commerce City the Narrative Questionnaire responses are below.

1. What is your hardship? Describe in detail what makes your property or circumstance so unique that it is unfeasible for you to meet the applicable standard? (A hardship does not include: (1) it would increase the value of the property; (2) it would cost too much; or (3) the land could produce more profit, supply jobs, or increase the tax base.)

RESPONSE:

1. *The northern portion of the lot is an irregular shape and with the additional two code defined frontages of Eudora Drive and Elm Street the required maximum setback of 75 feet makes site design and layout undesirable to develop with the convenience store located on the northern side of the subject property. The double frontage lot would only allow a development to occur on the northern side of the lot unless a 192-foot-long building was developed along the southern side of the*



property to adhere to the two front setback requirements. The standards for the I-1 Light-Intensity Industrial District were most likely created for a rectangular shaped lot that had one front, two sides, and one rear, not two fronts and two sides. Achieving this code requirement is contradictory to the code intent for the zone district. Positioning the building in the southwest area of the site would meet the intent for a double frontage property as this code is essentially pulling from each direction, which could not be the intended interpretation of the code logically speaking.

- 2. The overall intent of the project is to develop a convenience store with a fueling canopy. Additionally, the convenience store will have a drive through window in the future. A drive through is allowed by right within the I-1 zone district. QuikTrip is currently incorporating design elements to add the drive through to their generation four store design. This is planned to happen within the next few years but will need to be planned for at this stage of development. The site design for this particular property has a rear drive aisle for store deliveries and the drive through itself. Site circulation and safety for customers and employees is paramount to QuikTrip and adhering to the 75-foot front setback from Elm Street would jeopardize the integrity of the site design.*
- 3. The generation four (G4) convenience store that QuikTrip has selected is a prototype model that is used throughout their development program. All the existing and “in review” QuikTrip developments within Commerce City have been from their previous generation three (G3) store design. Designing a building that would meet both the maximum front setbacks from Eudora Drive and Elm Street would be impossible along the southern side of the lot as explained in the first question response. With the property being zoned industrial I-1 even a traditional industrial building would have a better opportunity to achieve the two setback requirements but would face its own design issues most likely.*

2. Describe in detail how the hardship, stated in Question #1, is not been self-imposed.
RESPONSE: The hardship is not self-imposed as the property was subdivided in its current configuration years in 1996 and is an irregular shaped property. Along with the defined double frontages of Eudora Drive and Elm Street, achieving the requirements of code is challenging, if not impossible given the proposed site design elements needed for a fully functional convenience store with a drive through and a fueling canopy.

3. Narrative Questionnaire

- a. What uses are located adjacent to the subject property?
 - North – *C-3 Zoning, Santiago’s Mexican Restaurant*
 - South – *I-2 Zoning, Gardens Dispensary Canna Commerce City & vacant land/vehicle storage*
 - East – *Undeveloped Elm Street, I-1 & I-3 Zoning, vacant property & C & C Pallet Remanufacturing*
 - West – *Eudora Drive & CanAm Highway (85)*
- b. Will the variance cause a real or perceived loss in surrounding property values?
RESPONSE: No. The redevelopment of the parcel will enhance the property values adjacent to the site.
- c. Will the variance substantially or permanently injure the legal use of any adjacent conforming property?
RESPONSE: No, the variance request is required for a building setback to be further from the right of way than required by code. This will not be a detriment to the legal use of the adjacent parcels

4. Will the requested variance alter the character of the neighborhood?
RESPONSE: Santiago's is adjacent to the north and the Commerce City 2045 Plan identifies this area as the "Northern Business District". This district identifies land uses of primary employment areas and office as primary land uses. It includes Commercial (retail, entertainment and services) as secondary land uses to serve and support the primary land use. So, no, it will not alter the character of the neighborhood.
5. Will the requested variance block solar access, create glare, or produce air pollution impacting the surrounding area?
RESPONSE: No, the requested variance will not block solar access, create glare, or produce air pollution impacting the surrounding area.
6. Will the requested variance create or increase traffic and/or parking problems in the area?
RESPONSE: No, the variance request is for a building setback to be further from the right of way than required by code. This will not be a detriment to traffic or pedestrian safety.
7. Will the construction or operation for which the variance is needed create a police, fire, or building safety hazard?
RESPONSE: No, the variance request is for a building setback to be further from the right of way than required by code. This will not create a safety hazard for the police, fire, or building safety.
8. Why is the requested variance the minimum needed?
RESPONSE: The proposed convenience store prototype and location within the property justifies that the variance granted is the minimum needed for the reasonable use of the land.

Additionally, Variance approval criteria per section 21-3222.3.a are as follows.

1. The physical character of the property, including dimensions, topography or other extraordinary situation or condition of the property, creates a situation where the strict enforcement of the standards in this land development code will deprive the property of privileges generally enjoyed by property of the same classification in the same zoning district (hardship)
RESPONSE (Same as number 1 above):
 1. The northern portion of the lot is an irregular shape and with the additional two code defined frontages of Eudora Drive and Elm Street the required maximum setback of 75 feet makes site design and layout undesirable to develop with the convenience store located on the northern side of the subject property. The double frontage lot would only allow a development to occur on the northern side of the lot unless a 192-foot-long building was developed along the southern side of the property to adhere to the two front setback requirements. The standards for the I-1 Light-Intensity Industrial District were most likely created for a rectangular shaped lot that had one front, two sides, and one rear, not two fronts and two sides. Achieving this code requirement is contradictory to the code intent for the zone district. Positioning the building in the southwest area of the site would meet the intent for a double frontage property as this code is essentially pulling from each direction, which could not be the intended interpretation of the code logically speaking.
 2. The overall intent of the project is to develop a convenience store with a fueling canopy. Additionally, the convenience store will have a drive through window in the future. A drive through is allowed by right within the I-1 zone district. QuikTrip is currently incorporating design elements to add the drive through to their generation four store design. This is planned to happen within the next few years but will need

to be planned for at this stage of development. The site design for this particular property has a rear drive aisle for store deliveries and the drive through itself. Site circulation and safety for customers and employees is paramount to QuikTrip and adhering to the 75-foot front setback from Elm Street would jeopardize the integrity of the site design.

3. *The generation four convenience store that QuikTrip has selected is a prototype model that is used throughout their development program. All the existing and “in review” QuikTrip developments within Commerce City have been from their previous generation three store design. Designing a building that would meet both the maximum front setbacks from Eudora Drive and Elm Street would be impossible along the southern side of the lot as explained in the first question response. With the property being zoned industrial I-1 even a traditional industrial building would have a better opportunity to achieve the two setback requirements but would face its own design issues most likely.*

2. The hardship is not self-imposed;

RESPONSE (Same as number 2 above): The hardship is not self-imposed as the property was subdivided in its current configuration years in 1996 and is an irregular shaped property. Along with the defined double frontages of Eudora Drive and Elm Street, achieving the requirements of code is challenging, if not impossible given the proposed site design elements needed for a fully functional convenience store with a drive through and a fueling canopy.

3. The variance will not be of substantial detriment to adjacent property; and

RESPONSE: The variance requests will not be of substantial detriment to adjacent properties as the new infill development is adding multiple benefits to the area

One of the following criteria is met:

a. The variance granted is the minimum needed for the reasonable use of the land, building, or structure; or

RESPONSE (Same as number 8 above): The proposed convenience store prototype and location within the property justifies that the variance granted is the minimum needed for the reasonable use of the land.

b. The character of the district will not be changed by the granting of the variance.

RESPONSE (Same as number 4 above): Santiago’s is adjacent to the north and the Commerce City 2045 Plan identifies this area as the “Northern Business District”. This district identifies land uses of primary employment areas and office as primary land uses. It includes Commercial (retail, entertainment and services) as secondary land uses to serve and support the primary land use. So, no, it will not alter the character of the neighborhood.

Thank you in advance for your review and we look forward to working with City staff throughout the project.

Todd Hager
Development Services Manager
Galloway & Company, Inc.
303-962-8552
ToddHager@GallowayUS.com