3. Deny Buc-ee's appeal and uphold the Director's July 1 determination;
4.
5.
6.
7. Recognize that a 120-position fuel facility
8. **is**
9. a gas station, which the Code excludes from C-1;
10.
11.
12.
13. Decide the appeal in public, on a full evidentiary record, with the community heard; and
14.
15.
16.
17. Require the applicant to use the proper public process — a rezoning to C-2, or special-use / PUD review — with full notice and hearing.
18.

The public is entitled to be heard before a use the Code excludes from C-1 is allowed in through the back door of an administrative determination.Furthermore, it does NOT serve our neighborhood and certainly does a disservice to our already established businesses. Allowing Bucee's at this location only serves Mr. Aplin's Texas-sized ego and bank account. Please deny the appeal.

Respectfully

Ron and Danelle Meyerle
2605 Bricker Rd
Monument, DO 80132

Jessica Merriam

From: Kylie Bagley
Sent: Wednesday, July 8, 2026 11:32 AM
To: Jessica Merriam
Subject: FW: Buc-ee's Appeal of Administrative Determination ADM264 — Please DENY the Appeal and Uphold the Director's July 1 Determination (C-1 Zone, I-25 & County Line Road / Beacon Lite Road)

Kylie Bagley
Principal Planner
Planning and Community Development
719.520.6323
www.elpasoco.com

From: Daren Fike <darenfike@gmail.com>
Sent: Wednesday, July 8, 2026 11:25 AM
To: Holly Williams <HollyWilliams@elpasoco.com>; Carrie Geitner <CarrieGeitner@elpasoco.com>; Bill Wysong <BillWysong@elpasoco.com>; Cory Applegate <CoryApplegate@elpasoco.com>; Lauren Nelson <LaurenNelson@elpasoco.com>
Cc: Meggan Herington <MegganHerington@elpasoco.com>; Kenny Hodges <KennyHodges@elpasoco.com>; Kylie Bagley <KylieBagley@elpasoco.com>; mlakind@tomgov.org; sking@tomgov.org; sabbott@tomgov.org; csmith@tomgov.org; lkronick@tomgov.org; kkimple@tomgov.org; mfiorito@tomgov.org; governorpolis@state.co.us; natasha_hutson@bennet.senate.gov; jess_cohen@hickenlooper.senate.gov; jarvis.caldwell.house@coleg.gov; matthew.smith1@mail.house.gov; Integrity Matters <integritymatterscos@gmail.com>; contact@trilakespreservation.org
Subject: Buc-ee's Appeal of Administrative Determination ADM264 — Please DENY the Appeal and Uphold the Director's July 1 Determination (C-1 Zone, I-25 & County Line Road / Beacon Lite Road)

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This message needs your attention

- This is a personal email address.
- This is their first mail to some recipients.

Dear Commissioners:

On July 1, 2026, the Planning and Community Development Director declined to classify the proposed Buc-ee's — a 30-plus-acre interstate travel center — as a permitted "Convenience Store" in the C-1 zoning district, concluding that the use could not be determined to qualify under the Land Development Code. Buc-ee's has now appealed that determination to you. I ask you to deny the appeal and uphold the Director's determination.

This is not about whether Buc-ee's is a good business in the proper location. It is about the County's own Code, which answers the question the appeal raises.

1. **A gas station is not a permitted use in C-1.** Table 5-1 lists "Gas Station" as an allowed use in the CC, CR, CS, C-2, and M districts — but not in C-1. Under § 1.6.6 and § 5.3.6(C)(2), listing a use in some districts "shall be deemed to be an exclusion of the use from any other zoning district in which the use is not listed." A facility with 60 dispensers and 120 fueling positions is a gas station. "Convenience Store" and "Gas Station" are separately defined and separately listed uses; the convenience-store definition's "may include retail sale of gasoline" covers incidental fuel and cannot be used to place into C-1 a use the Code deliberately excluded from it. Read literally, as § 1.6.1 requires, **this use is prohibited in C-1.**

The appeal tries to escape this prohibition by misreading the Gas Station definition — three ways, all traceable to page 5 of the underlying request:

- First, it argues Buc-ee's is not a gas station because it "will not provide vehicle repairs, oil changes, accessory installation, [or] car washing." But § 1.15 does not require any of those services; it lists them as things a gas station "may include, as an incidental use." Their absence is irrelevant.
- Second, the appeal asserts the Code defines a gas station as a use "primarily oriented toward the petroleum fueling and servicing of motor vehicles" — a "primary orientation" requirement that appears nowhere in § 1.15.
- Third, it claims the definition "expressly limits retail activity to the incidental sale of vehicle accessories," which it does not. What actually defines a gas station under § 1.15 is the retail sale of gasoline and diesel for vehicles — which Buc-ee's plainly does, at 120 fueling positions. Read as the Code is written, this is a gas station, and gas stations are not allowed in C-1.

2. **The use does not meet the Code's "Convenience Store" definition.** That definition (§ 1.15) requires an establishment serving "the neighborhood in which it is located," and the Code defines a neighborhood as "primarily residential areas." The appeal represents that the store will serve the surrounding neighborhood. It will not. This project is a regional tourist destination, not a neighborhood store — and the company says so itself:

At the grand opening of the company's recently opened Goodyear, Arizona travel center — a store identical to the one proposed here (74,000 square feet, 120 fueling positions and an

estimate 165 toilets) — Buc-ee's own store-opening manager called it **"a destination," comparing it to Disney World** (*Arizona Daily Star, June 22, 2026*).

The Arizona Republic reported that hotels nearest that store sold out for opening weekend, and the *Arizona Daily Star* documented customers driving in from Oregon, Minnesota, and other states, with Nevada and California plates filling the lot.

According to figures Buc-ee's provided to the City of Springfield, Missouri, the company estimates **roughly six million customers a year,** with 88% traveling more than 20 miles to reach the store (City of Springfield official website; *Springfield Daily Citizen)*.

A store the company itself markets as a multi-state destination, drawing customers who travel hundreds of miles and book hotels, does not serve "the neighborhood in which it is located." It cannot be shoehorned into the one C-1 use the appeal relies on. The appeal's answer — to redefine the interstate corridor itself as the "neighborhood" — is not what the Code says.

3. **The appeal's "similar use" fallback cannot rescue it either.** Buc-ee's argues in the alternative that its project is a "similar" permitted use under § 5.3.6.C.1. It is not available here. Section 5.3.6(E) is explicit: no interpretation may "authorize any use in a zoning district … unless … substantially similar to an allowed use," none may allow a use "inconsistent with the statement of purpose" of the district, and none may "have the effect of amending, abrogating, or waiving any other standard or requirement established by Code." Reclassifying a gas station into C-1 would abrogate the Code's express exclusion of gas stations from C-1 — exactly what § 5.3.6(E) forbids. And the "similar use" mechanism exists for uses the Code has not listed; a gas station is listed, and it is excluded from C-1. The appeal's trip-generation comparisons do not change this: similar traffic does not override an express exclusion.

4. **This decision belongs on a full public record — and the right path is a rezoning, not a reclassification.** Deciding the permitted use of a specific parcel by applying the Code's definitions to specific facts is a discretionary, quasi-judicial judgment — the Code's own § 5.3.6(B) describes it as an "analysis and comparison of various code provisions … as opposed to a nondiscretionary review." The County itself stated in February 2026 that "a public hearing is required to determine the use classification" for a project like this. The contested questions this appeal raises — whether a multi-state destination "serves the neighborhood," the traffic and water impacts of a facility of this scale — cannot fairly be resolved on the applicant's paper record. They should be decided by you, in public, on an evidentiary record, with the community heard. If the Board is inclined to entertain reversing the Director, a use classification of this magnitude cannot fairly be decided on the applicant's paper submissions alone; it requires a noticed public evidentiary hearing at which the community can be heard. And because the Code distinguishes C-1 ("commercial activities," § 4.4.1) from C-2 ("large commercial activities," § 4.4.4) — and allows gas stations in C-2 but not C-1 — the proper path for a regional interstate fuel-and-retail center is a rezoning to C-2, or a special-use / PUD review, each with full notice and hearing.

5. **The application is also unreliable on its face**. Beyond the violations above, the record repeatedly misstates the Code and the facts — including a "full list of allowed C-1 uses" that omits Convenience Store, the very use it claims is permitted; fuel-footprint percentages calculated on shifting denominators; and a landscaping requirement misstated as 5% when the Code requires more. A record this flawed is one more reason the determination should be upheld and the matter tested on a full public record rather than reversed on appeal.

I respectfully request that the Board:

1. Deny Buc-ee's appeal and uphold the Director's July 1 determination;
2. Recognize that a 120-position fuel facility **is** a gas station, which the Code excludes from C-1;
3. Decide the appeal in public, on a full evidentiary record, with the community heard; and
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The public is entitled to be heard before a use the Code excludes from C-1 is allowed in through the back door of an administrative determination. Please deny the appeal.

Respectfully
Daren M Fike
1222 Greenland Forest Drive
Monument, CO 80132

Jessica Merriam

From: Kylie Bagley
Sent: Wednesday, July 8, 2026 8:25 AM
To: Jessica Merriam
Subject: Fw: Objection to the Buc-ee's Administrative Determination and Demand for a Public Hearing — C-1 Zone, I-25 & County Line Road

Kylie Bagley
Principal Planner
Planning and Community Development
719.520.6323
www.elpasoco.com

From: Abigail Knight <abigailknight91@gmail.com>
Sent: Tuesday, July 7, 2026 4:55 PM
To: Holly Williams <HollyWilliams@elpasoco.com>; Carrie Geitner <CarrieGeitner@elpasoco.com>; Bill Wysong <BillWysong@elpasoco.com>; Cory Applegate <CoryApplegate@elpasoco.com>; Lauren Nelson <LaurenNelson@elpasoco.com>
Cc: Meggan Herington <MegganHerington@elpasoco.com>; Kenny Hodges <KennyHodges@elpasoco.com>; Kylie Bagley <KylieBagley@elpasoco.com>; mlakind@tomgov.org <mlakind@tomgov.org>; sking@tomgov.org <sking@tomgov.org>; sabbott@tomgov.org <sabbott@tomgov.org>; csmith@tomgov.org <csmith@tomgov.org>; lkronick@tomgov.org <lkronick@tomgov.org>; kkimple@tomgov.org <kkimple@tomgov.org>; mfiorito@tomgov.org <mfiorito@tomgov.org>; eharris@palmer-lake.org <eharris@palmer-lake.org>; rmoseley@palmer-lake.org <rmoseley@palmer-lake.org>; jmarble@palmer-lake.org <jmarble@palmer-lake.org>; mbeeson@palmer-lake.org <mbeeson@palmer-lake.org>; ajurka@palmer-lake.org <ajurka@palmer-lake.org>; governorpolis@state.co.us <governorpolis@state.co.us>; natasha_hutson@bennet.senate.gov <natasha_hutson@bennet.senate.gov>; jess_cohen@hickenlooper.senate.gov <jess_cohen@hickenlooper.senate.gov>; jarvis.caldwell.house@coleg.gov <jarvis.caldwell.house@coleg.gov>; matthew.smith1@mail.house.gov <matthew.smith1@mail.house.gov>; integritymatterscos@gmail.com <integritymatterscos@gmail.com>; contact@trilakespreservation.org <contact@trilakespreservation.org>; savannah.eller@gazette.com <savannah.eller@gazette.com>; Tony.Keith@koaa.com <Tony.Keith@koaa.com>; Noah.Caplan@koaa.com <Noah.Caplan@koaa.com>; EXTERNAL KOAA News <News@KOAA.com>; ASack@kxrm.com <ASack@kxrm.com>; EXTERNAL Fox News <EXTERNALFoxNews@elpasoco.com>; EXTERNAL KKTV News <news@kktv.com>; news@krdo.com <news@krdo.com>; achalfin@krcc.org <achalfin@krcc.org>; EXTERNAL KRCC News <news@krcc.org>; newstips@denver7.com <newstips@denver7.com>; newstips@9news.com <newstips@9news.com>; tips@kdvr.com <tips@kdvr.com>; jalvarado@denverpost.com <jalvarado@denverpost.com>; EXTERNAL Newsroom Denver <newsroom@denverpost.com>; oliviaprentzel@coloradosun.com <oliviaprentzel@coloradosun.com>; newsroom@coloradosun.com <newsroom@coloradosun.com>; Karin.Brulliard@washpost.com <Karin.Brulliard@washpost.com>;

jim.carlton@wsj.com <jim.carlton@wsj.com>; news-tips@nytimes.com <news-tips@nytimes.com>; tips@cnn.com <tips@cnn.com>; tips@nbcuni.com <tips@nbcuni.com>; news.tips@abc.com <news.tips@abc.com>; LBergman@newsnationnow.com <LBergman@newsnationnow.com>; tips@thefp.com <tips@thefp.com>; talkshow@aol.com <talkshow@aol.com>
Subject: Re: Objection to the Buc-ee's Administrative Determination and Demand for a Public Hearing — C-1 Zone, I-25 & County Line Road

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I respectfully request that the Board:

1. Deny Buc-ee's appeal and uphold the Director's July 1 determination;
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3. Decide the appeal in public, on a full evidentiary record, with the community heard; and
4. Require the applicant to use the proper public process — a rezoning to C-2, or special-use / PUD review — with full notice and hearing.

The public is entitled to be heard before a use the Code excludes from C-1 is allowed in through the back door of an administrative determination. Please deny the appeal.

Thank you,

Abbey Knight

On Jul 1, 2026, at 5:38 PM, Holly Williams <HollyWilliams@elpasoco.com> wrote:

El Paso County received a request for an administrative determination regarding whether the proposed Buc-ee's use should be classified as a "Convenience Store" under the Land Development Code.

Following review of the applicant's materials, applicable Land Development Code definitions, historical approvals, and comparative analysis, the Planning and Community Development Director was unable to make a determination. Because it is unclear whether the proposed use meets the Land Development Code definition of a "Convenience Store," the Director was unable to determine whether the proposed use is sufficiently similar to allowed uses within the C-1 zoning district.

The administrative determination is a limited code interpretation that addresses only how the proposed use is classified under the Land Development Code.

In accordance with LDC Section 5.3.6(F), an aggrieved party may appeal an administrative determination on use within 30 days of the date of this determination. Appeals must follow the procedures adopted by the Board of County Commissioners (BoCC) or the Executive Director. The BoCC is the ultimate interpreter of the meaning and application of this Code as to the type, nature and rights of uses.

"Aggrieved" is defined in LDC Section 1.15 as the owner of the property that is the subject of the request and, when notice to adjacent property owners is required, those adjacent owners entitled to such notice.

Until the appeal period has expired, or an appeal has been filed, the County cannot determine what the next procedural step will be. At this time, the County does not know whether an appeal or another land use application will be submitted.

If an appeal or another application is submitted, it will be reviewed in accordance with the applicable provisions of the Land Development Code and the County's established review process.

https://planningdevelopment.elpasoco.com/buc-ees/

Holly Williams
Commissioner District 1
719-520-6411 (office)
719-374-0856 (cell)
hollywilliams@elpasoco.com

From: Abigail Knight <abigailknight91@gmail.com>
Sent: Wednesday, June 24, 2026 11:02 AM
To: Meggan Herington <MegganHerington@elpasoco.com>; Holly Williams <HollyWilliams@elpasoco.com>; Carrie Geitner <CarrieGeitner@elpasoco.com>; Bill Wysong <BillWysong@elpasoco.com>; Cory Applegate <CoryApplegate@elpasoco.com>; Lauren Nelson <LaurenNelson@elpasoco.com>; Kenny Hodges <KennyHodges@elpasoco.com>
Cc: mlakind@tomgov.org <mlakind@tomgov.org>; sking@tomgov.org <sking@tomgov.org>; sabbott@tomgov.org <sabbott@tomgov.org>; csmith@tomgov.org <csmith@tomgov.org>; lkronick@tomgov.org <lkronick@tomgov.org>; kkimple@tomgov.org <kkimple@tomgov.org>; mfiorito@tomgov.org <mfiorito@tomgov.org>; eharris@palmer-lake.org <eharris@palmer-lake.org>; rmoseley@palmer-lake.org <rmoseley@palmer-lake.org>; jmarble@palmer-lake.org <jmarble@palmer-lake.org>; mbeeson@palmer-lake.org <mbeeson@palmer-lake.org>; ajurka@palmer-lake.org <ajurka@palmer-lake.org>; governorpolis@state.co.us <governorpolis@state.co.us>; natasha_hutson@bennet.senate.gov <natasha_hutson@bennet.senate.gov>; jess_cohen@hickenlooper.senate.gov <jess_cohen@hickenlooper.senate.gov>; jarvis.caldwell.house@coleg.gov <jarvis.caldwell.house@coleg.gov>; matthew.smith1@mail.house.gov <matthew.smith1@mail.house.gov>; integritymatterscos@gmail.com <integritymatterscos@gmail.com>; contact@trilakespreservation.org <contact@trilakespreservation.org>; savannah.eller@gazette.com <savannah.eller@gazette.com>; Tony.Keith@koaa.com <Tony.Keith@koaa.com>; Noah.Caplan@koaa.com <Noah.Caplan@koaa.com>; EXTERNAL KOAA News <News@KOAA.com>; sam.page@krdo.com <sam.page@krdo.com>; ASack@kxrm.com <ASack@kxrm.com>; EXTERNAL Fox News <EXTERNALFoxNews@elpasoco.com>; EXTERNAL KKTV News <news@kktv.com>; achalfin@krcc.org <achalfin@krcc.org>; EXTERNAL KRCC News <news@krcc.org>; news@cpr.org <news@cpr.org>; news@7news.com <news@7news.com>; newstips@denver7.com <newstips@denver7.com>; spencer.soicher@9news.com <spencer.soicher@9news.com>; newstips@9news.com <newstips@9news.com>; tips@kdvr.com <tips@kdvr.com>; EXTERNAL News TipsDenver <newstips@thedenverchannel.com>; jalvarado@denverpost.com <jalvarado@denverpost.com>; EXTERNAL Newsroom Denver <newsroom@denverpost.com>; oliviaprentzel@coloradosun.com <oliviaprentzel@coloradosun.com>; newsroom@coloradosun.com <newsroom@coloradosun.com>; Karin.Brulliard@washpost.com <Karin.Brulliard@washpost.com>; jim.carlton@wsj.com <jim.carlton@wsj.com>; news-tips@nytimes.com <news-tips@nytimes.com>; tips@cnn.com <tips@cnn.com>; tips@nbcuni.com <tips@nbcuni.com>; news.tips@abc.com <news.tips@abc.com>; LBergman@newsnationnow.com <LBergman@newsnationnow.com>; tips@thefp.com <tips@thefp.com>; talkshow@aol.com

<talkshow@aol.com>
Subject: Objection to the Buc-ee's Administrative Determination and Demand for a Public Hearing — C-1 Zone, I-25 & County Line Road

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Dear Director Herington and Commissioners:
I object to any administrative determination classifying the proposed Buc-ee's as a permitted use in the C-1 zoning district, and I ask that this matter be referred to the Board of County Commissioners for a public hearing. The application asks the County to allow, by a closed-door administrative determination, a use the Land Development Code does not permit in C-1.
1. A gas station is not a permitted use in C-1. Table 5-1 lists "Gas Station" as an allowed use in the CC, CR, CS, C-2, and M districts — but **not in C-1**. Under § 1.6.6 and § 5.3.6(C)(2), listing a use in some districts "shall be deemed to be an exclusion of the use from any other zoning district in which the use is not listed." A facility with 60 dispensers and 120 fueling positions is a gas station. "Convenience Store" and "Gas Station" are separately defined and separately listed uses; the convenience-store definition's "may include retail sale of gasoline" covers incidental fuel and cannot be used to place into C-1 a use the Code deliberately excluded from it. Read literally, as § 1.6.1 requires, this use is prohibited in C-1.
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- At the grand opening of the company's recently opened Goodyear, Arizona travel center — a store identical to the one proposed here (74,000 square feet, 120 fueling positions) — Buc-ee's own store-

opening manager called it "a destination," comparing it to Disney World *(Arizona Daily Star, June 22, 2026)*.

- The *Arizona Republic* reported that hotels nearest that store sold out for opening weekend, and the *Arizona Daily Star* documented customers driving in from Oregon, Minnesota, and other states, with Nevada and California plates filling the lot.
- Buc-ee's own customer estimates, reported when it sought approval in Springfield, Missouri, projected roughly **six million customers a year, with about 80% traveling more than 20 miles** to reach the store *(Community Playmaker, Jan. 2025)*.

A store the company itself markets as a multi-state destination, drawing customers who travel hundreds of miles and book hotels, does not serve "the neighborhood in which it is located." It cannot be shoehorned into the one C-1 use the application relies on.

3. This decision belongs at a public hearing, not behind closed doors. Deciding the permitted uses of a specific parcel by applying the Code's definitions to specific facts is a discretionary judgment — the Code's own § 5.3.6(B) describes it as an "analysis and comparison of various code provisions … as opposed to a nondiscretionary review." A decision of this consequence, affecting the whole region, requires public notice and a hearing — and the County itself stated in February 2026 that "a public hearing is required to determine the use classification" for a project like this. A no-notice administrative determination, issued with no opportunity for the public to be heard, is the wrong vehicle.

4. The application is also unreliable on its face. Beyond the violations above, it repeatedly misstates the Code and the facts — including a "full list of allowed C-1 uses" (page 8) that omits Convenience Store, the very use it claims is permitted; fuel-footprint percentages calculated on shifting denominators (pages 2 and 6); and a landscaping requirement misstated as 5% when the Code requires more (page 2). These and other errors are itemized in the attached catalogue. A record this flawed is one more reason the determination must be tested at a public hearing rather than accepted on paper.

I respectfully request that the County:

1. **Decline** to issue any administrative determination on the paper record;
2. **Refer** this matter to the Board of County Commissioners for a full, noticed public hearing;
3. **Recognize** that a 120-position fuel facility is a gas station, which the Code excludes from C-1; and
4. **Require** the applicant to use the proper public process — a rezoning to C-2, or special-use/PUD review — with full notice and hearing.

The public is entitled to be heard before a use the Code excludes from C-1 is allowed in by administrative determination. Please make this decision in public, on the record.

Respectfully,

Abbey Knight

Pioneer Lookout Monument - El Paso County

Jessica Merriam

From: Kylie Bagley
Sent: Wednesday, July 8, 2026 8:30 AM
To: Jessica Merriam
Subject: Fw: Buc-ee's Appeal of Administrative Determination ADM264 — Please DENY the Appeal and Uphold the Director's July 1 Determination (C-1 Zone, I-25 & County Line Road / Beacon Lite Road)

Kylie Bagley
Principal Planner
Planning and Community Development
719.520.6323
www.elpasoco.com

From: Julie Lawton <julieannelawton@gmail.com>
Sent: Wednesday, July 8, 2026 7:19 AM
To: Holly Williams <HollyWilliams@elpasoco.com>; Carrie Geitner <CarrieGeitner@elpasoco.com>; Bill Wysong <BillWysong@elpasoco.com>; Cory Applegate <CoryApplegate@elpasoco.com>; Lauren Nelson <LaurenNelson@elpasoco.com>
Cc: Meggan Herington <MegganHerington@elpasoco.com>; Kenny Hodges <KennyHodges@elpasoco.com>; Kylie Bagley <KylieBagley@elpasoco.com>; mlakind@tomgov.org <mlakind@tomgov.org>; sking@tomgov.org <sking@tomgov.org>; sabbott@tomgov.org <sabbott@tomgov.org>; csmith@tomgov.org <csmith@tomgov.org>; lkronick@tomgov.org <lkronick@tomgov.org>; kkimple@tomgov.org <kkimple@tomgov.org>; mfiorito@tomgov.org <mfiorito@tomgov.org>; governorpolis@state.co.us <governorpolis@state.co.us>; natasha_hutson@bennet.senate.gov <natasha_hutson@bennet.senate.gov>; jess_cohen@hickenlooper.senate.gov <jess_cohen@hickenlooper.senate.gov>; jarvis.caldwell.house@coleg.gov <jarvis.caldwell.house@coleg.gov>; matthew.smith1@mail.house.gov <matthew.smith1@mail.house.gov>; integritymatterscos@gmail.com <integritymatterscos@gmail.com>; contact@trilakespreservation.org <contact@trilakespreservation.org>
Subject: Buc-ee's Appeal of Administrative Determination ADM264 — Please DENY the Appeal and Uphold the Director's July 1 Determination (C-1 Zone, I-25 & County Line Road / Beacon Lite Road)

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Mark Safe Report El Paso County Digital, Strategy & Technology (DST)

Re: Buc-ee's Appeal of Administrative Determination ADM264 — Please DENY the Appeal and Uphold the Director's July 1 Determination (C-1 Zone, I-25 & County Line Road / Beacon Lite Road)

Dear Commissioners:

On July 1, 2026, the Planning and Community Development Director declined to classify the proposed Buc-ee's — a 30-plus-acre interstate travel center — as a permitted "Convenience Store" in the C-1 zoning district, concluding that the use could not be determined to qualify under the Land Development Code. Buc-ee's has now appealed that determination to you. I ask you to deny the appeal and uphold the Director's determination.

This is not about whether Buc-ee's is a good business in the proper location. It is about the County's own Code, which answers the question the appeal raises.

1.
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3. **A gas station is not a permitted use in**
4. **C-1.** Table 5-1 lists "Gas Station" as an allowed
5. use in the CC, CR, CS, C-2, and M districts — but not in C-1. Under § 1.6.6 and § 5.3.6(C)(2), listing a use in some districts "shall be deemed to be an exclusion of the use from any other zoning district in which the use is not listed." A facility with 60
6. dispensers and 120 fueling positions is a gas station. "Convenience Store" and "Gas Station" are separately defined and separately listed uses; the convenience-store definition's "may include retail sale of gasoline" covers incidental fuel and cannot be used
7. to place into C-1 a use the Code deliberately excluded from it. Read literally, as § 1.6.1 requires,
8. **this use is prohibited in C-1.**
9.

The appeal tries to escape this prohibition by misreading the Gas Station definition — three ways, all traceable to page 5 of the underlying request:

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- First, it argues Buc-ee's is not a gas station because it
- "will not provide vehicle repairs, oil changes, accessory installation, [or] car washing." But § 1.15 does not require any of those services; it lists them as things a gas station "may include, as an incidental use." Their absence is irrelevant.
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- Second, the appeal asserts the Code defines a gas station
- as a use "primarily oriented toward the petroleum fueling and servicing of motor vehicles" — a "primary orientation" requirement that appears nowhere in § 1.15.
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- Third, it claims the definition "expressly limits retail
- activity to the incidental sale of vehicle accessories," which it does not. What actually defines a gas station under § 1.15 is the retail sale of gasoline and diesel for vehicles — which Buc-ee's plainly does, at 120 fueling positions. Read as the Code is
- written, this is a gas station, and gas stations are not allowed in C-1.
-

2.
3.
4. The use does not meet the Code's "Convenience
5. **Store" definition.** That definition (§ 1.15) requires
6. an establishment serving "the neighborhood in which it is located," and the Code defines a neighborhood as "primarily residential areas." The appeal represents that the store will serve the surrounding neighborhood. It will not. This project is a regional
7. tourist destination, not a neighborhood store — and the company says so itself:
8.

At the grand opening of the company's recently opened Goodyear, Arizona travel center — a store identical to the one proposed here (74,000 square feet, 120 fueling positions and an estimate 165 toilets) — Buc-ee's own store-opening manager called it **"a destination," comparing it to Disney World** (*Arizona Daily Star, June 22, 2026*).

The Arizona Republic reported that hotels nearest that store sold out for opening weekend, and the *Arizona Daily Star* documented customers driving in from Oregon, Minnesota, and other states, with Nevada and California plates filling the lot.

According to figures Buc-ee's provided to the City of Springfield, Missouri, the company estimates **roughly six million customers a year,** with 88% traveling more than 20 miles to reach the store (City of Springfield official website; *Springfield Daily Citizen)*.

A store the company itself markets as a multi-state destination, drawing customers who travel hundreds of miles and book hotels, does not serve "the neighborhood in which it is located." It cannot be shoehorned into the one C-1 use the appeal relies on. The appeal's answer — to redefine the interstate corridor itself as the "neighborhood" — is not what the Code says.

3.

The appeal's "similar use" fallback cannot rescue it either. Buc-ee's argues in the alternative that its project is a "similar" permitted use under § 5.3.6.C.1. It is not available here. Section 5.3.6(E) is explicit: no interpretation may "authorize any use in a zoning district … unless … substantially similar to an allowed use," none may allow a use "inconsistent with the statement of purpose" of the district, and none may "have the effect of amending, abrogating, or waiving any other standard or requirement established by Code." Reclassifying a gas station into C-1 would abrogate the Code's express exclusion of gas stations from C-1 — exactly what § 5.3.6(E) forbids. And the "similar use" mechanism exists for uses the Code has not listed; a gas station is listed, and it is excluded from C-1. The appeal's trip-generation comparisons do not change this: similar traffic does not override an express exclusion.

This decision belongs on a full public record — and the right path is a rezoning, not a reclassification. Deciding the permitted use of a specific parcel by applying the Code's definitions to specific facts is a discretionary, quasi-judicial judgment — the Code's own § 5.3.6(B) describes it as an "analysis and comparison of various code provisions … as opposed to a nondiscretionary review." The County itself stated in February 2026 that "a public hearing is required to determine the use classification" for a project like this. The contested questions this appeal raises — whether a multi-state destination "serves the neighborhood," the traffic and water impacts of a facility of this scale — cannot fairly be resolved on the applicant's paper record. They should be decided by you, in public, on an evidentiary record, with the community heard. If the Board is inclined to entertain reversing the Director, a use classification of this magnitude cannot fairly be decided on the applicant's paper submissions alone; it requires a noticed public evidentiary hearing at which the community can be heard. And because the Code distinguishes C-1 ("commercial activities," § 4.4.1) from C-2 ("large commercial activities," § 4.4.4) — and allows gas stations in C-2 but not C-1 — the proper path for a regional interstate fuel-and-retail center is a rezoning to C-2, or a special-use / PUD review, each with full notice and hearing.

The application is also unreliable on its face. Beyond the violations above, the record repeatedly misstates the Code and the facts — including a "full list of allowed C-1 uses" that omits Convenience Store, the very use it claims is permitted; fuel-footprint percentages calculated on shifting denominators; and a landscaping requirement misstated as 5% when the Code requires more. A record this flawed is one more reason the determination should be upheld and the matter tested on a full public record rather than reversed on appeal.

I respectfully request that the Board:

3. Deny Buc-ee's appeal and uphold the Director's July 1 determination;

7. Recognize that a 120-position fuel facility
8. **is**
9. a gas station, which the Code excludes from C-1;

13. Decide the appeal in public, on a full evidentiary record,
14. with the community heard; and

18. Require the applicant to use the proper public process —
19. a rezoning to C-2, or special-use / PUD review — with full notice and hearing.

The public is entitled to be heard before a use the Code excludes from C-1 is allowed in through the back door of an administrative determination. Please deny the appeal.

Respectfully
Julie Lawton
1265 Fallen Tree Road
Monument, CO 80132

Jessica Merriam

From: Kylie Bagley
Sent: Wednesday, July 8, 2026 8:32 AM
To: Jessica Merriam
Subject: Fw: Buc-ee's Appeal of Administrative Determination ADM264 — Please DENY the Appeal and Uphold the Director's July 1 Determination (C-1 Zone, I-25 & County Line Road / Beacon Lite Road)

Kylie Bagley
Principal Planner
Planning and Community Development
719.520.6323
www.elpasoco.com

From: Julie Lawton <julieannelawton@gmail.com>
Sent: Wednesday, July 8, 2026 7:23 AM
To: Holly Williams <HollyWilliams@elpasoco.com>; Carrie Geitner <CarrieGeitner@elpasoco.com>; Bill Wysong <BillWysong@elpasoco.com>; Cory Applegate <CoryApplegate@elpasoco.com>; Lauren Nelson <LaurenNelson@elpasoco.com>
Cc: Meggan Herington <MegganHerington@elpasoco.com>; Kenny Hodges <KennyHodges@elpasoco.com>; Kylie Bagley <KylieBagley@elpasoco.com>; mlakind@tomgov.org <mlakind@tomgov.org>; sking@tomgov.org <sking@tomgov.org>; sabbott@tomgov.org <sabbott@tomgov.org>; csmith@tomgov.org <csmith@tomgov.org>; lkronick@tomgov.org <lkronick@tomgov.org>; kkimple@tomgov.org <kkimple@tomgov.org>; mfiorito@tomgov.org <mfiorito@tomgov.org>; governorpolis@state.co.us <governorpolis@state.co.us>; natasha_hutson@bennet.senate.gov <natasha_hutson@bennet.senate.gov>; jess_cohen@hickenlooper.senate.gov <jess_cohen@hickenlooper.senate.gov>; jarvis.caldwell.house@coleg.gov <jarvis.caldwell.house@coleg.gov>; matthew.smith1@mail.house.gov <matthew.smith1@mail.house.gov>; integritymatterscos@gmail.com <integritymatterscos@gmail.com>; contact@trilakespreservation.org <contact@trilakespreservation.org>
Subject: Fwd: Buc-ee's Appeal of Administrative Determination ADM264 — Please DENY the Appeal and Uphold the Director's July 1 Determination (C-1 Zone, I-25 & County Line Road / Beacon Lite Road)

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Mark Safe Report El Paso County Digital, Strategy & Technology (DST)

Begin forwarded message:

From: Julie Lawton <julieannelawton@gmail.com>
Subject: Buc-ee's Appeal of Administrative Determination ADM264 — Please DENY the Appeal and Uphold the Director's July 1 Determination (C-1 Zone, I-25 & County Line Road / Beacon Lite Road)
Date: July 8, 2026 at 7:19:19 AM MDT
To: HollyWilliams@elpasoco.com, CarrieGeitner@elpasoco.com, BillWysong@elpasoco.com, CoryApplegate@elpasoco.com, LaurenNelson@elpasoco.com
Cc: megganherington@elpasoco.com, KennyHodges@elpasoco.com, kyliebagley@elpasoco.com, mlakind@tomgov.org, sking@tomgov.org, sabbott@tomgov.org, csmith@tomgov.org, lkronick@tomgov.org, kkimple@tomgov.org, mfiorito@tomgov.org, governorpolis@state.co.us, natasha_hutson@bennet.senate.gov, jess_cohen@hickenlooper.senate.gov, jarvis.caldwell.house@coleg.gov, matthew.smith1@mail.house.gov, integritymatterscos@gmail.com, contact@trilakespreservation.org

Re: Buc-ee's Appeal of Administrative Determination ADM264 — Please DENY the Appeal and Uphold the Director's July 1 Determination (C-1 Zone, I-25 & County Line Road / Beacon Lite Road)

Dear Commissioners:

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- "will not provide vehicle repairs, oil changes, accessory installation, [or] car washing." But § 1.15 does not require any of those services; it lists them as things a gas station "may include, as an incidental use." Their absence is irrelevant.
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8. to a nondiscretionary review." The County itself stated in February 2026 that "a public hearing is required to determine the use classification" for a project like this. The contested questions this appeal raises — whether a multi-state destination "serves
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11. C-1 ("commercial activities," § 4.4.1) from C-2 ("large commercial activities," § 4.4.4) — and allows gas stations in C-2 but not C-1 — the proper path for a regional interstate fuel-and-retail center is a rezoning to C-2, or a special-use / PUD review, each
12. with full notice and hearing.
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7. **application is also unreliable on its face**. Beyond
8. the violations above, the record repeatedly misstates the Code and the facts — including a "full list of allowed C-1 uses" that omits Convenience Store, the very use it claims is permitted; fuel-footprint percentages calculated on shifting denominators; and
9. a landscaping requirement misstated as 5% when the Code requires more. A record this flawed is one more reason the determination should be upheld and the matter tested on a full public record rather than reversed on appeal.
10.

I respectfully request that the Board:

1.
2. Deny
3. Buc-ee's appeal and uphold the Director's July 1 determination;
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5.
6. Recognize
7. that a 120-position fuel facility **is**
8. a gas station, which the Code excludes from C-1;

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11. Decide
12. the appeal in public, on a full evidentiary record, with the community heard; and
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14.
15. Require
16. the applicant to use the proper public process — a rezoning to C-2, or special-use / PUD review — with full notice and hearing.
17.

The public is entitled to be heard before a use the Code excludes from C-1 is allowed in through the back door of an administrative determination. Please deny the appeal.

Respectfully
Steve Lawton
1265 Fallen Tree Road
Monument, CO 80132

Jessica Merriam

From: Kylie Bagley
Sent: Thursday, July 9, 2026 8:26 AM
To: Jessica Merriam
Subject: Fw: Deny the Bucee's request for Convienience Store Status please

Kylie Bagley
Principal Planner
Planning and Community Development
719.520.6323
www.elpasoco.com

From: K Bishop <bishopia@msn.com>
Sent: Wednesday, July 8, 2026 1:17 PM
To: Holly Williams <HollyWilliams@elpasoco.com>; Carrie Geitner <CarrieGeitner@elpasoco.com>; Bill Wysong <BillWysong@elpasoco.com>; Cory Applegate <CoryApplegate@elpasoco.com>; Lauren Nelson <LaurenNelson@elpasoco.com>
Cc: Meggan Herington <MegganHerington@elpasoco.com>; Kenny Hodges <KennyHodges@elpasoco.com>; Kylie Bagley <KylieBagley@elpasoco.com>; mlakind@tomgov.org <mlakind@tomgov.org>; sking@tomgov.org <sking@tomgov.org>; sabbott@tomgov.org <sabbott@tomgov.org>; csmith@tomgov.org <csmith@tomgov.org>; lkronick@tomgov.org <lkronick@tomgov.org>; kkimple@tomgov.org <kkimple@tomgov.org>; mfiorito@tomgov.org <mfiorito@tomgov.org>; governorpolis@state.co.us <governorpolis@state.co.us>; natasha_hutson@bennet.senate.gov <natasha_hutson@bennet.senate.gov>; jess_cohen@hickenlooper.senate.gov <jess_cohen@hickenlooper.senate.gov>; jarvis.caldwell.house@coleg.gov <jarvis.caldwell.house@coleg.gov>; matthew.smith1@mail.house.gov <matthew.smith1@mail.house.gov>; integritymatterscos@gmail.com <integritymatterscos@gmail.com>; contact@trilakespreservation.org <contact@trilakespreservation.org>
Subject: Deny the Bucee's request for Convienience Store Status please

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Mark Safe Report

El Paso County Digital, Strategy & Technology (DST)

To: HollyWilliams@elpasoco.com, CarrieGeitner@elpasoco.com, BillWysong@elpasoco.com, CoryApplegate@elpasoco.com, LaurenNelson@elpasoco.com

Cc: megganherington@elpasoco.com, KennyHodges@elpasoco.com, kyliebagley@elpasoco.com, mlakind@tomgov.org, sking@tomgov.org, sabbott@tomgov.org, csmith@tomgov.org, lkronick@tomgov.org, kkimple@tomgov.org, mfiorito@tomgov.org,governorpolis@state.co.us, natasha_hutson@bennet.senate.gov, jess_cohen@hickenlooper.senate.gov, jarvis.caldwell.house@coleg.gov, matthew.smith1@mail.house.gov, integritymatterscos@gmail.com, contact@trilakespreservation.org

Re: Buc-ee's Appeal of Administrative Determination ADM264 — Please DENY the Appeal and Uphold the Director's July 1 Determination (C-1 Zone, I-25 & County Line Road / Beacon Lite Road)

Dear Commissioners:

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The appeal tries to escape this prohibition by misreading the Gas Station definition — three ways, all traceable to page 5 of the underlying request:

- First, it argues Buc-ee's is not a gas station because it "will not provide vehicle repairs, oil changes, accessory installation, [or] car washing." But § 1.15 does not require any of those services; it lists them as things a gas station "may include, as an incidental use." Their absence is irrelevant.
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2. **The use does not meet the Code's "Convenience Store" definition.** That definition (§ 1.15) requires an establishment serving "the neighborhood in which it is located," and the Code defines a neighborhood as "primarily residential areas." The appeal represents that the store will serve the surrounding neighborhood. It will not. <u>This project is a regional tourist destination, not a neighborhood store — and the company says so itself:</u>

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I respectfully request that the Board:

1. Deny Buc-ee's appeal and uphold the Director's July 1 determination;
2. Recognize that a 120-position fuel facility **is** a gas station, which the Code excludes from C-1;

3. Decide the appeal in public, on a full evidentiary record, with the community heard; and
4. Require the applicant to use the proper public process — a rezoning to C-2, or special-use / PUD review — with full notice and hearing.

The public is entitled to be heard before a use the Code excludes from C-1 is allowed in through the back door of an administrative determination. Furthermore, it does NOT serve our neighborhood and certainly does a disservice to our already established businesses. Allowing Buc-ee's at this location only serves Mr. Aplin's Texas-sized ego and bank account. Please deny the appeal.

Respectfully

Susan Murphy
96 Vale Street
Palmer Lake, CO 80133

Jessica Merriam

From: Kylie Bagley
Sent: Monday, July 13, 2026 9:14 AM
To: Jessica Merriam
Subject: Fw:

Kylie Bagley
Principal Planner
Planning and Community Development
719.520.6323
www.elpasoco.com

From: Karen Huston <kshuston7@gmail.com>
Sent: Sunday, July 12, 2026 5:22 PM
To: Holly Williams <HollyWilliams@elpasoco.com>; Carrie Geitner <CarrieGeitner@elpasoco.com>; Bill Wysong <BillWysong@elpasoco.com>; Cory Applegate <CoryApplegate@elpasoco.com>; Lauren Nelson <LaurenNelson@elpasoco.com>
Cc: Meggan Herington <MegganHerington@elpasoco.com>; Kenny Hodges <KennyHodges@elpasoco.com>; Kylie Bagley <KylieBagley@elpasoco.com>; governorpolis@state.co.us <governorpolis@state.co.us>; natasha_hutson@bennet.senate.gov <natasha_hutson@bennet.senate.gov>; jess_cohen@hickenlooper.senate.gov <jess_cohen@hickenlooper.senate.gov>; jarvis.caldwell.house@coleg.gov <jarvis.caldwell.house@coleg.gov>; matthew.smith1@mail.house.gov <matthew.smith1@mail.house.gov>; integritymatterscos@gmail.com <integritymatterscos@gmail.com>; contact@trilakespreservation.org <contact@trilakespreservation.org>; governorpolis@state.co.us <governorpolis@state.co.us>; natasha_hutson@bennet.senate.gov <natasha_hutson@bennet.senate.gov>; jess_cohen@hickenlooper.senate.gov <jess_cohen@hickenlooper.senate.gov>; jarvis.caldwell.house@coleg.gov <jarvis.caldwell.house@coleg.gov>; matthew.smith1@mail.house.gov <matthew.smith1@mail.house.gov>; integritymatterscos@gmail.com <integritymatterscos@gmail.com>; contact@trilakespreservation.org <contact@trilakespreservation.org>; savannah.eller@gazette.com <savannah.eller@gazette.com>; Tony.Keith@koaa.com <Tony.Keith@koaa.com>; Noah.Caplan@koaa.com <Noah.Caplan@koaa.com>; EXTERNAL KOAA News <News@KOAA.com>; ASack@kxrm.com <ASack@kxrm.com>; EXTERNAL Fox News <EXTERNALFoxNews@elpasoco.com>; EXTERNAL KKTV News <news@kktv.com>; achalfin@krcc.org <achalfin@krcc.org>; EXTERNAL KRCC News <news@krcc.org>; newstips@denver7.com <newstips@denver7.com>; newstips@9news.com <newstips@9news.com>; tips@kdvr.com <tips@kdvr.com>; jalvarado@denverpost.com <jalvarado@denverpost.com>; EXTERNAL Newsroom Denver <newsroom@denverpost.com>; oliviaprentzel@coloradosun.com <oliviaprentzel@coloradosun.com>; newsroom@coloradosun.com <newsroom@coloradosun.com>; Karin.Brulliard@washpost.com <Karin.Brulliard@washpost.com>; jim.carlton@wsj.com <jim.carlton@wsj.com>; news-tips@nytimes.com <news-tips@nytimes.com>; tips@cnn.com <tips@cnn.com>; tips@nbcuni.com <tips@nbcuni.com>; news.tips@abc.com <news.tips@abc.com>; LBergman@newsnationnow.com <LBergman@newsnationnow.com>; tips@thefp.com <tips@thefp.com>; talkshow@aol.com <talkshow@aol.com>
Subject:

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Mark Safe Report El Paso County Digital, Strategy & Technology (DST)

Sent from my iPhone

Begin message. **Re: Buc-ee's Appeal of Administrative Determination ADM264 — Please DENY the Appeal and Uphold the Director's July 1 Determination (C-1 Zone, I-25 & County Line Road / Beacon Lite Road)**

Dear Commissioners:

On July 1, 2026, the Planning and Community Development Director declined to classify the proposed Buc-ee's — a 30-plus-acre interstate travel center — as a permitted "Convenience Store" in the C-1 zoning district, concluding that the use could not be determined to qualify under the Land Development Code. Buc-ee's has now appealed that determination to you. I ask you to deny the appeal and uphold the Director's determination.

This is not about whether Buc-ee's is a good business in the proper location. It is about the County's own Code, which answers the question the appeal raises.

1. **A gas station is not a permitted use in C-1.** Table 5-1 lists "Gas Station" as an allowed use in the CC, CR, CS, C-2, and M districts — but not in C-1. Under § 1.6.6 and § 5.3.6(C)(2), listing a use in some districts "shall be deemed to be an exclusion of the use from any other zoning district in which the use is not listed." A facility with 60 dispensers and 120 fueling positions is a gas station. "Convenience Store" and "Gas Station" are separately defined and separately listed uses; the convenience-store definition's "may include retail sale of gasoline" covers incidental fuel and cannot be used to place into C-1 a use the Code deliberately excluded from it. Read literally, as § 1.6.1 requires, **this use is prohibited in C-1.**

The appeal tries to escape this prohibition by misreading the Gas Station definition — three ways, all traceable to page 5 of the underlying request:

- First, it argues Buc-ee's is not a gas station because it "will not provide vehicle repairs, oil changes, accessory installation, [or] car washing." But § 1.15 does not require any of those services; it lists them as things a gas station "may include, as an incidental use." Their absence is irrelevant.
- Second, the appeal asserts the Code defines a gas station as a use "primarily oriented toward the petroleum fueling and servicing of motor vehicles" — a "primary orientation" requirement that appears nowhere in § 1.15.
- Third, it claims the definition "expressly limits retail activity to the incidental sale of vehicle accessories," which it does not. What actually defines a gas station under § 1.15 is the retail sale of gasoline and diesel for vehicles — which Buc-ee's plainly

does, at 120 fueling positions. Read as the Code is written, this is a gas station, and gas stations are not allowed in C-1.

2. **The use does not meet the Code's "Convenience Store" definition.** That definition (§ 1.15) requires an establishment serving "the neighborhood in which it is located," and the Code defines a neighborhood as "primarily residential areas." The appeal represents that the store will serve the surrounding neighborhood. It will not. This project is a regional tourist destination, not a neighborhood store — and the company says so itself:

At the grand opening of the company's recently opened Goodyear, Arizona travel center — a store identical to the one proposed here (74,000 square feet, 120 fueling positions and an estimate 165 toilets) — Buc-ee's own store-opening manager called it **"a destination," comparing it to Disney World** (*Arizona Daily Star, June 22, 2026*). *The Arizona Republic* reported that hotels nearest that store sold out for opening weekend, and the *Arizona Daily Star* documented customers driving in from Oregon, Minnesota, and other states, with Nevada and California plates filling the lot. According to figures Buc-ee's provided to the City of Springfield, Missouri, the company estimates **roughly six million customers a year,** with 88% traveling more than 20 miles to reach the store (City of Springfield official website; *Springfield Daily Citizen)*. A store the company itself markets as a multi-state destination, drawing customers who travel hundreds of miles and book hotels, does not serve "the neighborhood in which it is located." It cannot be shoehorned into the one C-1 use the appeal relies on. The appeal's answer — to redefine the interstate corridor itself as the "neighborhood" — is not what the Code says.

3. **The appeal's "similar use" fallback cannot rescue it either.** Buc-ee's argues in the alternative that its project is a "similar" permitted use under § 5.3.6.C.1. It is not available here. Section 5.3.6(E) is explicit: no interpretation may "authorize any use in a zoning district … unless … substantially similar to an allowed use," none may allow a use "inconsistent with the statement of purpose" of the district, and none may "have the effect of amending, abrogating, or waiving any other standard or requirement established by Code." Reclassifying a gas station into C-1 would abrogate the Code's express exclusion of gas stations from C-1 — exactly what § 5.3.6(E) forbids. And the "similar use" mechanism exists for uses the Code has not listed; a gas station is listed, and it is excluded from C-1. The appeal's trip-generation comparisons do not change this: similar traffic does not override an express exclusion.

4. **This decision belongs on a full public record — and the right path is a rezoning, not a reclassification.** Deciding the permitted use of a specific parcel by applying the Code's definitions to specific facts is a discretionary, quasi-judicial judgment — the Code's own § 5.3.6(B) describes it as an "analysis and comparison of various code provisions … as opposed to a nondiscretionary review." The County itself stated in February 2026 that "a public hearing is required to determine the use classification" for a project like this. The contested questions this appeal raises — whether a multi-state destination "serves the neighborhood," the traffic and water impacts of a facility of this scale — cannot fairly be resolved on the applicant's paper record. They should be decided by you, in public, on an evidentiary record, with the community heard. If the Board is inclined to entertain reversing the Director, a use classification of this magnitude cannot fairly be decided on the applicant's paper submissions alone; it requires a noticed public evidentiary hearing at which the community can be heard. And because the Code distinguishes C-1 ("commercial activities," § 4.4.1) from C-2 ("large commercial activities," § 4.4.4) — and allows gas stations in C-2 but not C-1 — the proper path for a regional interstate fuel-and-retail center is a rezoning to C-2, or a special-use / PUD review, each with full notice and hearing.

5. **The application is also unreliable on its face**. Beyond the violations above, the record repeatedly misstates the Code and the facts — including a "full list of allowed C-1 uses" that omits Convenience Store, the very use it claims is permitted; fuel-footprint percentages calculated on shifting denominators; and a landscaping requirement misstated as 5% when the Code requires more. A record this flawed is one more reason the determination should be upheld and the matter tested on a full public record rather than reversed on appeal.

I respectfully request that the Board:

1. Deny Buc-ee's appeal and uphold the Director's July 1 determination;
2. Recognize that a 120-position fuel facility **is** a gas station, which the Code excludes from C-1;
3. Decide the appeal in public, on a full evidentiary record, with the community heard; and
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The public is entitled to be heard before a use the Code excludes from C-1 is allowed in through the back door of an administrative determination. Please deny the appeal.

Respectfully

Karen Huston

"A smooth sea never made a skilled sailor."

Jessica Merriam

From: Kylie Bagley
Sent: Monday, July 13, 2026 9:14 AM
To: Jessica Merriam
Subject: Fw: Re; Buc-ee's appeal of administrative determination ADM264- PLEASE DENY

Kylie Bagley
Principal Planner
Planning and Community Development
719.520.6323
www.elpasoco.com

From: Rachael Bauer <ornursermb@gmail.com>
Sent: Sunday, July 12, 2026 11:50 AM
To: Carrie Geitner <CarrieGeitner@elpasoco.com>; Bill Wysong <BillWysong@elpasoco.com>; Cory Applegate <CoryApplegate@elpasoco.com>; Kenny Hodges <KennyHodges@elpasoco.com>; Kylie Bagley <KylieBagley@elpasoco.com>; governorpolis@state.co.us <governorpolis@state.co.us>; natasha_hutson@bennet.senate.gov <natasha_hutson@bennet.senate.gov>; jess_cohen@hickenlooper.senate.gov <jess_cohen@hickenlooper.senate.gov>; jarvis.caldwell.house@coleg.gov <jarvis.caldwell.house@coleg.gov>; matthew.smith1@mail.house.gov <matthew.smith1@mail.house.gov>; integritymatterscos@gmail.com <integritymatterscos@gmail.com>; contact@trilakespreservation.org <contact@trilakespreservation.org>; savannah.eller@gazette.com <savannah.eller@gazette.com>; Tony.Keith@koaa.com <Tony.Keith@koaa.com>; Noah.Caplan@koaa.com <Noah.Caplan@koaa.com>; EXTERNAL KOAA News <News@KOAA.com>; ASack@kxrm.com <ASack@kxrm.com>; EXTERNAL Fox News <EXTERNALFoxNews@elpasoco.com>; EXTERNAL KKTV News <news@kktv.com>; achalfin@krcc.org <achalfin@krcc.org>; EXTERNAL KRCC News <news@krcc.org>; newstips@denver7.com <newstips@denver7.com>; newstips@9news.com <newstips@9news.com>; tips@kdvr.com <tips@kdvr.com>; jalvarado@denverpost.com <jalvarado@denverpost.com>; EXTERNAL Newsroom Denver <newsroom@denverpost.com>; oliviaprentzel@coloradosun.com <oliviaprentzel@coloradosun.com>; newsroom@coloradosun.com <newsroom@coloradosun.com>; Karin.Brulliard@washpost.com <Karin.Brulliard@washpost.com>; jim.carlton@wsj.com <jim.carlton@wsj.com>; news-tips@nytimes.com <news-tips@nytimes.com>; tips@cnn.com <tips@cnn.com>; tips@nbcuni.com <tips@nbcuni.com>; news.tips@abc.com <news.tips@abc.com>; LBergman@newsnationnow.com <LBergman@newsnationnow.com>
Subject: Re; Buc-ee's appeal of administrative determination ADM264- PLEASE DENY

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Mark Safe Report El Paso County Digital, Strategy & Technology (DST)

Re: Buc-ee's Appeal of Administrative Determination ADM264 — Please DENY the Appeal and Uphold the Director's July 1 Determination (C-1 Zone, I-25 & County Line Road / Beacon Lite Road)

Dear Commissioners:

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The public is entitled to be heard before a use the Code excludes from C-1 is allowed in through the back door of an administrative determination. Please deny the appeal.

Respectfully,
Rachael Bauer

Jessica Merriam

From: Kylie Bagley
Sent: Wednesday, July 8, 2026 8:27 AM
To: Jessica Merriam
Subject: Fw: Buc-ee's Appeal of Administrative Determination ADM264 — Please DENY the Appeal and Uphold the Director's July 1 Determination (C-1 Zone, I-25 & County Line Road / Beacon Lite Road)

Kylie Bagley
Principal Planner
Planning and Community Development
719.520.6323
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From: mtnbkr64 ircbiz.com <mtnbkr64@ircbiz.com>
Sent: Tuesday, July 7, 2026 6:19 PM
To: Holly Williams <HollyWilliams@elpasoco.com>; Carrie Geitner <CarrieGeitner@elpasoco.com>; Bill Wysong <BillWysong@elpasoco.com>; Cory Applegate <CoryApplegate@elpasoco.com>; Lauren Nelson <LaurenNelson@elpasoco.com>
Cc: Meggan Herington <MegganHerington@elpasoco.com>; Kenny Hodges <KennyHodges@elpasoco.com>; Kylie Bagley <KylieBagley@elpasoco.com>; mlakind@tomgov.org <mlakind@tomgov.org>; sking@tomgov.org <sking@tomgov.org>; sabbott@tomgov.org <sabbott@tomgov.org>; csmith@tomgov.org <csmith@tomgov.org>; lkronick@tomgov.org <lkronick@tomgov.org>; kkimple@tomgov.org <kkimple@tomgov.org>; mfiorito@tomgov.org <mfiorito@tomgov.org>; eharris@palmer-lake.org <eharris@palmer-lake.org>; rmoseley@palmer-lake.org <rmoseley@palmer-lake.org>; jmarble@palmer-lake.org <jmarble@palmer-lake.org>; mbeeson@palmer-lake.org <mbeeson@palmer-lake.org>; ajurka@palmer-lake.org <ajurka@palmer-lake.org>; governorpolis@state.co.us <governorpolis@state.co.us>; natasha_hutson@bennet.senate.gov <natasha_hutson@bennet.senate.gov>; jess_cohen@hickenlooper.senate.gov <jess_cohen@hickenlooper.senate.gov>; jarvis.caldwell.house@coleg.gov <jarvis.caldwell.house@coleg.gov>; matthew.smith1@mail.house.gov <matthew.smith1@mail.house.gov>; integritymatterscos@gmail.com <integritymatterscos@gmail.com>; contact@trilakespreservation.org <contact@trilakespreservation.org>; savannah.eller@gazette.com <savannah.eller@gazette.com>; Tony.Keith@koaa.com <Tony.Keith@koaa.com>; Noah.Caplan@koaa.com <Noah.Caplan@koaa.com>; EXTERNAL KOAA News <News@KOAA.com>; ASack@kxrm.com <ASack@kxrm.com>; EXTERNAL Fox News <EXTERNALFoxNews@elpasoco.com>; EXTERNAL KKTV News <news@kktv.com>; news@krdo.com <news@krdo.com>; achalfin@krcc.org <achalfin@krcc.org>; EXTERNAL KRCC News <news@krcc.org>; newstips@denver7.com <newstips@denver7.com>; newstips@9news.com <newstips@9news.com>; tips@kdvr.com <tips@kdvr.com>; jalvarado@denverpost.com <jalvarado@denverpost.com>; EXTERNAL Newsroom Denver <newsroom@denverpost.com>; oliviaprentzel@coloradosun.com <oliviaprentzel@coloradosun.com>; newsroom@coloradosun.com <newsroom@coloradosun.com>; Karin.Brulliard@washpost.com <Karin.Brulliard@washpost.com>; jim.carlton@wsj.com <jim.carlton@wsj.com>; news-tips@nytimes.com <news-tips@nytimes.com>; tips@cnn.com <tips@cnn.com>; tips@nbcuni.com <tips@nbcuni.com>; news.tips@abc.com <news.tips@abc.com>; LBergman@newsnationnow.com <LBergman@newsnationnow.com>; tips@thefp.com <tips@thefp.com>; talkshow@aol.com <talkshow@aol.com>
Subject: Re: Buc-ee's Appeal of Administrative Determination ADM264 — Please DENY the Appeal and Uphold the Director's July 1 Determination (C-1 Zone, I-25 & County Line Road / Beacon Lite Road)

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1. **A gas station is not a permitted use in C-1.** Table 5-1 lists "Gas Station" as an allowed use in the CC, CR, CS, C-2, and M districts — but not in C-1. Under § 1.6.6 and § 5.3.6(C)(2), listing a use in some districts "shall be deemed to be an exclusion of the use from any other zoning district in which the use is not listed." A facility with 60 dispensers and 120 fueling positions is a gas station. "Convenience Store" and "Gas Station" are separately defined and separately listed uses; the convenience-store definition's "may include retail sale of gasoline" covers incidental fuel and cannot be used to place into C-1 a use the Code deliberately excluded from it. Read literally, as § 1.6.1 requires, **this use is prohibited in C-1.**

The appeal tries to escape this prohibition by misreading the Gas Station definition — three ways, all traceable to page 5 of the underlying request:

- First, it argues Buc-ee's is not a gas station because it "will not provide vehicle repairs, oil changes, accessory installation, [or] car washing." But § 1.15 does not require any of those services; it lists them as things a gas station "may include, as an incidental use." Their absence is irrelevant.
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- Third, it claims the definition "expressly limits retail activity to the incidental sale of vehicle accessories," which it does not. What actually defines a gas station under § 1.15 is the retail sale of gasoline and diesel for vehicles — which Buc-ee's plainly does, at 120 fueling positions. Read as the Code is written, this is a gas station, and gas stations are not allowed in C-1.

2. **The use does not meet the Code's "Convenience Store" definition.** That definition (§ 1.15) requires an establishment serving "the neighborhood in which it is located," and the Code defines a neighborhood as "primarily residential areas." The appeal represents that the store will serve the surrounding neighborhood. It will not. This project is a regional tourist destination, not a neighborhood store — and the company says so itself:

At the grand opening of the company's recently opened Goodyear, Arizona travel center — a store identical to the one proposed here (74,000 square feet, 120 fueling positions and an estimate 165 toilets) — Buc-ee's own store-opening manager called it **"a destination," comparing it to Disney World** (*Arizona Daily Star, June 22, 2026*).

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A store the company itself markets as a multi-state destination, drawing customers who travel hundreds of miles and book hotels, does not serve "the neighborhood in which it is located." It cannot be shoehorned into the one C-1 use the appeal relies on. The appeal's answer — to redefine the interstate corridor itself as the "neighborhood" — is not what the Code says.

3. **The appeal's "similar use" fallback cannot rescue it either.** Buc-ee's argues in the alternative that its project is a "similar" permitted use under § 5.3.6.C.1. It is not available here. Section 5.3.6(E) is explicit: no interpretation may "authorize any use in a zoning district … unless … substantially similar to an allowed use," none may allow a use "inconsistent with the statement of purpose" of the district, and none may "have the effect of amending, abrogating, or waiving any other standard or requirement established by Code." Reclassifying a gas station into C-1 would abrogate the Code's express exclusion of gas stations from C-1 — exactly what § 5.3.6(E) forbids. And the "similar use" mechanism exists for uses the Code has not listed; a gas station is listed, and it is excluded from C-1. The appeal's trip-generation comparisons do not change this: similar traffic does not override an express exclusion.
4. **This decision belongs on a full public record — and the right path is a rezoning, not a reclassification.** Deciding the permitted use of a specific parcel by applying the Code's definitions to specific facts is a discretionary, quasi-judicial judgment — the Code's own § 5.3.6(B) describes it as an "analysis and comparison of various code provisions … as opposed to a nondiscretionary review." The County itself stated in February 2026 that "a public hearing is required to determine the use classification" for a project like this. The contested questions this appeal raises — whether a multi-state destination "serves the neighborhood," the traffic and water impacts of a facility of this scale — cannot fairly be resolved on the applicant's paper record. They should be decided by you, in public, on an evidentiary record, with the community heard. If the Board is inclined to entertain reversing the Director, a use classification of this magnitude cannot fairly be decided on the applicant's paper submissions alone; it requires a noticed public evidentiary hearing at which the community can be heard. And because the Code distinguishes C-1 ("commercial activities," § 4.4.1) from C-2 ("large commercial activities," § 4.4.4) — and allows gas stations in C-2 but not C-1 — the proper path for a regional interstate fuel-and-retail center is a rezoning to C-2, or a special-use / PUD review, each with full notice and hearing.
5. **The application is also unreliable on its face**. Beyond the violations above, the record repeatedly misstates the Code and the facts — including a "full list of allowed C-1 uses" that omits Convenience Store, the very use it claims is permitted; fuel-footprint percentages calculated on shifting denominators; and a landscaping requirement misstated as 5% when the Code requires more. A record this flawed is one more reason the determination should be upheld and the matter tested on a full public record rather than reversed on appeal.

I respectfully request that the Board:

1. Deny Buc-ee's appeal and uphold the Director's July 1 determination;
2. Recognize that a 120-position fuel facility **is** a gas station, which the Code excludes from C-1;
3. Decide the appeal in public, on a full evidentiary record, with the community heard; and

4. Require the applicant to use the proper public process — a rezoning to C-2, or special-use / PUD review — with full notice and hearing.

The public is entitled to be heard before a use the Code excludes from C-1 is allowed in through the back door of an administrative determination. Please deny the appeal.

Respectfully

John F. Stahl
565 Heatherdowns
Monument, Co 80132
Woodmoor
El Paso County

Jessica Merriam

From: Kylie Bagley
Sent: Friday, July 10, 2026 3:04 PM
To: Jessica Merriam
Subject: Fw: Buc-ee's Appeal of Administrative Determination ADM264 — Please DENY the Appeal and Uphold the Director's July 1 Determination (C-1 Zone, I-25 & County Line Road / Beacon Lite Road)

Kylie Bagley
Principal Planner
Planning and Community Development
719.520.6323
www.elpasoco.com

From: John Stoneham <jds1741@yahoo.com>
Sent: Friday, July 10, 2026 2:44 PM
To: Holly Williams <HollyWilliams@elpasoco.com>; Carrie Geitner <CarrieGeitner@elpasoco.com>; Bill Wysong <BillWysong@elpasoco.com>; Cory Applegate <CoryApplegate@elpasoco.com>; Lauren Nelson <LaurenNelson@elpasoco.com>
Cc: Meggan Herington <MegganHerington@elpasoco.com>; Kenny Hodges <KennyHodges@elpasoco.com>; Kylie Bagley <KylieBagley@elpasoco.com>; governorpolis@state.co.us <governorpolis@state.co.us>; natasha_hutson@bennet.senate.gov <natasha_hutson@bennet.senate.gov>; jess_cohen@hickenlooper.senate.gov <jess_cohen@hickenlooper.senate.gov>; jarvis.caldwell.house@coleg.gov <jarvis.caldwell.house@coleg.gov>; matthew.smith1@mail.house.gov <matthew.smith1@mail.house.gov>; integritymatterscos@gmail.com <integritymatterscos@gmail.com>; contact@trilakespreservation.org <contact@trilakespreservation.org>; savannah.eller@gazette.com <savannah.eller@gazette.com>; Tony.Keith@koaa.com <Tony.Keith@koaa.com>; Noah.Caplan@koaa.com <Noah.Caplan@koaa.com>; EXTERNAL KOAA News <News@KOAA.com>; ASack@kxrm.com <ASack@kxrm.com>; EXTERNAL Fox News <EXTERNALFoxNews@elpasoco.com>; EXTERNAL KKTV News <news@kktv.com>; achalfin@krcc.org <achalfin@krcc.org>; EXTERNAL KRCC News <news@krcc.org>; newstips@denver7.com <newstips@denver7.com>; newstips@9news.com <newstips@9news.com>; tips@kdvr.com <tips@kdvr.com>; jalvarado@denverpost.com <jalvarado@denverpost.com>; EXTERNAL Newsroom Denver <newsroom@denverpost.com>; oliviaprentzel@coloradosun.com <oliviaprentzel@coloradosun.com>; newsroom@coloradosun.com <newsroom@coloradosun.com>; Karin.Brulliard@washpost.com <Karin.Brulliard@washpost.com>; jim.carlton@wsj.com <jim.carlton@wsj.com>; news-tips@nytimes.com <news-tips@nytimes.com>; tips@cnn.com <tips@cnn.com>; tips@nbcuni.com <tips@nbcuni.com>; news.tips@abc.com <news.tips@abc.com>; LBergman@newsnationnow.com <LBergman@newsnationnow.com>; tips@thefp.com <tips@thefp.com>; talkshow@aol.com <talkshow@aol.com>
Subject: Re: Buc-ee's Appeal of Administrative Determination ADM264 — Please DENY the Appeal and Uphold the Director's July 1 Determination (C-1 Zone, I-25 & County Line Road / Beacon Lite Road)

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Mark Safe Report El Paso County Digital, Strategy & Technology (DST)

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7. to place into C-1 a use the Code deliberately excluded from it. Read literally, as § 1.6.1 requires,
8. **this use is prohibited in C-1.**
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The appeal tries to escape this prohibition by misreading the Gas Station definition — three ways, all traceable to page 5 of the underlying request:

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- "will not provide vehicle repairs, oil changes, accessory installation, [or] car washing." But § 1.15 does not require any of those services; it lists them as things a gas station "may include, as an incidental use." Their absence is irrelevant.
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> *The Arizona Republic* reported that hotels nearest that store sold out for opening weekend, and the *Arizona Daily Star* documented customers driving in from Oregon, Minnesota, and other states, with Nevada and California plates filling the lot.
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Respectfully

John Stoneham
1063 Greenland Forest Dr
Monument, CO 80132
El Paso County

Jessica Merriam

From: Kylie Bagley
Sent: Wednesday, July 8, 2026 8:31 AM
To: Jessica Merriam
Subject: Fw: Buc-ee's Appeal of Administrative Determination ADM264 — Please DENY the Appeal and Uphold the Director's July 1 Determination (C-1 Zone, I-25 & County Line Road / Beacon Lite Road)

Kylie Bagley
Principal Planner
Planning and Community Development
719.520.6323
www.elpasoco.com

From: Jonathan Flanner <jfvhpilot@yahoo.com>
Sent: Wednesday, July 8, 2026 8:27 AM
To: Holly Williams <HollyWilliams@elpasoco.com>; Carrie Geitner <CarrieGeitner@elpasoco.com>; Bill Wysong <BillWysong@elpasoco.com>; Cory Applegate <CoryApplegate@elpasoco.com>; Lauren Nelson <LaurenNelson@elpasoco.com>
Cc: Meggan Herington <MegganHerington@elpasoco.com>; Kenny Hodges <KennyHodges@elpasoco.com>; Kylie Bagley <KylieBagley@elpasoco.com>; mlakind@tomgov.org <mlakind@tomgov.org>; sking@tomgov.org <sking@tomgov.org>; sabbott@tomgov.org <sabbott@tomgov.org>; csmith@tomgov.org <csmith@tomgov.org>; lkronick@tomgov.org <lkronick@tomgov.org>; kkimple@tomgov.org <kkimple@tomgov.org>; mfiorito@tomgov.org <mfiorito@tomgov.org>; governorpolis@state.co.us <governorpolis@state.co.us>; natasha_hutson@bennet.senate.gov <natasha_hutson@bennet.senate.gov>; jess_cohen@hickenlooper.senate.gov <jess_cohen@hickenlooper.senate.gov>; jarvis.caldwell.house@coleg.gov <jarvis.caldwell.house@coleg.gov>; matthew.smith1@mail.house.gov <matthew.smith1@mail.house.gov>; integritymatterscos@gmail.com <integritymatterscos@gmail.com>; contact@trilakespreservation.org <contact@trilakespreservation.org>
Subject: Buc-ee's Appeal of Administrative Determination ADM264 — Please DENY the Appeal and Uphold the Director's July 1 Determination (C-1 Zone, I-25 & County Line Road / Beacon Lite Road)

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I respectfully request that the Board:

1. Deny Buc-ee's appeal and uphold the Director's July 1 determination;
2. Recognize that a 120-position fuel facility **is** a gas station, which the Code excludes from C-1;
3. Decide the appeal in public, on a full evidentiary record, with the community heard; and
4. Require the applicant to use the proper public process — a rezoning to C-2, or special-use / PUD review — with full notice and hearing.

The public is entitled to be heard before a use the Code excludes from C-1 is allowed in through the back door of an administrative determination. Please deny the appeal.

Respectfully
Jonathan Flanner
1160 Piney Hill Pt
Monument, CO 80132

Jessica Merriam

From: Kylie Bagley
Sent: Monday, July 13, 2026 9:13 AM
To: Jessica Merriam
Subject: Fw: Re: Buc-ee's Appeal of Administrative Determination ADM264 — Please DENY the Appeal and Uphold the Director's July 1 Determination (C-1 Zone, I-25 & County Line Road / Beacon Lite Road)

Kylie Bagley
Principal Planner
Planning and Community Development
719.520.6323
www.elpasoco.com

From: Bob MacDonald <broncobobbymac@gmail.com>
Sent: Saturday, July 11, 2026 7:03 PM
To: Carrie Geitner <CarrieGeitner@elpasoco.com>; Bill Wysong <BillWysong@elpasoco.com>; Cory Applegate <CoryApplegate@elpasoco.com>; Lauren Nelson <LaurenNelson@elpasoco.com>; Holly Williams <HollyWilliams@elpasoco.com>
Cc: Kenny Hodges <KennyHodges@elpasoco.com>; Kylie Bagley <KylieBagley@elpasoco.com>; mlakind@tomgov.org <mlakind@tomgov.org>; sking@tomgov.org <sking@tomgov.org>; sabbott@tomgov.org <sabbott@tomgov.org>; csmith@tomgov.org <csmith@tomgov.org>; lkronick@tomgov.org <lkronick@tomgov.org>; Kenneth Kimple <kkimple@tomgov.org>; mfiorito@tomgov.org <mfiorito@tomgov.org>; eharris@palmer-lake.org <eharris@palmer-lake.org>; rmoseley@palmer-lake.org <rmoseley@palmer-lake.org>; jmarble@palmer-lake.org <jmarble@palmer-lake.org>; mbeeson@palmer-lake.org <mbeeson@palmer-lake.org>; ajurka@palmer-lake.org <ajurka@palmer-lake.org>; Governorpolis@state.co.us <Governorpolis@state.co.us>; natasha_hutson@bennet.senate.gov <natasha_hutson@bennet.senate.gov>; jess_cohen@hickenlooper.senate.gov <jess_cohen@hickenlooper.senate.gov>; jarvis.caldwell.house@coleg.gov <jarvis.caldwell.house@coleg.gov>; matthew.smith1@mail.house.gov <matthew.smith1@mail.house.gov>; integritymatterscos@gmail.com <integritymatterscos@gmail.com>; contact@trilakespreservation.org <contact@trilakespreservation.org>; savannah.eller@gazette.com <savannah.eller@gazette.com>; Tony.Keith@koaa.com <Tony.Keith@koaa.com>; Noah.Caplan@koaa.com <Noah.Caplan@koaa.com>; EXTERNAL KOAA News <News@KOAA.com>; asack@kxrm.com <asack@kxrm.com>; EXTERNAL Fox News <EXTERNALFoxNews@elpasoco.com>; EXTERNAL KKTV News <news@kktv.com>; news@krdo.com <news@krdo.com>; achalfin@krcc.org <achalfin@krcc.org>; EXTERNAL KRCC News <news@krcc.org>; newstips@denver7.com <newstips@denver7.com>; newstips@9news.com <newstips@9news.com>; tips@kdvr.com <tips@kdvr.com>; jalvarado@denverpost.com <jalvarado@denverpost.com>; EXTERNAL Newsroom Denver <newsroom@denverpost.com>; oliviaprentzel@coloradosun.com <oliviaprentzel@coloradosun.com>; newsroom@coloradosun.com <newsroom@coloradosun.com>; Karin.Brulliard@washpost.com <Karin.Brulliard@washpost.com>; jim.carlton@wsj.com <jim.carlton@wsj.com>; news-tips@nytimes.com <news-tips@nytimes.com>; tips@cnn.com <tips@cnn.com>; tips@nbcuni.com <tips@nbcuni.com>; news.tips@abc.com <news.tips@abc.com>; LBergman@newsnationnow.com <LBergman@newsnationnow.com>; tips@thefp.com <tips@thefp.com>; talkshow@aol.com <talkshow@aol.com>; Meggan Herington <MegganHerington@elpasoco.com>
Subject: Re: Re: Buc-ee's Appeal of Administrative Determination ADM264 — Please DENY the Appeal and Uphold the Director's July 1 Determination (C-1 Zone, I-25 & County Line Road / Beacon Lite Road)

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Dear Commissioners:

On July 1, 2026, the Planning and Community Development Director declined to classify the proposed Buc-ee's — a 30-plus-acre interstate travel center — as a permitted "Convenience Store" in the C-1 zoning district, concluding that the use could not be determined to qualify under the Land Development Code. Buc-ee's has now appealed that determination to you. I ask you to deny the appeal and uphold the Director's determination.

I wonder if you have reviewed when Maverick wanted to put a gas station at the same corner and it was denied

This is not about whether Buc-ee's is a good business in the proper location. It is about the County's own Code, which answers the question the appeal raises.

1.
2.
3. **A gas station is not a permitted use in C-1.**
4. Table 5-1 lists "Gas Station" as an allowed use in the CC, CR, CS, C-2, and M districts — but not in C-1. Under § 1.6.6 and § 5.3.6(C)(2), listing a use in some districts "shall be deemed to be an exclusion of the use from any other zoning district in which
5. the use is not listed." A facility with 60 dispensers and 120 fueling positions is a gas station. "Convenience Store" and "Gas Station" are separately defined and separately listed uses; the convenience-store
6. definition's "may include retail sale of gasoline" covers incidental fuel and cannot be used to place into C-1 a use the Code deliberately excluded from it. Read literally, as § 1.6.1
7. requires, **this use is prohibited in C-1.**
8.

The appeal tries to escape this prohibition by misreading the Gas Station definition — three ways, all traceable to page 5 of the underlying request:

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- First, it argues Buc-ee's is not a gas station because it "will not provide vehicle repairs, oil changes, accessory installation,
- [or] car washing." But § 1.15 does not require any of those services; it lists them as things a gas station "may include, as an incidental use." Their absence is irrelevant.
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- Second, the appeal asserts the Code defines a gas station as a use "primarily oriented toward the petroleum fueling and servicing
- of motor vehicles" — a "primary orientation" requirement that appears nowhere in § 1.15.
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- Third, it claims the definition "expressly limits retail activity to the incidental sale of vehicle accessories," which it does not.
- What actually defines a gas station under § 1.15 is the retail sale of gasoline and diesel for vehicles — which Buc-ee's plainly does, at 120 fueling positions. Read as the Code is written, this is a gas station, and gas stations are not allowed in C-1.
-

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4. **The use does not meet the Code's "Convenience Store" definition.**
5. That definition (§ 1.15) requires an establishment serving "the neighborhood in which it is located," and the Code defines a neighborhood as "primarily residential areas." The appeal represents that the store will serve the surrounding neighborhood. It will
6. not. This project is a regional tourist destination, not a neighborhood store — and the company says so itself:
7.

At the grand opening of the company's recently opened Goodyear, Arizona travel center — a store identical to the one proposed here (74,000 square feet, 120 fueling positions and an estimate 165 toilets) — Buc-ee's own store-opening manager called it **"a destination," comparing it to Disney World** (*Arizona Daily Star, June 22, 2026*).

The Arizona Republic reported that hotels nearest that store sold out for opening weekend, and the *Arizona Daily Star* documented customers driving in from

Oregon, Minnesota, and other states, with Nevada and California plates filling the lot.

According to figures Buc-ee's provided to the City of Springfield, Missouri, the company estimates **roughly six million customers a year,** with 88% traveling more than 20 miles to reach the store (City of Springfield official website; *Springfield Daily Citizen)*.

A store the company itself markets as a multi-state destination, drawing customers who travel hundreds of miles and book hotels, does not serve "the neighborhood in which it is located." It cannot be shoehorned into the one C-1 use the appeal relies on. The appeal's answer — to redefine the interstate corridor itself as the "neighborhood" — is not what the Code says.

3.
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5. **The appeal's "similar use" fallback cannot rescue it either.**
6. Buc-ee's argues in the alternative that its project is a "similar" permitted use under § 5.3.6.C.1. It is not available here. Section 5.3.6(E) is explicit: no interpretation may "authorize any use in a zoning district … unless … substantially similar to an
7. allowed use," none may allow a use "inconsistent with the statement of purpose" of the district, and none may "have the effect of amending, abrogating, or waiving any other standard or requirement established by Code." Reclassifying a gas station into C-1
8. would abrogate the Code's express exclusion of gas stations from C-1 — exactly what § 5.3.6(E) forbids. And the "similar use" mechanism exists for uses the Code has not listed; a gas station is listed, and it is excluded from C-1. The appeal's trip-generation
9. comparisons do not change this: similar traffic does not override an express exclusion.
10.

4.
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6. **This decision belongs on a full public record — and the right path is a rezoning, not a reclassification.**
7. Deciding the permitted use of a specific parcel by applying the Code's definitions to specific facts is a discretionary, quasi-judicial judgment — the Code's own § 5.3.6(B) describes it as an "analysis and comparison of various code provisions … as opposed
8. to a nondiscretionary review." The County itself stated in February 2026 that "a public hearing is required to determine the use classification" for a project like this. The contested questions this appeal raises — whether a multi-state destination "serves
9. the neighborhood," the traffic and water impacts of a facility of this scale — cannot fairly be resolved on the applicant's paper record. They should be decided by you, in public, on an evidentiary record, with the community heard. If the Board is inclined

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The application is also unreliable on its face.

Beyond the violations above, the record repeatedly misstates the Code and the facts — including a "full list of allowed C-1 uses" that omits Convenience Store, the very use it claims is permitted; fuel-footprint percentages calculated on shifting denominators; and a landscaping requirement misstated as 5% when the Code requires more. A record this flawed is one more reason the determination should be upheld and the matter tested on a full public record rather than reversed on appeal.

I respectfully request that the Board:

3. Deny Buc-ee's appeal and uphold the Director's July 1 determination;

7. Recognize that a 120-position fuel facility

8. **is**

9. a gas station, which the Code excludes from C-1;

13. Decide the appeal in public, on a full evidentiary record, with the community heard; and

17. Require the applicant to use the proper public process — a rezoning to C-2 or a special-use / PUD review — with full notice and a

18. hearing.

The public is entitled to be heard before a use that the Code excludes from C-1 is allowed in through the back door of an administrative determination. Please deny the appeal.

Respectfully
Robert MacDonald
1441 Dark Pine Ct
Monument, CO 80132
El Paso County

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Jessica Merriam

From: Kylie Bagley
Sent: Wednesday, July 8, 2026 10:51 AM
To: Jessica Merriam
Subject: Fw: Buc-ee's Appeal of Administrative Determination ADM264 — Please DENY the Appeal and Uphold the Director's July 1 Determination (C-1 Zone, I-25 & County Line Road / Beacon Lite Road)

Kylie Bagley
Principal Planner
Planning and Community Development
719.520.6323
www.elpasoco.com

From: Kendra Glaser <kendraglaser@yahoo.com>
Sent: Wednesday, July 8, 2026 10:43 AM
To: Holly Williams <HollyWilliams@elpasoco.com>; Carrie Geitner <CarrieGeitner@elpasoco.com>; Bill Wysong <BillWysong@elpasoco.com>; Cory Applegate <CoryApplegate@elpasoco.com>; Lauren Nelson <LaurenNelson@elpasoco.com>
Cc: Meggan Herington <MegganHerington@elpasoco.com>; Kenny Hodges <KennyHodges@elpasoco.com>; Kylie Bagley <KylieBagley@elpasoco.com>; mlakind@tomgov.org <mlakind@tomgov.org>; sking@tomgov.org <sking@tomgov.org>; sabbott@tomgov.org <sabbott@tomgov.org>; csmith@tomgov.org <csmith@tomgov.org>; lkronick@tomgov.org <lkronick@tomgov.org>; kkimple@tomgov.org <kkimple@tomgov.org>; mfiorito@tomgov.org <mfiorito@tomgov.org>; governorpolis@state.co.us <governorpolis@state.co.us>; natasha_hutson@bennet.senate.gov <natasha_hutson@bennet.senate.gov>; jess_cohen@hickenlooper.senate.gov <jess_cohen@hickenlooper.senate.gov>; jarvis.caldwell.house@coleg.gov <jarvis.caldwell.house@coleg.gov>; matthew.smith1@mail.house.gov <matthew.smith1@mail.house.gov>; integritymatterscos@gmail.com <integritymatterscos@gmail.com>; contact@trilakespreservation.org <contact@trilakespreservation.org>
Subject: Re: Buc-ee's Appeal of Administrative Determination ADM264 — Please DENY the Appeal and Uphold the Director's July 1 Determination (C-1 Zone, I-25 & County Line Road / Beacon Lite Road)

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Mark Safe Report El Paso County Digital, Strategy & Technology (DST)

Dear Commissioners:

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This is not about whether Buc-ee's is a good business in the proper location. It is about the County's own Code, which answers the question the appeal raises.

1. **A gas station is not a permitted use in C-1.** Table 5-1 lists "Gas Station" as an allowed use in the CC, CR, CS, C-2, and M districts — but not in C-1. Under § 1.6.6 and § 5.3.6(C)(2), listing a use in some districts "shall be deemed to be an exclusion of the use from any other zoning district in which the use is not listed." A facility with 60 dispensers and 120 fueling positions is a gas station. "Convenience Store" and "Gas Station" are separately defined and separately listed uses; the convenience-store definition's "may include retail sale of gasoline" covers incidental fuel and cannot be used to place into C-1 a use the Code deliberately excluded from it. Read literally, as § 1.6.1 requires, **this use is prohibited in C-1.**

The appeal tries to escape this prohibition by misreading the Gas Station definition — three ways, all traceable to page 5 of the underlying request:

- First, it argues Buc-ee's is not a gas station because it "will not provide vehicle repairs, oil changes, accessory installation, [or] car washing." But § 1.15 does not require any of those services; it lists them as things a gas station "may include, as an incidental use." Their absence is irrelevant.

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4. **This decision belongs on a full public record — and the right path is a rezoning, not a reclassification.** Deciding the permitted use of a specific parcel by applying the Code's definitions to specific facts is a discretionary, quasi-judicial judgment — the Code's own § 5.3.6(B) describes it as an "analysis and comparison of various code provisions … as opposed to a nondiscretionary review." The County itself stated in February 2026 that "a public hearing is required to determine the use classification" for a project like this. The contested questions this appeal raises — whether a multi-state destination "serves the neighborhood," the traffic and water impacts of a facility of this scale — cannot fairly be resolved on the applicant's paper record. They should be decided by you, in public, on an evidentiary record, with the community heard. If the Board is inclined to entertain reversing the Director, a use classification of this magnitude cannot fairly be decided on the applicant's paper submissions alone; it requires a noticed public evidentiary hearing at which the community can be heard. And because the Code distinguishes C-1 ("commercial activities," § 4.4.1) from C-2 ("large commercial activities," § 4.4.4) — and allows gas stations in C-2 but not C-1 — the proper path for a regional interstate fuel-and-retail center is a rezoning to C-2, or a special-use / PUD review, each with full notice and hearing.

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I respectfully request that the Board:

1. Deny Buc-ee's appeal and uphold the Director's July 1 determination;

2. Recognize that a 120-position fuel facility **is** a gas station, which the Code excludes from C-1;
3. Decide the appeal in public, on a full evidentiary record, with the community heard; and
4. Require the applicant to use the proper public process — a rezoning to C-2, or special-use / PUD review — with full notice and hearing.

The public is entitled to be heard before a use the Code excludes from C-1 is allowed in through the back door of an administrative determination. Please deny the appeal.

Respectfully
Kendra Glaser
358 Eisenhower Drive
Palmer Lake, CO 80133
Northern El Paso County

Jessica Merriam

From: Kylie Bagley
Sent: Wednesday, July 8, 2026 8:27 AM
To: Jessica Merriam
Subject: Fw: Buc-ee's Appeal of Administrative Determination ADM264 — Please DENY the Appeal and Uphold the Director's July 1 Determination (C-1 Zone, I-25 & County Line Road / Beacon Lite Road)

Kylie Bagley
Principal Planner
Planning and Community Development
719.520.6323
www.elpasoco.com

From: Kimi Auty <kimiauty@gmail.com>
Sent: Tuesday, July 7, 2026 9:06 PM
To: Holly Williams <HollyWilliams@elpasoco.com>; Carrie Geitner <CarrieGeitner@elpasoco.com>; Bill Wysong <BillWysong@elpasoco.com>; Cory Applegate <CoryApplegate@elpasoco.com>; Lauren Nelson <LaurenNelson@elpasoco.com>; Kimberly Auty <kimiauty@gmail.com>
Cc: Meggan Herington <MegganHerington@elpasoco.com>; Kenny Hodges <KennyHodges@elpasoco.com>; Kylie Bagley <KylieBagley@elpasoco.com>; mlakind@tomgov.org <mlakind@tomgov.org>; sking@tomgov.org <sking@tomgov.org>; sabbott@tomgov.org <sabbott@tomgov.org>; csmith@tomgov.org <csmith@tomgov.org>; lkronick@tomgov.org <lkronick@tomgov.org>; kkimple@tomgov.org <kkimple@tomgov.org>; mfiorito@tomgov.org <mfiorito@tomgov.org>; eharris@palmer-lake.org <eharris@palmer-lake.org>; rmoseley@palmer-lake.org <rmoseley@palmer-lake.org>; jmarble@palmer-lake.org <jmarble@palmer-lake.org>; mbeeson@palmer-lake.org <mbeeson@palmer-lake.org>; ajurka@palmer-lake.org <ajurka@palmer-lake.org>; governorpolis@state.co.us <governorpolis@state.co.us>; natasha_hutson@bennet.senate.gov <natasha_hutson@bennet.senate.gov>; jess_cohen@hickenlooper.senate.gov <jess_cohen@hickenlooper.senate.gov>; jarvis.caldwell.house@coleg.gov <jarvis.caldwell.house@coleg.gov>; matthew.smith1@mail.house.gov <matthew.smith1@mail.house.gov>; integritymatterscos@gmail.com <integritymatterscos@gmail.com>; contact@trilakespreservation.org <contact@trilakespreservation.org>; savannah.eller@gazette.com <savannah.eller@gazette.com>; Tony.Keith@koaa.com <Tony.Keith@koaa.com>; Noah.Caplan@koaa.com <Noah.Caplan@koaa.com>; EXTERNAL KOAA News <News@KOAA.com>; ASack@kxrm.com <ASack@kxrm.com>; EXTERNAL Fox News <EXTERNALFoxNews@elpasoco.com>; EXTERNAL KKTV News <news@kktv.com>; news@krdo.com <news@krdo.com>; achalfin@krcc.org <achalfin@krcc.org>; EXTERNAL KRCC News <news@krcc.org>; newstips@denver7.com <newstips@denver7.com>; newstips@9news.com <newstips@9news.com>; tips@kdvr.com <tips@kdvr.com>; jalvarado@denverpost.com <jalvarado@denverpost.com>; EXTERNAL Newsroom Denver <newsroom@denverpost.com>; oliviaprentzel@coloradosun.com <oliviaprentzel@coloradosun.com>; newsroom@coloradosun.com <newsroom@coloradosun.com>; Karin.Brulliard@washpost.com <Karin.Brulliard@washpost.com>; jim.carlton@wsj.com <jim.carlton@wsj.com>; news-tips@nytimes.com <news-tips@nytimes.com>; tips@cnn.com <tips@cnn.com>; tips@nbcuni.com <tips@nbcuni.com>; news.tips@abc.com <news.tips@abc.com>; LBergman@newsnationnow.com <LBergman@newsnationnow.com>; tips@thefp.com <tips@thefp.com>; talkshow@aol.com <talkshow@aol.com>
Subject: Re: Buc-ee's Appeal of Administrative Determination ADM264 — Please DENY the Appeal and Uphold the Director's July 1 Determination (C-1 Zone, I-25 & County Line Road / Beacon Lite Road)

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Mark Safe Report El Paso County Digital, Strategy & Technology (DST)

Re: Buc-ee's Appeal of Administrative Determination ADM264 — Please DENY the Appeal and Uphold the Director's July 1 Determination (C-1 Zone, I-25 & County Line Road / Beacon Lite Road)

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1. **A gas station is not a permitted use in C-1.** Table 5-1 lists "Gas Station" as an allowed use in the CC, CR, CS, C-2, and M districts — but not in C-1. Under § 1.6.6 and § 5.3.6(C)(2), listing a use in some districts "shall be deemed to be an exclusion of the use from any other zoning district in which the use is not listed." A facility with 60 dispensers and 120 fueling positions is a gas station. "Convenience Store" and "Gas Station" are separately defined and separately listed uses; the convenience-store definition's "may include retail sale of gasoline" covers incidental fuel and cannot be used to place into C-1 a use the Code deliberately excluded from it. Read literally, as § 1.6.1 requires, **this use is prohibited in C-1.**

The appeal tries to escape this prohibition by misreading the Gas Station definition — three ways, all traceable to page 5 of the underlying request:

- First, it argues Buc-ee's is not a gas station because it "will not provide vehicle repairs, oil changes, accessory installation, [or] car washing." But § 1.15 does not require any of those services; it lists them as things a gas station "may include, as an incidental use." Their absence is irrelevant.
- Second, the appeal asserts the Code defines a gas station as a use "primarily oriented toward the petroleum fueling and servicing of motor vehicles" — a "primary orientation" requirement that appears nowhere in § 1.15.
- Third, it claims the definition "expressly limits retail activity to the incidental sale of vehicle accessories," which it does not. What actually defines a gas station under § 1.15 is the retail sale of gasoline and diesel for vehicles — which Buc-ee's plainly

does, at 120 fueling positions. Read as the Code is written, this is a gas station, and gas stations are not allowed in C-1.

2. **The use does not meet the Code's "Convenience Store" definition.** That definition (§ 1.15) requires an establishment serving "the neighborhood in which it is located," and the Code defines a neighborhood as "primarily residential areas." The appeal represents that the store will serve the surrounding neighborhood. It will not. This project is a regional tourist destination, not a neighborhood store — and the company says so itself:

At the grand opening of the company's recently opened Goodyear, Arizona travel center — a store identical to the one proposed here (74,000 square feet, 120 fueling positions and an estimate 165 toilets) — Buc-ee's own store-opening manager called it **"a destination," comparing it to Disney World** (*Arizona Daily Star, June 22, 2026*). *The Arizona Republic* reported that hotels nearest that store sold out for opening weekend, and the *Arizona Daily Star* documented customers driving in from Oregon, Minnesota, and other states, with Nevada and California plates filling the lot.

According to figures Buc-ee's provided to the City of Springfield, Missouri, the company estimates **roughly six million customers a year,** with 88% traveling more than 20 miles to reach the store (City of Springfield official website; *Springfield Daily Citizen)*. A store the company itself markets as a multi-state destination, drawing customers who travel hundreds of miles and book hotels, does not serve "the neighborhood in which it is located." It cannot be shoehorned into the one C-1 use the appeal relies on. The appeal's answer — to redefine the interstate corridor itself as the "neighborhood" — is not what the Code says.

3. **The appeal's "similar use" fallback cannot rescue it either.** Buc-ee's argues in the alternative that its project is a "similar" permitted use under § 5.3.6.C.1. It is not available here. Section 5.3.6(E) is explicit: no interpretation may "authorize any use in a zoning district … unless … substantially similar to an allowed use," none may allow a use "inconsistent with the statement of purpose" of the district, and none may "have the effect of amending, abrogating, or waiving any other standard or requirement established by Code." Reclassifying a gas station into C-1 would abrogate the Code's express exclusion of gas stations from C-1 — exactly what § 5.3.6(E) forbids. And the "similar use" mechanism exists for uses the Code has not listed; a gas station is listed, and it is excluded from C-1. The appeal's trip-generation comparisons do not change this: similar traffic does not override an express exclusion.

4. **This decision belongs on a full public record — and the right path is a rezoning, not a reclassification.** Deciding the permitted use of a specific parcel by applying the Code's definitions to specific facts is a discretionary, quasi-judicial judgment — the Code's own § 5.3.6(B) describes it as an "analysis and comparison of various code provisions … as opposed to a nondiscretionary review." The County itself stated in February 2026 that "a public hearing is required to determine the use classification" for a project like this. The contested questions this appeal raises — whether a multi-state destination "serves the neighborhood," the traffic and water impacts of a facility of this scale — cannot fairly be resolved on the applicant's paper record. They should be decided by you, in public, on an evidentiary record, with the community heard. If the Board is inclined to entertain reversing the Director, a use classification of this magnitude cannot fairly be decided on the applicant's paper submissions alone; it requires a noticed public evidentiary hearing at which the community can be heard. And because the Code distinguishes C-1 ("commercial activities," § 4.4.1) from C-2 ("large commercial activities," § 4.4.4) — and allows gas stations in C-2 but not C-1 — the proper path for a regional interstate fuel-and-retail center is a rezoning to C-2, or a special-use / PUD review, each with full notice and hearing.

5. **The application is also unreliable on its face**. Beyond the violations above, the record repeatedly misstates the Code and the facts — including a "full list of allowed C-1 uses" that omits Convenience Store, the very use it claims is permitted; fuel-footprint percentages calculated on shifting denominators; and a landscaping requirement misstated as 5% when the Code requires more. A record this flawed is one more reason the determination should be upheld and the matter tested on a full public record rather than reversed on appeal.

I respectfully request that the Board:

1. Deny Buc-ee's appeal and uphold the Director's July 1 determination;
2. Recognize that a 120-position fuel facility **is** a gas station, which the Code excludes from C-1;
3. Decide the appeal in public, on a full evidentiary record, with the community heard; and
4. Require the applicant to use the proper public process — a rezoning to C-2, or special-use / PUD review — with full notice and hearing.

The public is entitled to be heard before a use the Code excludes from C-1 is allowed in through the back door of an administrative determination. Please deny the appeal.

Respectfully,

Kimberly Auty
444 Virginia Avenue
Palmer Lake, CO, 80133
El Paso County

Jessica Merriam

From: Kylie Bagley
Sent: Wednesday, July 8, 2026 8:25 AM
To: Jessica Merriam
Subject: Fw: Buc-ee's Appeal of Administrative Determination ADM264 — Please DENY the Appeal and Uphold the Director's July 1 Determination (C-1 Zone, I-25 & County Line Road / Beacon Lite Road)

Kylie Bagley
Principal Planner
Planning and Community Development
719.520.6323
www.elpasoco.com

From: Kirk Lipscomb <kirk@lipscombmail.com>
Sent: Tuesday, July 7, 2026 4:53 PM
To: Holly Williams <HollyWilliams@elpasoco.com>; Carrie Geitner <CarrieGeitner@elpasoco.com>; Bill Wysong <BillWysong@elpasoco.com>; Cory Applegate <CoryApplegate@elpasoco.com>; Lauren Nelson <LaurenNelson@elpasoco.com>
Cc: Meggan Herington <MegganHerington@elpasoco.com>; Kenny Hodges <KennyHodges@elpasoco.com>; Kylie Bagley <KylieBagley@elpasoco.com>; mlakind@tomgov.org <mlakind@tomgov.org>; sking@tomgov.org <sking@tomgov.org>; sabbott@tomgov.org <sabbott@tomgov.org>; csmith@tomgov.org <csmith@tomgov.org>; lkronick@tomgov.org <lkronick@tomgov.org>; kkimple@tomgov.org <kkimple@tomgov.org>; mfiorito@tomgov.org <mfiorito@tomgov.org>; eharris@palmer-lake.org <eharris@palmer-lake.org>; rmoseley@palmer-lake.org <rmoseley@palmer-lake.org>; jmarble@palmer-lake.org <jmarble@palmer-lake.org>; mbeeson@palmer-lake.org <mbeeson@palmer-lake.org>; ajurka@palmer-lake.org <ajurka@palmer-lake.org>; governorpolis@state.co.us <governorpolis@state.co.us>; natasha_hutson@bennet.senate.gov <natasha_hutson@bennet.senate.gov>; jess_cohen@hickenlooper.senate.gov <jess_cohen@hickenlooper.senate.gov>; jarvis.caldwell.house@coleg.gov <jarvis.caldwell.house@coleg.gov>; matthew.smith1@mail.house.gov <matthew.smith1@mail.house.gov>; integritymatterscos@gmail.com <integritymatterscos@gmail.com>; contact@trilakespreservation.org <contact@trilakespreservation.org>; savannah.eller@gazette.com <savannah.eller@gazette.com>; Tony.Keith@koaa.com <Tony.Keith@koaa.com>; Noah.Caplan@koaa.com <Noah.Caplan@koaa.com>; EXTERNAL KOAA News <News@KOAA.com>; ASack@kxrm.com <ASack@kxrm.com>; EXTERNAL Fox News <EXTERNALFoxNews@elpasoco.com>; EXTERNAL KKTV News <news@kktv.com>; news@krdo.com <news@krdo.com>; achalfin@krcc.org <achalfin@krcc.org>; EXTERNAL KRCC News <news@krcc.org>; newstips@denver7.com <newstips@denver7.com>; newstips@9news.com <newstips@9news.com>; tips@kdvr.com <tips@kdvr.com>; jalvarado@denverpost.com <jalvarado@denverpost.com>; EXTERNAL Newsroom Denver <newsroom@denverpost.com>; oliviaprentzel@coloradosun.com <oliviaprentzel@coloradosun.com>; newsroom@coloradosun.com <newsroom@coloradosun.com>; Karin.Brulliard@washpost.com <Karin.Brulliard@washpost.com>; jim.carlton@wsj.com <jim.carlton@wsj.com>; news-tips@nytimes.com <news-tips@nytimes.com>; tips@cnn.com <tips@cnn.com>; tips@nbcuni.com <tips@nbcuni.com>; news.tips@abc.com <news.tips@abc.com>; LBergman@newsnationnow.com <LBergman@newsnationnow.com>; tips@thefp.com <tips@thefp.com>; talkshow@aol.com <talkshow@aol.com>
Subject: Buc-ee's Appeal of Administrative Determination ADM264 — Please DENY the Appeal and Uphold the Director's July 1 Determination (C-1 Zone, I-25 & County Line Road / Beacon Lite Road)

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Mark Safe Report El Paso County Digital, Strategy & Technology (DST)

Dear Commissioners:

On July 1, 2026, the Planning and Community Development Director declined to classify the proposed Buc-ee's — a 30-plus-acre interstate travel center — as a permitted "Convenience Store" in the C-1 zoning district, concluding that the use could not be determined to qualify under the Land Development Code. Buc-ee's has now appealed that determination to you. I ask you to deny the appeal and uphold the Director's determination.

This is not about whether Buc-ee's is a good business in the proper location. It is about the County's own Code, which answers the question the appeal raises.

1.
2.
3. **A gas station**
4. **is not a permitted use in C-1.**
5. Table 5-1 lists "Gas Station" as an allowed use in the CC, CR, CS, C-2, and M districts — but not in C-1. Under § 1.6.6 and § 5.3.6(C)(2), listing a use in some districts "shall be deemed to be an exclusion of the use from any other zoning district in which
6. the use is not listed." A facility with 60 dispensers and 120 fueling positions is a gas station. "Convenience Store" and "Gas Station" are separately defined and separately listed uses; the convenience-store definition's "may include retail sale of gasoline"
7. covers incidental fuel and cannot be used to place into C-1 a use the Code deliberately excluded from it. Read literally, as § 1.6.1 requires,
8. **this**
9. **use is prohibited in C-1.**
10.

The appeal tries to escape this prohibition by misreading the Gas Station definition — three ways, all traceable to page 5 of the underlying request:

-
-
- First, it
- argues Buc-ee's is not a gas station because it "will not provide vehicle repairs, oil changes, accessory installation, [or] car washing." But § 1.15 does not require any of those services; it lists them as things a gas station "may include, as an incidental
- use." Their absence is irrelevant.
-
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- Second,
- the appeal asserts the Code defines a gas station as a use "primarily oriented toward the petroleum fueling and servicing of motor vehicles" — a "primary orientation" requirement that appears nowhere in § 1.15.
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- claims the definition "expressly limits retail activity to the incidental sale of vehicle accessories," which it does not. What actually defines a gas station under § 1.15 is the retail sale of gasoline and diesel for vehicles — which Buc-ee's plainly does,
- at 120 fueling positions. Read as the Code is written, this is a gas station, and gas stations are not allowed in C-1.
-

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5. **does not meet the Code's "Convenience Store" definition.**
6. That definition (§ 1.15) requires an establishment serving "the neighborhood in which it is located," and the Code defines a neighborhood as "primarily residential areas." The appeal represents that the store will serve the surrounding neighborhood. It will
7. not. This project is a regional tourist destination, not a neighborhood store — and the company says so itself:
8.

At
the grand opening of the company's recently opened Goodyear, Arizona travel center — a store identical to the one proposed here (74,000 square feet, 120 fueling positions and an estimate 165 toilets) — Buc-ee's own store-opening manager called it
"a

destination," comparing it to Disney World (*Arizona Daily Star, June 22, 2026*).

The Arizona Republic reported that hotels nearest that store sold out for opening weekend, and the *Arizona Daily Star* documented customers driving in from Oregon, Minnesota, and other states, with Nevada and California plates filling the lot.

According to figures Buc-ee's provided to the City of Springfield, Missouri, the company estimates **roughly six million customers a year,** with 88% traveling more than 20 miles to reach the store (City of Springfield official website; *Springfield Daily Citizen)*.

A store the company itself markets as a multi-state destination, drawing customers who travel hundreds of miles and book hotels, does not serve "the neighborhood in which it is located." It cannot be shoehorned into the one C-1 use the appeal relies on. The appeal's answer — to redefine the interstate corridor itself as the "neighborhood" — is not what the Code says.

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6. **"similar use" fallback cannot rescue it either.**
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10. comparisons do not change this: similar traffic does not override an express exclusion.
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7. **belongs on a full public record — and the right path is a rezoning, not a reclassification.**
8. Deciding the permitted use of a specific parcel by applying the Code's definitions to specific facts is a discretionary, quasi-judicial judgment — the Code's own § 5.3.6(B) describes it as an "analysis and comparison of various code provisions … as opposed

to a nondiscretionary review." The County itself stated in February 2026 that "a public hearing is required to determine the use classification" for a project like this. The contested questions this appeal raises — whether a multi-state destination "serves the neighborhood," the traffic and water impacts of a facility of this scale — cannot fairly be resolved on the applicant's paper record. They should be decided by you, in public, on an evidentiary record, with the community heard. If the Board is inclined to entertain reversing the Director, a use classification of this magnitude cannot fairly be decided on the applicant's paper submissions alone; it requires a noticed public evidentiary hearing at which the community can be heard. And because the Code distinguishes C-1 ("commercial activities," § 4.4.1) from C-2 ("large commercial activities," § 4.4.4) — and allows gas stations in C-2 but not C-1 — the proper path for a regional interstate fuel-and-retail center is a rezoning to C-2, or a special-use / PUD review, each with full notice and hearing.

The application is also unreliable on its face.

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I respectfully request that the Board:

Deny Buc-ee's appeal and uphold the Director's July 1 determination;

Recognize that a 120-position fuel facility **is** a gas station, which the Code excludes from C-1;

Decide the appeal in public, on a full evidentiary record, with the community heard; and

19. Require
20. the applicant to use the proper public process — a rezoning to C-2, or special-use / PUD review — with full notice and hearing.
21.

The
public is entitled to be heard before a use the Code excludes from C-1 is allowed in through the back door of an administrative determination. Please deny the appeal.

Respectfully,
Robert and Gail Lipscomb
49
S Sherwood Glen
Monument,
Co 80132

Jessica Merriam

From: Kylie Bagley
Sent: Wednesday, July 8, 2026 8:26 AM
To: Jessica Merriam
Subject: Fw: Buc-ee's Appeal of Administrative Determination ADM264 — Please DENY the Appeal and Uphold the Director's July 1 Determination (C-1 Zone, I-25 & County Line Road / Beacon Lite Road)

Kylie Bagley
Principal Planner
Planning and Community Development
719.520.6323
www.elpasoco.com

From: Landon Reiley <landonreiley@yahoo.com>
Sent: Tuesday, July 7, 2026 5:03 PM
To: Holly Williams <HollyWilliams@elpasoco.com>; Carrie Geitner <CarrieGeitner@elpasoco.com>; Bill Wysong <BillWysong@elpasoco.com>; Cory Applegate <CoryApplegate@elpasoco.com>; Lauren Nelson <LaurenNelson@elpasoco.com>
Cc: Meggan Herington <MegganHerington@elpasoco.com>; Kenny Hodges <KennyHodges@elpasoco.com>; Kylie Bagley <KylieBagley@elpasoco.com>; mlakind@tomgov.org <mlakind@tomgov.org>; sking@tomgov.org <sking@tomgov.org>; sabbott@tomgov.org <sabbott@tomgov.org>; csmith@tomgov.org <csmith@tomgov.org>; lkronick@tomgov.org <lkronick@tomgov.org>; kkimple@tomgov.org <kkimple@tomgov.org>; mfiorito@tomgov.org <mfiorito@tomgov.org>; eharris@palmer-lake.org <eharris@palmer-lake.org>; rmoseley@palmer-lake.org <rmoseley@palmer-lake.org>; jmarble@palmer-lake.org <jmarble@palmer-lake.org>; mbeeson@palmer-lake.org <mbeeson@palmer-lake.org>; ajurka@palmer-lake.org <ajurka@palmer-lake.org>; governorpolis@state.co.us <governorpolis@state.co.us>; natasha_hutson@bennet.senate.gov <natasha_hutson@bennet.senate.gov>; jess_cohen@hickenlooper.senate.gov <jess_cohen@hickenlooper.senate.gov>; jarvis.caldwell.house@coleg.gov <jarvis.caldwell.house@coleg.gov>; matthew.smith1@mail.house.gov <matthew.smith1@mail.house.gov>; integritymatterscos@gmail.com <integritymatterscos@gmail.com>; contact@trilakespreservation.org <contact@trilakespreservation.org>; savannah.eller@gazette.com <savannah.eller@gazette.com>; Tony.Keith@koaa.com <Tony.Keith@koaa.com>; Noah.Caplan@koaa.com <Noah.Caplan@koaa.com>; EXTERNAL KOAA News <News@KOAA.com>; ASack@kxrm.com <ASack@kxrm.com>; EXTERNAL Fox News <EXTERNALFoxNews@elpasoco.com>; EXTERNAL KKTV News <news@kktv.com>; news@krdo.com <news@krdo.com>; achalfin@krcc.org <achalfin@krcc.org>; EXTERNAL KRCC News <news@krcc.org>; newstips@denver7.com <newstips@denver7.com>; newstips@9news.com <newstips@9news.com>; tips@kdvr.com <tips@kdvr.com>; jalvarado@denverpost.com <jalvarado@denverpost.com>; EXTERNAL Newsroom Denver <newsroom@denverpost.com>; oliviaprentzel@coloradosun.com <oliviaprentzel@coloradosun.com>; newsroom@coloradosun.com <newsroom@coloradosun.com>; Karin.Brulliard@washpost.com <Karin.Brulliard@washpost.com>; jim.carlton@wsj.com <jim.carlton@wsj.com>; news-tips@nytimes.com <news-tips@nytimes.com>; tips@cnn.com <tips@cnn.com>; tips@nbcuni.com <tips@nbcuni.com>; news.tips@abc.com <news.tips@abc.com>; LBergman@newsnationnow.com <LBergman@newsnationnow.com>; tips@thefp.com <tips@thefp.com>; talkshow@aol.com <talkshow@aol.com>
Subject: Buc-ee's Appeal of Administrative Determination ADM264 — Please DENY the Appeal and Uphold the Director's July 1 Determination (C-1 Zone, I-25 & County Line Road / Beacon Lite Road)

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Mark Safe Report El Paso County Digital, Strategy & Technology (DST)

Dear Commissioners:

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This is not about whether Buc-ee's is a good business in the proper location. It is about the County's own Code, which answers the question the appeal raises.

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3. **The appeal's "similar use" fallback cannot rescue it either.** Buc-ee's argues in the alternative that its project is a "similar" permitted use under § 5.3.6.C.1. It is not available here. Section 5.3.6(E) is explicit: no interpretation may "authorize any use in a zoning district … unless … substantially similar to an allowed use," none may allow a use "inconsistent with the statement of purpose" of the district, and none may "have the effect of amending, abrogating, or waiving any other standard or requirement established by Code." Reclassifying a gas station into C-1 would abrogate the Code's express exclusion of gas stations from C-1 — exactly what § 5.3.6(E) forbids. And the "similar use" mechanism exists for uses the Code has not listed; a gas station is listed, and it is excluded from C-1. The appeal's trip-generation comparisons do not change this: similar traffic does not override an express exclusion.

4. **This decision belongs on a full public record — and the right path is a rezoning, not a reclassification.** Deciding the permitted use of a specific parcel by applying the Code's definitions to specific facts is a discretionary, quasi-judicial judgment — the Code's own § 5.3.6(B) describes it as an "analysis and comparison of various code provisions … as opposed to a nondiscretionary review." The County itself stated in February 2026 that "a public hearing is required to determine the use classification" for a project like this. The contested questions this appeal raises — whether a multi-state destination "serves the neighborhood," the traffic and water impacts of a facility of this scale — cannot fairly be resolved on the applicant's paper record. They should be decided by you, in public, on an evidentiary record, with the community heard. If the Board is inclined to entertain reversing the Director, a use classification of this magnitude cannot fairly be decided on the applicant's paper submissions alone; it requires a noticed public evidentiary hearing at which the community can be heard. And because the Code distinguishes C-1 ("commercial activities," § 4.4.1) from C-2 ("large commercial activities," § 4.4.4) — and allows gas stations in C-2 but not C-1 — the proper path for a regional interstate fuel-and-retail center is a rezoning to C-2, or a special-use / PUD review, each with full notice and hearing.

5. **The application is also unreliable on its face**. Beyond the violations above, the record repeatedly misstates the Code and the facts — including a "full list of allowed C-1 uses" that omits Convenience Store, the very use it claims is permitted; fuel-footprint percentages calculated on shifting denominators; and a landscaping requirement misstated as 5% when the Code requires more. A record this flawed is one more reason the determination should be upheld and the matter tested on a full public record rather than reversed on appeal.

I respectfully request that the Board:

1. Deny Buc-ee's appeal and uphold the Director's July 1 determination;
2. Recognize that a 120-position fuel facility **is** a gas station, which the Code excludes from C-1;
3. Decide the appeal in public, on a full evidentiary record, with the community heard; and

4. Require the applicant to use the proper public process — a rezoning to C-2, or special-use / PUD review — with full notice and hearing.

The public is entitled to be heard before a use the Code excludes from C-1 is allowed in through the back door of an administrative determination. Please deny the appeal.

Respectfully,
Landon Reiley
1680 Plowman Dr.
Monument, CO 80132

High Pines Subdivision
El Paso County

Jessica Merriam

From: Kylie Bagley
Sent: Wednesday, July 8, 2026 10:25 AM
To: Jessica Merriam
Subject: Fw: Buc-ee's Appeal of Administrative Determination ADM264 — Please DENY the Appeal and Uphold the Director's July 1 Determination (C-1 Zone, I-25 & County Line Road / Beacon Lite Road)

Kylie Bagley
Principal Planner
Planning and Community Development
719.520.6323
www.elpasoco.com

From: Lori Connor <lori@loriconnor.com>
Sent: Wednesday, July 8, 2026 10:17 AM
To: Holly Williams <HollyWilliams@elpasoco.com>; Carrie Geitner <CarrieGeitner@elpasoco.com>; Bill Wysong <BillWysong@elpasoco.com>; Cory Applegate <CoryApplegate@elpasoco.com>; Lauren Nelson <LaurenNelson@elpasoco.com>
Cc: Meggan Herington <MegganHerington@elpasoco.com>; Kenny Hodges <KennyHodges@elpasoco.com>; Kylie Bagley <KylieBagley@elpasoco.com>; mlakind@tomgov.org <mlakind@tomgov.org>; sking@tomgov.org <sking@tomgov.org>; sabbott@tomgov.org <sabbott@tomgov.org>; csmith@tomgov.org <csmith@tomgov.org>; lkronick@tomgov.org <lkronick@tomgov.org>; kkimple@tomgov.org <kkimple@tomgov.org>; mfiorito@tomgov.org <mfiorito@tomgov.org>; governorpolis@state.co.us <governorpolis@state.co.us>; natasha_hutson@bennet.senate.gov <natasha_hutson@bennet.senate.gov>; jess_cohen@hickenlooper.senate.gov <jess_cohen@hickenlooper.senate.gov>; jarvis.caldwell.house@coleg.gov <jarvis.caldwell.house@coleg.gov>; matthew.smith1@mail.house.gov <matthew.smith1@mail.house.gov>; integritymatterscos@gmail.com <integritymatterscos@gmail.com>; contact@trilakespreservation.org <contact@trilakespreservation.org>
Subject: Re: Buc-ee's Appeal of Administrative Determination ADM264 — Please DENY the Appeal and Uphold the Director's July 1 Determination (C-1 Zone, I-25 & County Line Road / Beacon Lite Road)

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Mark Safe Report El Paso County Digital, Strategy & Technology (DST)

Dear Commissioners:

On July 1, 2026, the Planning and Community Development Director declined to classify the proposed Buc-ee's — a 30-plus-acre interstate travel center — as a permitted "Convenience Store" in the C-1 zoning district, concluding that the use could not be determined to qualify under the Land Development Code. Buc-ee's has now appealed that determination to you. I ask you to deny the appeal and uphold the Director's determination.

This is not about whether Buc-ee's is a good business in the proper location. It is about the County's own Code, which answers the question the appeal raises.

1. **A gas station is not a permitted use in C-1.** Table 5-1 lists "Gas Station" as an allowed use in the CC, CR, CS, C-2, and M districts — but not in C-1. Under § 1.6.6 and § 5.3.6(C)(2), listing a use in some districts "shall be deemed to be an exclusion of the use from any other zoning district in which the use is not listed." A facility with 60 dispensers and 120 fueling positions is a gas station. "Convenience Store" and "Gas Station" are separately defined and separately listed uses; the convenience-store definition's "may include retail sale of gasoline" covers incidental fuel and cannot be used to place into C-1 a use the Code deliberately excluded from it. Read literally, as § 1.6.1 requires, **this use is prohibited in C-1.**

The appeal tries to escape this prohibition by misreading the Gas Station definition — three ways, all traceable to page 5 of the underlying request:

- First, it argues Buc-ee's is not a gas station because it "will not provide vehicle repairs, oil changes, accessory installation, [or] car washing." But § 1.15 does not require any of those services; it lists them as things a gas station "may include, as an incidental use." Their absence is irrelevant.
- Second, the appeal asserts the Code defines a gas station as a use "primarily oriented toward the petroleum fueling and servicing of motor vehicles" — a "primary orientation" requirement that appears nowhere in § 1.15.
- Third, it claims the definition "expressly limits retail activity to the incidental sale of vehicle accessories," which it does not. What actually defines a gas station under §

1.15 is the retail sale of gasoline and diesel for vehicles — which Buc-ee's plainly does, at 120 fueling positions. Read as the Code is written, this is a gas station, and gas stations are not allowed in C-1.

2. **The use does not meet the Code's "Convenience Store" definition.** That definition (§ 1.15) requires an establishment serving "the neighborhood in which it is located," and the Code defines a neighborhood as "primarily residential areas." The appeal represents that the store will serve the surrounding neighborhood. It will not. This project is a regional tourist destination, not a neighborhood store — and the company says so itself:

At the grand opening of the company's recently opened Goodyear, Arizona travel center — a store identical to the one proposed here (74,000 square feet, 120 fueling positions and an estimate 165 toilets) — Buc-ee's own store-opening manager called it **"a destination," comparing it to Disney World** (*Arizona Daily Star, June 22, 2026*).

The Arizona Republic reported that hotels nearest that store sold out for opening weekend, and the *Arizona Daily Star* documented customers driving in from Oregon, Minnesota, and other states, with Nevada and California plates filling the lot.

According to figures Buc-ee's provided to the City of Springfield, Missouri, the company estimates **roughly six million customers a year,** with 88% traveling more than 20 miles to reach the store (City of Springfield official website; *Springfield Daily Citizen)*.

A store the company itself markets as a multi-state destination, drawing customers who travel hundreds of miles and book hotels, does not serve "the neighborhood in which it is located." It cannot be shoehorned into the one C-1 use the appeal relies on. The appeal's answer — to redefine the interstate corridor itself as the "neighborhood" — is not what the Code says.

3. **The appeal's "similar use" fallback cannot rescue it either.** Buc-ee's argues in the alternative that its project is a "similar" permitted use under § 5.3.6.C.1. It is not available here. Section 5.3.6(E) is explicit: no interpretation may "authorize any use in a zoning district ... unless ... substantially similar to an allowed use," none may allow a use "inconsistent with the statement of purpose" of the district, and none may "have the effect of amending, abrogating, or waiving any other standard or requirement established by Code." Reclassifying a gas station into C-1 would abrogate the Code's express exclusion of gas stations from C-1 — exactly what § 5.3.6(E) forbids. And the "similar use"

mechanism exists for uses the Code has not listed; a gas station is listed, and it is excluded from C-1. The appeal's trip-generation comparisons do not change this: similar traffic does not override an express exclusion.

4. **This decision belongs on a full public record — and the right path is a rezoning, not a reclassification.** Deciding the permitted use of a specific parcel by applying the Code's definitions to specific facts is a discretionary, quasi-judicial judgment — the Code's own § 5.3.6(B) describes it as an "analysis and comparison of various code provisions … as opposed to a nondiscretionary review." The County itself stated in February 2026 that "a public hearing is required to determine the use classification" for a project like this. The contested questions this appeal raises — whether a multi-state destination "serves the neighborhood," the traffic and water impacts of a facility of this scale — cannot fairly be resolved on the applicant's paper record. They should be decided by you, in public, on an evidentiary record, with the community heard. If the Board is inclined to entertain reversing the Director, a use classification of this magnitude cannot fairly be decided on the applicant's paper submissions alone; it requires a noticed public evidentiary hearing at which the community can be heard. And because the Code distinguishes C-1 ("commercial activities," § 4.4.1) from C-2 ("large commercial activities," § 4.4.4) — and allows gas stations in C-2 but not C-1 — the proper path for a regional interstate fuel-and-retail center is a rezoning to C-2, or a special-use / PUD review, each with full notice and hearing.

5. **The application is also unreliable on its face**. Beyond the violations above, the record repeatedly misstates the Code and the facts — including a "full list of allowed C-1 uses" that omits Convenience Store, the very use it claims is permitted; fuel-footprint percentages calculated on shifting denominators; and a landscaping requirement misstated as 5% when the Code requires more. A record this flawed is one more reason the determination should be upheld and the matter tested on a full public record rather than reversed on appeal.

I respectfully request that the Board:

1. Deny Buc-ee's appeal and uphold the Director's July 1 determination;
2. Recognize that a 120-position fuel facility **is** a gas station, which the Code excludes from C-1;

3. Decide the appeal in public, on a full evidentiary record, with the community heard; and
4. Require the applicant to use the proper public process — a rezoning to C-2, or special-use / PUD review — with full notice and hearing.

The public is entitled to be heard before a use the Code excludes from C-1 is allowed in through the back door of an administrative determination. PLEASE DENY THE APPEAL.

Respectfully,
Kevin and Lori Connor
3305 Mesa Top Dr
Monument, CO 80132

Jessica Merriam

From: Kylie Bagley
Sent: Wednesday, July 8, 2026 8:25 AM
To: Jessica Merriam
Subject: Fw: Buc-ee's Appeal of Administrative Determination ADM264 — Please DENY the Appeal and Uphold the Director's July 1 Determination (C-1 Zone, I-25 & County Line Road / Beacon Lite Road)

Kylie Bagley
Principal Planner
Planning and Community Development
719.520.6323
www.elpasoco.com

From: mesalasko731 <mesalasko731@aol.com>
Sent: Tuesday, July 7, 2026 4:45 PM
To: Holly Williams <HollyWilliams@elpasoco.com>; Carrie Geitner <CarrieGeitner@elpasoco.com>; Bill Wysong <BillWysong@elpasoco.com>; Cory Applegate <CoryApplegate@elpasoco.com>; Lauren Nelson <LaurenNelson@elpasoco.com>
Cc: Meggan Herington <MegganHerington@elpasoco.com>; Kenny Hodges <KennyHodges@elpasoco.com>; Kylie Bagley <KylieBagley@elpasoco.com>; mlakind@tomgov.org <mlakind@tomgov.org>; sking@tomgov.org <sking@tomgov.org>; sabbott@tomgov.org <sabbott@tomgov.org>; csmith@tomgov.org <csmith@tomgov.org>; lkronick@tomgov.org <lkronick@tomgov.org>; kkimple@tomgov.org <kkimple@tomgov.org>; mfiorito@tomgov.org <mfiorito@tomgov.org>; eharris@palmer-lake.org <eharris@palmer-lake.org>; rmoseley@palmer-lake.org <rmoseley@palmer-lake.org>; jmarble@palmer-lake.org <jmarble@palmer-lake.org>; mbeeson@palmer-lake.org <mbeeson@palmer-lake.org>; ajurka@palmer-lake.org <ajurka@palmer-lake.org>; governorpolis@state.co.us <governorpolis@state.co.us>; natasha_hutson@bennet.senate.gov <natasha_hutson@bennet.senate.gov>; jess_cohen@hickenlooper.senate.gov <jess_cohen@hickenlooper.senate.gov>; jarvis.caldwell.house@coleg.gov <jarvis.caldwell.house@coleg.gov>; matthew.smith1@mail.house.gov <matthew.smith1@mail.house.gov>; integritymatterscos@gmail.com <integritymatterscos@gmail.com>; contact@trilakespreservation.org <contact@trilakespreservation.org>; savannah.eller@gazette.com <savannah.eller@gazette.com>; Tony.Keith@koaa.com <Tony.Keith@koaa.com>; Noah.Caplan@koaa.com <Noah.Caplan@koaa.com>; EXTERNAL KOAA News <News@KOAA.com>; ASack@kxrm.com <ASack@kxrm.com>; EXTERNAL Fox News <EXTERNALFoxNews@elpasoco.com>; EXTERNAL KKTV News <news@kktv.com>; news@krdo.com <news@krdo.com>; achalfin@krcc.org <achalfin@krcc.org>; EXTERNAL KRCC News <news@krcc.org>; newstips@denver7.com <newstips@denver7.com>; newstips@9news.com <newstips@9news.com>; tips@kdvr.com <tips@kdvr.com>; jalvarado@denverpost.com <jalvarado@denverpost.com>; EXTERNAL Newsroom Denver <newsroom@denverpost.com>; oliviaprentzel@coloradosun.com <oliviaprentzel@coloradosun.com>; newsroom@coloradosun.com <newsroom@coloradosun.com>; Karin.Brulliard@washpost.com <Karin.Brulliard@washpost.com>; jim.carlton@wsj.com <jim.carlton@wsj.com>; news-tips@nytimes.com <news-tips@nytimes.com>; tips@cnn.com <tips@cnn.com>; tips@nbcuni.com <tips@nbcuni.com>; news.tips@abc.com <news.tips@abc.com>; LBergman@newsnationnow.com <LBergman@newsnationnow.com>; tips@thefp.com <tips@thefp.com>; talkshow@aol.com <talkshow@aol.com>
Subject: Re: Buc-ee's Appeal of Administrative Determination ADM264 — Please DENY the Appeal and Uphold the Director's July 1 Determination (C-1 Zone, I-25 & County Line Road / Beacon Lite Road)

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I respectfully request that the Board:

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2. Deny Buc-ee's appeal and uphold the Director's July 1 determination;
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5. Recognize that a 120-position fuel facility
6. **IS** a gas station, which the Code excludes from C-1;
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9. Decide the appeal in public, on a full evidentiary record, with the community heard;
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11.
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13. Require the applicant to use the proper public process — a rezoning to C-2, or special-use
14. / PUD review — with full notice and hearing.
15.

The public is entitled to be heard before a use the Code excludes from C-1 is allowed in through the back door of an administrative determination. Please deny the appeal.

Respectfully,

Maria Salasko
19225 Lochmere Court, Monument CO 80132/Kings Deer/El Paso County

Jessica Merriam

From: Kylie Bagley
Sent: Friday, July 10, 2026 3:58 PM
To: Jessica Merriam
Subject: Fw: Buc-ee's Appeal of Administrative Determination ADM264 — Please DENY the Appeal and Uphold the Director's July 1 Determination (C-1 Zone, I-25 & County Line Road / Beacon Lite Road)

Kylie Bagley
Principal Planner
Planning and Community Development
719.520.6323
www.elpasoco.com

From: Maureen McKasy-Donlin <maureenmdonlin@gmail.com>
Sent: Friday, July 10, 2026 3:55 PM
To: Holly Williams <HollyWilliams@elpasoco.com>; Carrie Geitner <CarrieGeitner@elpasoco.com>; Bill Wysong <BillWysong@elpasoco.com>; Cory Applegate <CoryApplegate@elpasoco.com>; Lauren Nelson <LaurenNelson@elpasoco.com>
Cc: Meggan Herington <MegganHerington@elpasoco.com>; Kenny Hodges <KennyHodges@elpasoco.com>; Kylie Bagley <KylieBagley@elpasoco.com>; governorpolis@state.co.us <governorpolis@state.co.us>; natasha_hutson@bennet.senate.gov <natasha_hutson@bennet.senate.gov>; jess_cohen@hickenlooper.senate.gov <jess_cohen@hickenlooper.senate.gov>; jarvis.caldwell.house@coleg.gov <jarvis.caldwell.house@coleg.gov>; matthew.smith1@mail.house.gov <matthew.smith1@mail.house.gov>; integritymatterscos@gmail.com <integritymatterscos@gmail.com>; contact@trilakespreservation.org <contact@trilakespreservation.org>; savannah.eller@gazette.com <savannah.eller@gazette.com>; Tony.Keith@koaa.com <Tony.Keith@koaa.com>; Noah.Caplan@koaa.com <Noah.Caplan@koaa.com>; EXTERNAL KOAA News <News@KOAA.com>; ASack@kxrm.com <ASack@kxrm.com>; EXTERNAL Fox News <EXTERNALFoxNews@elpasoco.com>; EXTERNAL KKTV News <news@kktv.com>; achalfin@krcc.org <achalfin@krcc.org>; EXTERNAL KRCC News <news@krcc.org>; newstips@denver7.com <newstips@denver7.com>; newstips@9news.com <newstips@9news.com>; tips@kdvr.com <tips@kdvr.com>; jalvarado@denverpost.com <jalvarado@denverpost.com>; EXTERNAL Newsroom Denver <newsroom@denverpost.com>; oliviaprentzel@coloradosun.com <oliviaprentzel@coloradosun.com>; newsroom@coloradosun.com <newsroom@coloradosun.com>; Karin.Brulliard@washpost.com <Karin.Brulliard@washpost.com>; jim.carlton@wsj.com <jim.carlton@wsj.com>; news-tips@nytimes.com <news-tips@nytimes.com>; tips@cnn.com <tips@cnn.com>; tips@nbcuni.com <tips@nbcuni.com>; news.tips@abc.com <news.tips@abc.com>; LBergman@newsnationnow.com <LBergman@newsnationnow.com>; tips@thefp.com <tips@thefp.com>; talkshow@aol.com <talkshow@aol.com>
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Mark Safe Report El Paso County Digital, Strategy & Technology (DST)

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6. **This decision belongs on a full public record — and the right path is a rezoning, not a reclassification.**
7. Deciding the permitted use of a specific parcel by applying the Code's definitions to specific facts is a discretionary, quasi-judicial judgment — the Code's own § 5.3.6(B) describes it as an "analysis and comparison of various code provisions … as opposed
8. to a nondiscretionary review." The County itself stated in February 2026 that "a public hearing is required to determine the use classification" for a project like this. The contested questions this appeal raises — whether a multi-state destination "serves
9. the neighborhood," the traffic and water impacts of a facility of this scale — cannot fairly be resolved on the applicant's paper record. They should be decided by you, in public, on an evidentiary record, with the community heard. If the Board is inclined
10. to entertain reversing the Director, a use classification of this magnitude cannot fairly be decided on the applicant's paper submissions alone; it requires a noticed public evidentiary hearing at which the community can be heard. And because the Code distinguishes
11. C-1 ("commercial activities," § 4.4.1) from C-2 ("large commercial activities," § 4.4.4) — and allows gas stations in C-2 but not C-1 — the proper path for a regional interstate fuel-and-retail center is a rezoning to C-2, or a special-use / PUD review, each
12. with full notice and hearing.
13.

5.
6.
7. **The application is also unreliable on its face**.
8. Beyond the violations above, the record repeatedly misstates the Code and the facts — including a "full list of allowed C-1 uses" that omits Convenience Store, the very use it claims is permitted; fuel-footprint percentages calculated on shifting denominators;
9. and a landscaping requirement misstated as 5% when the Code requires more. A record this flawed is one more reason the determination should be upheld and the matter tested on a full public record rather than reversed on appeal.
10.

I respectfully request that the Board:

3. Deny Buc-ee's appeal and uphold the Director's July 1 determination;
7. Recognize that a 120-position fuel facility
8. **is**
9. a gas station, which the Code excludes from C-1;
13. Decide the appeal in public, on a full evidentiary record, with the community heard; and
17. Require the applicant to use the proper public process — a rezoning to C-2, or special-use / PUD review — with full notice and hearing.

The public is entitled to be heard before a use the Code excludes from C-1 is allowed in through the back door of an administrative determination. Please deny the appeal.

Respectfully

Maureen McKasy-Donlin
1470 Dark Pine Court
Monument, CO 80132
-located in North Woodmoor in EL PASO COUNTY
-one mile from the proposed Buc-ees!

Jessica Merriam

From: Kylie Bagley
Sent: Thursday, July 9, 2026 8:43 AM
To: Jessica Merriam
Subject: Fw: REQUEST TO DENY BUC-EES APPEAL

Kylie Bagley
Principal Planner
Planning and Community Development
719.520.6323
www.elpasoco.com

From: Michelle Beichley <mablegalllc@gmail.com>
Sent: Wednesday, July 8, 2026 8:46 PM
To: Holly Williams <HollyWilliams@elpasoco.com>; Carrie Geitner <CarrieGeitner@elpasoco.com>; Bill Wysong <BillWysong@elpasoco.com>; Cory Applegate <CoryApplegate@elpasoco.com>; Lauren Nelson <LaurenNelson@elpasoco.com>
Cc: Meggan Herington <MegganHerington@elpasoco.com>; Kenny Hodges <KennyHodges@elpasoco.com>; Kylie Bagley <KylieBagley@elpasoco.com>; mlakind@tomgov.org <mlakind@tomgov.org>; sking@tomgov.org <sking@tomgov.org>; sabbott@tomgov.org <sabbott@tomgov.org>; csmith@tomgov.org <csmith@tomgov.org>; lkronick@tomgov.org <lkronick@tomgov.org>; kkimple@tomgov.org <kkimple@tomgov.org>; mfiorito@tomgov.org <mfiorito@tomgov.org>; governorpolis@state.co.us <governorpolis@state.co.us>; natasha_hutson@bennet.senate.gov <natasha_hutson@bennet.senate.gov>; jess_cohen@hickenlooper.senate.gov <jess_cohen@hickenlooper.senate.gov>; jarvis.caldwell.house@coleg.gov <jarvis.caldwell.house@coleg.gov>; matthew.smith1@mail.house.gov <matthew.smith1@mail.house.gov>; integritymatterscos@gmail.com <integritymatterscos@gmail.com>; contact@trilakespreservation.org <contact@trilakespreservation.org>
Subject: REQUEST TO DENY BUC-EES APPEAL

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Dear Honorable Commissioners:

The Planning Director ruled on July 1, 2026, that the massive Buc-ee's travel center cannot be classified as a simple 'Convenience Store' in our C-1 zone. Buc-ee's is now appealing that ruling. I urge you to deny this appeal and sustain the Director's sound decision.

This is simply related to the County's own Code, which answers the question the appeal raises.

As an initial point, along with LDC § 1.6.1 which mandates that the code be read literally, Courts too have held that when interpreting statutes or ordinances courts must ascertain and give effect to the legislative intent. *See State v. Nieto,* 993 P.2d, 493, 500 (Colo. 2000); *Walker v. People*, 932 P.2d 303, 309 (Colo. 1997). Further, courts must refrain from ruling inconsistent with the legislative intent. *Nieto*, 993 P.2d at 500. Courts look at the plain language of the ordinance and give effect to the ordinary use of words. *Askew v. Industrial Claim Appeals Office*, 927 P.2d 1333, 1337 (Colo. 1996). If statutory language is clear and not ambiguous, the language should not be subjected to a strained or forced interpretation. *Boulder County Bd. Of Equalization v. M.D.C. Constr. Co.*, 830 P.2d 975, 980 (Colo. 1992). As detailed infra, Buc-ees is a travel center and a gas station, not a convenience store and a literal reading of the Code does not provide otherwise.

I. Buc-ees Own Comparisons to Convenience Stores Prove The Travel Center Is Not A Convenience Store

Exhibit A attached to Buc-ee's Appeal cites numerous convenience store "examples." Even by their own examples, those convenience stores are drastically smaller and have a handful of pumps. What Buc-ee's fails to highlight is the size and the number of pumps at those convenience stores. The largest convenience store is 5,158 sq. ft. Buc-ees proposed building size is 74,000 square feet. Further, the number of pumps at the largest store is 8 pumps whereas Buc-ees proposes 120 pumps. These examples are what El Paso County has determined are convenience stores – not a 74,000 sq ft Travel Center and gas station. If the legislature wanted to classify C-1 to include a travel center or a gas station, they would have said so. It is beyond the County Commissioners powers to strain or force an interpretation of the Code.

Store	**Address**	**Zoning**	**Building Size**	**Estimated Fuel Pumps**
Circle K (Falcon)	6970 Meridian Sol Dr	---	5,158 sq. ft.	8
Charlie's Convenience Store	1580 Meadowbrook Pkwy	CS CAD-O	5,040 sq. ft.	4

Circle K (Meadowbrook)	613 Meadowbrook Pkwy	PUD CAD-O	4,480 sq. ft.	7
Fuel B's Sinclair	23580 Highway 94	CS	3,500 sq. ft.	5
Loaf N Jug	6857 Space Village Ave	CC CAD-O	3,621 sq. ft.	2
Buc-ee's		**C-1**	**74,000 sq. ft.**	**120**

Further, it should be noted that all the convenience store examples provided by Buc-ees have not been in C-1 zoning. All the stores were in more appropriate zoning districts for gas stations and convenience stores. Specifically, CC and CS allow for gas stations, convenience stores, vehicle repair garage, and truck stops (CC).

II. The Proposed Fueling Facility Constitutes a "Gas Station," a Use Expressly Excluded from the C-1 District

As a matter of statutory construction, the proposed development cannot be categorized as a permitted use within the C-1 district.

1. **C-1 Zoning Does Not Permit A Gas Station or Travel Center:** LDC Table 5-1 explicitly enumerates "Gas Station" as an allowed or permitted use within the CC, CR, CS, C-2, and M zoning districts. Notably, "Gas Station" is omitted from the C-1 district provisions. Pursuant to LDC §§ 1.6.6 and 5.3.6(C)(2), the express listing of a use in specific districts "shall be deemed to be an exclusion of the use from any other zoning district in which the use is not listed." Further, what should be looked at is the legislative intent. If legislators wanted to include "gas stations" in C-1 zoning, they would have done so. The Board of County Commissioners does not have the power to rewrite or apply ordinances as they see fit, they must look at the legislative intent.
2. **The Applicant Cannot Strain the Language of An Ordinance to Meet Zoning Requirements**: If language of an ordinance is clear and not ambiguous, the language should not be subjected to a strained or forced interpretation. *Boulder County Bd. Of Equalization v. M.D.C. Constr. Co.*, 830 P.2d 975, 980 (Colo. 1992). The language in C-1 is clear: it permits a convenience store. The proposed project is not a convenience store, it is a very large gas station and a 74,000 square foot store. Surely, the legislative intent of C-1 zoning for "convenience stores" could not have been interpreted to include 120 gas pumps and 74,000 square foot stores. We know this because gas stations with accompanying stores that large did not exist when C-1 was in effect. Therefore, we cannot strain or force a different interpretation on the legislative intent of C-1 zoning.
3. **The Scale of the Operation Establishes the Primary Use:** A commercial facility featuring 60 dispensers and 120 fueling positions constitutes a "Gas Station" under any literal construction of the Code. LDC § 1.6.1 mandates that provisions be read literally.

Even by Buc-ee's own admissions and press releases it states it is the "world's largest gas station" and the "mother of all gas stations." See https://www.youtube.com/watch?v=XbV4XWpfMyE

"Convenience Store" and "Gas Station" are distinct, separately defined, and separately categorized land uses under the Code. While the definition of a "Convenience Store" notes that it "may include retail sale of gasoline," this language contemplates an incidental or subordinate fueling component. It cannot be used as a colorable mechanism to introduce a massive, dedicated fueling infrastructure into a C-1 district where the principal use has been deliberately excluded by the legislature.

4. **The Applicant's Interpretive Errors:** The application relies on flawed textual interpretations to evade the C-1 prohibition (see Application at p. 5):
    - *First*, the applicant argues the facility is not a gas station because it lacks vehicle repair, oil change, or car washing capabilities. However, LDC § 1.15 explicitly states that a gas station "*may include [these services] as an incidental use*." The absence of these optional, secondary services does not negate the character of the primary use.
    - *Second*, the applicant interpolates a "primary orientation" standard into LDC § 1.15 that does not exist in the text.
    - *Third*, the applicant incorrectly asserts that § 1.15 restricts a gas station's retail operations to the incidental sale of vehicle accessories. Under the plain text of LDC § 1.15, the defining characteristic of a gas station is the retail sale of petroleum products for motor vehicles—a definition that squarely encompasses the applicant's 120-position fueling facility.

III. The Proposed Facility Fails to Satisfy the Statutory Definition of a "Convenience Store"

The applicant's attempt to classify the project as a "Convenience Store" fails as a matter of law based on the operational scope and geographic draw of the development.

1. **The Neighborhood Restriction:** LDC § 1.15 explicitly defines a "Convenience Store" as an establishment designed and intended to serve "the neighborhood in which it is located." The Code further defines a "neighborhood" as "primarily residential areas."
2. **Evidentiary Contradictions:** Despite the applicant's self-serving assertions that the store will serve the immediate neighborhood (Application at pp. 2, 4), the applicant's own corporate data and operational models demonstrate that the proposed development is a regional tourist destination.
    - On June 22, 2026, the applicant's store-opening manager publicly characterized an identical 74,000-square-foot, 120-fueling-position travel center in Goodyear, Arizona, as a "destination" akin to a major theme park (*Arizona Daily Star*).
    - The Nashville Ledger dated September 13, 2022 released an article titled "Buc-ee's Turns Detour into Destination" which brags about Buc-ee's being a travel destination for travelers. *See* http://www.tnledger.com/editorial/Article.aspx?id=156952.
    - Verified market performance data for identical facilities indicates an extraordinary regional draw: regional hospitality providers experienced total occupancy during opening cycles, and interstate traffic accounted for a substantial plurality of patrons (*The Arizona Republic*; *Arizona Daily Star*).
    - Data provided by the applicant to the City of Springfield, Missouri, indicates an annualized volume of approximately six million patrons, with 88% of those consumers traveling in excess of 20 miles to reach the site.

An interstate commercial destination designed to attract millions of regional travelers cannot reasonably or legally be classified as a local establishment serving a "primarily residential" neighborhood.

IV. Formal Request for Relief

Based on the foregoing arguments, I respectfully request that the Director and the Commission grant the following relief:

1. **Deny** Buc-ee's appeal and uphold the Director's July 1 determination;
2. Recognize that a 120-position fuel facility is a gas station, which the Code excludes from C-1;
3. Decide the appeal in public, on a full evidentiary record, with the community heard; and
4. Require the applicant to use the proper public process — a rezoning to C-2, or special-use / PUD review — with full notice and hearing.

The public interest and the integrity of the Land Development Code demand that a project of this unprecedented regional scale be subjected to rigorous public scrutiny on the record.

Respectfully submitted,

Michelle Beichley, Esq., No. 52272

19834 Kershaw Ct. Monument, CO 80132

Jessica Merriam

From: Kylie Bagley
Sent: Thursday, July 9, 2026 11:51 AM
To: Jessica Merriam
Subject: Fw: Buc-ee's Appeal of Administrative Determination ADM264 - Please DENY the Appeal and Uphold the Director's July 1 Determination (C-1 Zone, I-25 & County Line Road / Beacon Lite Road)

Kylie Bagley
Principal Planner
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719.520.6323
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From: mikekopy@comcast.net <mikekopy@comcast.net>
Sent: Thursday, July 9, 2026 9:39 AM
To: Holly Williams <HollyWilliams@elpasoco.com>; Carrie Geitner <CarrieGeitner@elpasoco.com>; Bill Wysong <BillWysong@elpasoco.com>; Cory Applegate <CoryApplegate@elpasoco.com>; Lauren Nelson <LaurenNelson@elpasoco.com>
Cc: Meggan Herington <MegganHerington@elpasoco.com>; Kenny Hodges <KennyHodges@elpasoco.com>; Kylie Bagley <KylieBagley@elpasoco.com>; mlakind@tomgov.org <mlakind@tomgov.org>; sking@tomgov.org <sking@tomgov.org>; sabbott@tomgov.org <sabbott@tomgov.org>; csmith@tomgov.org <csmith@tomgov.org>; lkronick@tomgov.org <lkronick@tomgov.org>; kkimple@tomgov.org <kkimple@tomgov.org>; mfiorito@tomgov.org <mfiorito@tomgov.org>; governorpolis@state.co.us <governorpolis@state.co.us>; natasha_hutson@bennet.senate.gov <natasha_hutson@bennet.senate.gov>; jess_cohen@hickenlooper.senate.gov <jess_cohen@hickenlooper.senate.gov>; jarvis.caldwell.house@coleg.gov <jarvis.caldwell.house@coleg.gov>; matthew.smith1@mail.house.gov <matthew.smith1@mail.house.gov>; integritymatterscos@gmail.com <integritymatterscos@gmail.com>; contact@trilakespreservation.org <contact@trilakespreservation.org>; 'Kelley Kopycinski' <kkopy@comcast.net>
Subject: Buc-ee's Appeal of Administrative Determination ADM264 - Please DENY the Appeal and Uphold the Director's July 1 Determination (C-1 Zone, I-25 & County Line Road / Beacon Lite Road)

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Mark Safe Report El Paso County Digital, Strategy & Technology (DST)

Dear Commissioners:

On July 1, 2026, the Planning and Community Development Director declined to classify the proposed Buc-ee's — a 30-plus-acre interstate travel center — as a permitted "Convenience Store" in the C-1 zoning district, concluding that the use could not be determined to qualify under the Land Development Code. Buc-ee's has now appealed that determination to you. I ask you to deny the appeal and uphold the Director's determination.

This is not about whether Buc-ee's is a good business in the proper location. It is about the County's own Code, which answers the question the appeal raises.

1. **A gas station is not a permitted use in C-1.** Table 5-1 lists "Gas Station" as an allowed use in the CC, CR, CS, C-2, and M districts — but not in C-1. Under § 1.6.6 and § 5.3.6(C)(2), listing a use in some districts "shall be deemed to be an exclusion of the use from any other zoning district in which the use is not listed." A facility with 60 dispensers and 120 fueling positions is a gas station. "Convenience Store" and "Gas Station" are separately defined and separately listed uses; the convenience-store definition's "may include retail sale of gasoline" covers incidental fuel and cannot be used to place into C-1 a use the Code deliberately excluded from it. Read literally, as § 1.6.1 requires, **this use is prohibited in C-1.**

The appeal tries to escape this prohibition by misreading the Gas Station definition — three ways, all traceable to page 5 of the underlying request:

- First, it argues Buc-ee's is not a gas station because it "will not provide vehicle repairs, oil changes, accessory installation, [or] car washing." But § 1.15 does not require any of those services; it lists them as things a gas station "may include, as an incidental use." Their absence is irrelevant.
- Second, the appeal asserts the Code defines a gas station as a use "primarily oriented toward the petroleum fueling and servicing of motor vehicles" — a "primary orientation" requirement that appears nowhere in § 1.15.
- Third, it claims the definition "expressly limits retail activity to the incidental sale of vehicle accessories," which it does not. What actually defines a gas station under § 1.15 is the retail sale of gasoline and diesel for vehicles — which Buc-ee's plainly does, at 120 fueling positions. Read as the Code is written, this is a gas station, and gas stations are not allowed in C-1.

2. **The use does not meet the Code's "Convenience Store" definition.** That definition (§ 1.15) requires an establishment serving "the neighborhood in which it is located," and the Code defines a neighborhood as "primarily residential areas." The appeal represents that the store will serve the surrounding neighborhood. It will not. This project is a regional tourist destination, not a neighborhood store — and the company says so itself:

At the grand opening of the company's recently opened Goodyear, Arizona travel center — a store identical to the one proposed here (74,000 square feet, 120 fueling positions and an estimate 165 toilets) — Buc-ee's own store-opening manager called it **"a destination," comparing it to Disney World** (*Arizona Daily Star, June 22, 2026*).

The Arizona Republic reported that hotels nearest that store sold out for opening weekend, and the *Arizona Daily Star* documented customers driving in from Oregon, Minnesota, and other states, with Nevada and California plates filling the lot.

According to figures Buc-ee's provided to the City of Springfield, Missouri, the company estimates **roughly six million customers a year,** with 88% traveling more than 20 miles to reach the store (City of Springfield official website; *Springfield Daily Citizen)*.

A store the company itself markets as a multi-state destination, drawing customers who travel hundreds of miles and book hotels, does not serve "the neighborhood in which it is located." It cannot be shoehorned into the one C-1 use the appeal relies on. The appeal's answer — to redefine the interstate corridor itself as the "neighborhood" — is not what the Code says.

3. **The appeal's "similar use" fallback cannot rescue it either.** Buc-ee's argues in the alternative that its project is a "similar" permitted use under § 5.3.6.C.1. It is not available here. Section 5.3.6(E) is explicit: no interpretation may "authorize any use in a zoning district … unless … substantially similar to an allowed use," none may allow a use "inconsistent with the statement of purpose" of the district, and none may "have the effect of amending, abrogating, or waiving any other standard or requirement established by Code." Reclassifying a gas station into C-1 would abrogate the Code's express exclusion of gas stations from C-1 — exactly what § 5.3.6(E) forbids. And the "similar use" mechanism exists for uses the Code has not listed; a gas station is listed, and it is excluded from C-1. The appeal's trip-generation comparisons do not change this: similar traffic does not override an express exclusion.

4. **This decision belongs on a full public record — and the right path is a rezoning, not a reclassification.** Deciding the permitted use of a specific parcel by applying the Code's definitions to specific facts is a discretionary, quasi-judicial judgment — the Code's own § 5.3.6(B) describes it as an "analysis and comparison of various code provisions … as opposed to a nondiscretionary review." The County itself stated in February 2026 that "a public hearing is required to determine the use classification" for a project like this. The contested questions this appeal raises — whether a multi-state destination "serves the neighborhood," the traffic and water impacts of a facility of this scale — cannot fairly be resolved on the applicant's paper record. They should be decided by you, in public, on an evidentiary record, with the community heard. If the Board is inclined to entertain reversing the Director, a use classification of this magnitude cannot fairly be decided on the applicant's paper submissions alone; it requires a noticed public evidentiary hearing at which the community can be heard. And because the Code distinguishes C-1 ("commercial activities," § 4.4.1) from C-2 ("large commercial activities," § 4.4.4) — and allows gas stations in C-2 but not C-1 — the proper path for a regional interstate fuel-and-retail center is a rezoning to C-2, or a special-use / PUD review, each with full notice and hearing.

5. **The application is also unreliable on its face**. Beyond the violations above, the record repeatedly misstates the Code and the facts — including a "full list of allowed C-1 uses" that omits Convenience Store, the very use it claims is permitted; fuel-footprint percentages

calculated on shifting denominators; and a landscaping requirement misstated as 5% when the Code requires more. A record this flawed is one more reason the determination should be upheld and the matter tested on a full public record rather than reversed on appeal.

I respectfully request that the Board:

1. Deny Buc-ee's appeal and uphold the Director's July 1 determination;
2. Recognize that a 120-position fuel facility **is** a gas station, which the Code excludes from C-1;
3. Decide the appeal in public, on a full evidentiary record, with the community heard; and
4. Require the applicant to use the proper public process — a rezoning to C-2, or special-use / PUD review — with full notice and hearing.

The public is entitled to be heard before a use the Code excludes from C-1 is allowed in through the back door of an administrative determination.Furthermore, it does NOT serve our neighborhood and certainly does a disservice to our already established businesses.

Please deny the appeal.

Respectfully
Mike Kopycinski
18865 Spring Valley Rd.
Monument, CO 80132
Unincorporated El Paso County

Jessica Merriam

From: Kylie Bagley
Sent: Monday, July 13, 2026 9:27 AM
To: Jessica Merriam
Subject: Fw: Buc-ee's is NOT a convenience store

Kylie Bagley
Principal Planner
Planning and Community Development
719.520.6323
www.elpasoco.com

From: Mike Stern <mxstern@gmail.com>
Sent: Sunday, July 12, 2026 9:45 PM
Subject: Buc-ee's is NOT a convenience store

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Mark Safe Report El Paso County Digital, Strategy & Technology (DST)

Re: Buc-ee's Appeal of Administrative Determination ADM264 — Request to Deny the Appeal and Uphold the Director's July 1, 2026 Determination (C-1 Zone, I-25 & County Line Road / Beacon Lite Road)

Dear Commissioners,

On July 1, 2026, the Planning and Community Development Director determined that the proposed Buc-ee's development—a 30-plus-acre interstate travel center—could not be classified as a permitted "Convenience Store" within the C-1 zoning district because the proposed use does not qualify under the El Paso County Land Development Code. Buc-ee's has appealed that determination. I respectfully ask the Board to deny the appeal and uphold the Director's decision.

This appeal is not about whether Buc-ee's is a successful company or whether it belongs somewhere else. It is about faithfully applying the County's Land Development Code, which already provides the answer.

A **gas station is not a permitted use in the C-1 zoning district.** Table 5-1 specifically allows "Gas Station" uses in the CC, CR, CS, C-2, and M districts—but not in C-1. Sections **1.6.6** and **5.3.6(C)(2)** further provide that when a use is listed in certain districts but omitted from another, that omission "shall be deemed to be an exclusion of the use from any other zoning district in which the use is not listed."

A facility containing approximately **60 fuel dispensers and 120 fueling positions** is plainly a gas station. The Code separately defines and separately lists "Convenience Store" and "Gas Station" as distinct land uses. While the Convenience Store definition states that it *may include* the retail sale of gasoline, that language clearly contemplates incidental fueling—not an interstate fueling complex that is fundamentally centered on fuel sales. Reading the Code literally, as required by **§ 1.6.1**, this proposed use is prohibited in the C-1 district.

The appeal attempts to avoid this conclusion by misreading the Gas Station definition in several significant ways, all originating on page five of its underlying request.

First, Buc-ee's argues that it is not a gas station because it will not provide vehicle repairs, oil changes, accessory installation, or car washing. However, **§ 1.15** does not require those services. The Code simply states that such services *may* be included as incidental uses. Their absence has no bearing on whether the primary use is a gas station.

Second, the appeal claims that a gas station must be "primarily oriented toward the petroleum fueling and servicing of motor vehicles." That "primary orientation" language appears nowhere within **§ 1.15** and cannot be inserted into the Code through interpretation.

Third, Buc-ee's argues that the Gas Station definition limits retail activity solely to incidental vehicle accessory sales. It does not. The defining characteristic of a gas station under **§ 1.15** is the retail sale of gasoline and diesel fuel for motor vehicles. Buc-ee's unquestionably satisfies that definition with its proposed 120 fueling positions. Under the Code as written, this project is a gas station, and gas stations are not permitted in C-1.

Nor does the proposal satisfy the Code's definition of a **Convenience Store**.

Section **1.15** requires that a convenience store serve "the neighborhood in which it is located," while the Code defines a neighborhood as an area consisting primarily of residential development. Although the appeal asserts that Buc-ee's serves the surrounding neighborhood, the evidence demonstrates precisely the opposite.

This proposal is designed and marketed as a regional tourism destination—not as a neighborhood convenience store.

At the grand opening of Buc-ee's Goodyear, Arizona location—a facility substantially identical to the proposal before you (approximately 74,000 square feet, 120 fueling positions, and approximately 165 restrooms)—the company's own store-opening manager described it as **"a destination,"** comparing the experience to visiting Disney World.

Media coverage documented hotels selling out during opening weekend while customers traveled from Oregon, Minnesota, Nevada, California, and numerous other states to visit the facility.

Likewise, figures Buc-ee's submitted to the City of Springfield, Missouri estimate approximately **six million annual customers**, with roughly **88% traveling more than 20 miles** to reach the store.

A business that markets itself as a regional, multi-state destination attracting travelers who drive hundreds of miles and reserve hotel rooms cannot reasonably be characterized as serving "the neighborhood in which it is located." The appeal's attempt to redefine the interstate corridor itself as the "neighborhood" finds no support in the Code.

The appeal's alternative argument—that Buc-ee's should be approved as a "similar use" under **§ 5.3.6(C)(1)**—fails for the same reason.

Section **5.3.6(E)** expressly prohibits any interpretation that:

- authorizes a use unless it is substantially similar to an allowed use;
- permits a use inconsistent with the purpose of the zoning district; or
- has the effect of amending, waiving, or abrogating any requirement established by the Code.

Reclassifying a prohibited gas station as a convenience store would effectively eliminate the Code's explicit exclusion of gas stations from C-1, precisely what **§ 5.3.6(E)** forbids.

The "similar use" provision exists to classify land uses not otherwise identified within the Code. Gas stations are already specifically identified—and specifically excluded from the C-1 district. Comparisons regarding trip generation or traffic volumes cannot override an express legislative exclusion.

This matter also deserves to be decided on a complete public record.

Determining the permitted use of a particular parcel through interpretation of the Land Development Code is a discretionary, quasi-judicial determination. Section **5.3.6(B)** expressly describes this process as requiring "analysis and comparison of various code provisions," rather than a purely ministerial review.

Indeed, the County itself stated in February 2026 that **a public hearing is required to determine the appropriate use classification** for a project of this nature.

The issues raised by this appeal—including whether this proposal serves a neighborhood, its anticipated traffic, water consumption, public safety implications, and overall compatibility with the district—cannot fairly be resolved solely through the applicant's written submissions.

If the Board is inclined to reverse the Director's determination, fundamental fairness requires a noticed public evidentiary hearing where all affected residents have an opportunity to present testimony and evidence.

Furthermore, the Code distinguishes between **C-1**, intended for neighborhood-scale commercial activity (**§ 4.4.1**), and **C-2**, intended for larger commercial activity (**§ 4.4.4**). Because gas stations are permitted in C-2—but not in C-1—the proper process for a regional interstate travel center is a rezoning to C-2 or review through a Special Use or Planned Unit Development (PUD), each requiring full public notice and hearing.

The application itself is also unreliable.

Beyond the legal deficiencies discussed above, the record repeatedly misstates both the Code and the underlying facts. Examples include:

- presenting a purported "complete" list of C-1 permitted uses while omitting Convenience Stores entirely;
- relying upon inconsistent methods for calculating fuel-area percentages;
- misstating landscaping requirements as 5 percent when the Code requires more.

These repeated inaccuracies further support upholding the Director's determination rather than reversing it on an incomplete and unreliable administrative record.

The appeal is also misleading in its comparison of Buc-ee's to conventional convenience stores such as Circle K.

Buc-ee's compares only its enclosed retail building while excluding its extensive fueling area, parking fields, and overall developed footprint. Yet under standard International Building Code site calculations and ordinary land-use analysis, the entire developed site—not merely the enclosed retail floor area—is relevant when evaluating project scale and impacts.

Using Buc-ee's own methodology consistently demonstrates the enormous disparity:

- **Circle K, 11769 US-24, Falcon: approximately 155,411 square feet when the entire developed property is measured.**
- **Buc-ee's Luling, Texas: approximately 624,245 square feet using the identical measurement methodology.**

Likewise:

- **Circle K, 613 Meadowbrook Parkway: approximately 76,557 square feet using Buc-ee's methodology.**
- **Buc-ee's Sevierville, Tennessee: approximately 728,025 square feet using that same methodology.**

Applying different measurement standards to Buc-ee's than to competing convenience stores creates a false equivalency. When measured consistently, Buc-ee's is many times larger than the facilities to which it compares itself.

Ultimately, Buc-ee's simply does not satisfy the Land Development Code's definition of a convenience store.

Monument Hill should not be transformed into a regional interstate fueling destination that serves travelers from across multiple states rather than the surrounding residential neighborhood envisioned by the C-1 district.

The public benefits asserted by the applicant are speculative, while the costs—including many hidden costs—will fall upon local residents and taxpayers. These include increased demands on roads, emergency services, infrastructure, and public resources.

Unfortunately, the applicant's repeated mischaracterizations of both the Code and the facts call into question the reliability of its representations. This proposal would place substantial and lasting burdens upon Monument Hill, including impacts to water resources, wildfire evacuation routes, emergency response capabilities, local infrastructure, Greenland Open Space, and additional concerns such as increased crime and human trafficking risks associated with major interstate travel centers.

For these reasons, I respectfully request that the Board:

- **Deny Buc-ee's appeal and uphold the Director's July 1, 2026 determination;**
- **Recognize that a facility with approximately 120 fueling positions is a gas station expressly excluded from the C-1 zoning district;**
- **Ensure that any further consideration occurs through a full public evidentiary process with meaningful community participation; and**
- **Require the applicant to pursue the appropriate zoning process, including rezoning to C-2 or Special Use/PUD review, with full public notice and hearing.**

The citizens of El Paso County deserve the opportunity to be heard before a land use expressly excluded from the C-1 district is effectively permitted through an administrative reinterpretation. I respectfully ask that you deny the appeal and uphold both the Director's determination and the integrity of the County's Land Development Code.

Respectfully,

Mike Stern
18970 Spring Valley Road
Wakonda Hills
Monument, CO 80132
El Paso County

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Jessica Merriam

From: Kylie Bagley
Sent: Thursday, July 9, 2026 3:13 PM
To: Jessica Merriam
Subject: Fw: Buc-ee's Appeal of Administrative Determination ADM264 — Please DENY the Appeal and Uphold the Director's July 1 Determination (C-1 Zone, I-25 & County Line Road / Beacon Lite Road)

Kylie Bagley
Principal Planner
Planning and Community Development
719.520.6323
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From: nancy <emash90@aol.com>
Sent: Thursday, July 9, 2026 2:12 PM
To: Holly Williams <HollyWilliams@elpasoco.com>; Carrie Geitner <CarrieGeitner@elpasoco.com>; Bill Wysong <BillWysong@elpasoco.com>; Cory Applegate <CoryApplegate@elpasoco.com>; Lauren Nelson <LaurenNelson@elpasoco.com>
Cc: Meggan Herington <MegganHerington@elpasoco.com>; Kenny Hodges <KennyHodges@elpasoco.com>; Kylie Bagley <KylieBagley@elpasoco.com>; governorpolis@state.co.us <governorpolis@state.co.us>; natasha_hutson@bennet.senate.gov <natasha_hutson@bennet.senate.gov>; jess_cohen@hickenlooper.senate.gov <jess_cohen@hickenlooper.senate.gov>; jarvis.caldwell.house@coleg.gov <jarvis.caldwell.house@coleg.gov>; matthew.smith1@mail.house.gov <matthew.smith1@mail.house.gov>; integritymatterscos@gmail.com <integritymatterscos@gmail.com>; contact@trilakespreservation.org <contact@trilakespreservation.org>; savannah.eller@gazette.com <savannah.eller@gazette.com>; Tony.Keith@koaa.com <tony.keith@koaa.com>; Noah.Caplan@koaa.com <noah.caplan@koaa.com>; EXTERNAL KOAA News <News@KOAA.com>; ASack@kxrm.com <asack@kxrm.com>; EXTERNAL Fox News <EXTERNALFoxNews@elpasoco.com>; EXTERNAL KKTV News <news@kktv.com>; achalfin@krcc.org <achalfin@krcc.org>; EXTERNAL KRCC News <news@krcc.org>; newstips@denver7.com <newstips@denver7.com>; newstips@9news.com <newstips@9news.com>; tips@kdvr.com <tips@kdvr.com>; jalvarado@denverpost.com <jalvarado@denverpost.com>; EXTERNAL Newsroom Denver <newsroom@denverpost.com>; oliviaprentzel@coloradosun.com <oliviaprentzel@coloradosun.com>; newsroom@coloradosun.com <newsroom@coloradosun.com>; Karin.Brulliard@washpost.com <karin.brulliard@washpost.com>; jim.carlton@wsj.com <jim.carlton@wsj.com>; news-tips@nytimes.com <news-tips@nytimes.com>; tips@cnn.com <tips@cnn.com>; tips@nbcuni.com <tips@nbcuni.com>; news.tips@abc.com <news.tips@abc.com>; LBergman@newsnationnow.com <lbergman@newsnationnow.com>; tips@thefp.com <tips@thefp.com>; talkshow@aol.com <talkshow@aol.com>
Subject: Buc-ee's Appeal of Administrative Determination ADM264 — Please DENY the Appeal and Uphold the Director's July 1 Determination (C-1 Zone, I-25 & County Line Road / Beacon Lite Road)

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Mark Safe Report El Paso County Digital, Strategy & Technology (DST)

Dear Commissioners:

On July 1, 2026, the Planning and Community Development Director declined to classify the proposed Buc-ee's — a 30-plus-acre interstate travel center — as a permitted "Convenience Store" in the C-1 zoning district, concluding that the use could not be determined to qualify under the Land Development Code. Buc-ee's has now appealed that determination to you. I ask you to deny the appeal and uphold the Director's determination.

This is not about whether Buc-ee's is a good business in the proper location. It is about the County's own Code, which answers the question the appeal raises.

1. **A gas station is not a permitted use in C-1.** Table 5-1 lists "Gas Station" as an allowed use in the CC, CR, CS, C-2, and M districts — but not in C-1. Under § 1.6.6 and § 5.3.6(C)(2), listing a use in some districts "shall be deemed to be an exclusion of the use from any other zoning district in which the use is not listed." A facility with 60 dispensers and 120 fueling positions is a gas station. "Convenience Store" and "Gas Station" are separately defined and separately listed uses; the convenience-store definition's "may include retail sale of gasoline" covers incidental fuel and cannot be used to place into C-1 a use the Code deliberately excluded from it. Read literally, as § 1.6.1 requires, **this use is prohibited in C-1.**

The appeal tries to escape this prohibition by misreading the Gas Station definition — three ways, all traceable to page 5 of the underlying request:

- First, it argues Buc-ee's is not a gas station because it "will not provide vehicle repairs, oil changes, accessory installation, [or] car washing." But § 1.15 does not require any of those services; it lists them as things a gas station "may include, as an incidental use." Their absence is irrelevant.
- Second, the appeal asserts the Code defines a gas station as a use "primarily oriented toward the petroleum fueling and servicing of motor vehicles" — a "primary orientation" requirement that appears nowhere in § 1.15.
- Third, it claims the definition "expressly limits retail activity to the incidental sale of vehicle accessories," which it does not. What actually defines a gas station under § 1.15 is the retail sale of gasoline and diesel for vehicles — which Buc-ee's plainly does, at 120 fueling positions. Read as the Code is written, this is a gas station, and gas stations are not allowed in C-1.

2. **The use does not meet the Code's "Convenience Store" definition.** That definition (§ 1.15) requires an establishment serving "the neighborhood in which it is located," and the Code defines a neighborhood as "primarily residential areas." The appeal represents that the store will serve the surrounding neighborhood. It will not. This project is a regional tourist destination, not a neighborhood store — and the company says so itself:

> At the grand opening of the company's recently opened Goodyear, Arizona travel center — a store identical to the one proposed here (74,000 square feet, 120 fueling positions and an estimate 165 toilets) — Buc-ee's own store-opening manager called it **"a destination," comparing it to Disney World** (*Arizona Daily Star, June 22, 2026*).
>
> *The Arizona Republic* reported that hotels nearest that store sold out for opening weekend, and the *Arizona Daily Star* documented customers driving in from Oregon, Minnesota, and other states, with Nevada and California plates filling the lot.
>
> According to figures Buc-ee's provided to the City of Springfield, Missouri, the company estimates **roughly six million customers a year,** with 88% traveling more than 20 miles to reach the store (City of Springfield official website; *Springfield Daily Citizen)*.
>
> A store the company itself markets as a multi-state destination, drawing customers who travel hundreds of miles and book hotels, does not serve "the neighborhood in which it is located." It cannot be shoehorned into the one C-1 use the appeal relies on. The appeal's answer — to redefine the interstate corridor itself as the "neighborhood" — is not what the Code says.

3. **The appeal's "similar use" fallback cannot rescue it either.** Buc-ee's argues in the alternative that its project is a "similar" permitted use under § 5.3.6.C.1. It is not available here. Section 5.3.6(E) is explicit: no interpretation may "authorize any use in a zoning district … unless … substantially similar to an allowed use," none may allow a use "inconsistent with the statement of purpose" of the district, and none may "have the effect of amending, abrogating, or waiving any other standard or requirement established by Code." Reclassifying a gas station into C-1 would abrogate the Code's express exclusion of gas stations from C-1 — exactly what § 5.3.6(E) forbids. And the "similar use" mechanism exists for uses the Code has not listed; a gas station is listed, and it is excluded from C-1. The appeal's trip-generation comparisons do not change this: similar traffic does not override an express exclusion.

4. **This decision belongs on a full public record — and the right path is a rezoning, not a reclassification.** Deciding the permitted use of a specific parcel by applying the Code's definitions to specific facts is a discretionary, quasi-judicial judgment — the Code's own § 5.3.6(B) describes it as an "analysis and comparison of various code provisions … as opposed to a nondiscretionary review." The County itself stated in February 2026 that "a public hearing is required to determine the use classification" for a project like this. The contested questions this appeal raises — whether a multi-state destination "serves the neighborhood," the traffic and water impacts of a facility of this scale — cannot fairly be resolved on the applicant's paper record. They should be decided by you, in public, on an evidentiary record, with the community heard. If the Board is inclined to entertain reversing the Director, a use classification of this magnitude cannot fairly be decided on the applicant's paper submissions alone; it requires a noticed public evidentiary hearing at which the community can be heard. And because the Code distinguishes C-1 ("commercial activities," § 4.4.1) from C-2 ("large commercial activities," § 4.4.4) — and allows gas stations in C-2 but not C-1 — the proper path for a regional interstate

fuel-and-retail center is a rezoning to C-2, or a special-use / PUD review, each with full notice and hearing.

5. **The application is also unreliable on its face**. Beyond the violations above, the record repeatedly misstates the Code and the facts — including a "full list of allowed C-1 uses" that omits Convenience Store, the very use it claims is permitted; fuel-footprint percentages calculated on shifting denominators; and a landscaping requirement misstated as 5% when the Code requires more. A record this flawed is one more reason the determination should be upheld and the matter tested on a full public record rather than reversed on appeal.

I respectfully request that the Board:

1. Deny Buc-ee's appeal and uphold the Director's July 1 determination;
2. Recognize that a 120-position fuel facility **is** a gas station, which the Code excludes from C-1;
3. Decide the appeal in public, on a full evidentiary record, with the community heard; and
4. Require the applicant to use the proper public process — a rezoning to C-2, or special-use / PUD review — with full notice and hearing.

The public is entitled to be heard before a use the Code excludes from C-1 is allowed in through the back door of an administrative determination. Please deny the appeal.

Respectfully

Nancy and Gerald Hemendinger
19240 Starwood Drive
Monument, Colorado 80132
[Your address / neighborhood, El Paso County]

Jessica Merriam

From: Kylie Bagley
Sent: Thursday, July 9, 2026 12:49 PM
To: Jessica Merriam
Subject: Fw: Objection to the Buc-ee's Appeal of Administrative Determination ADM264

Kylie Bagley
Principal Planner
Planning and Community Development
719.520.6323
www.elpasoco.com

From: Nikki Curtis <nmcurtis67@gmail.com>
Sent: Thursday, July 9, 2026 12:03 PM
To: Cory Curtis <cory.curtis@blazerelectricsupply.com>
Cc: Holly Williams <HollyWilliams@elpasoco.com>; Carrie Geitner <CarrieGeitner@elpasoco.com>; Bill Wysong <BillWysong@elpasoco.com>; Cory Applegate <CoryApplegate@elpasoco.com>; Lauren Nelson <LaurenNelson@elpasoco.com>; Meggan Herington <MegganHerington@elpasoco.com>; Kenny Hodges <KennyHodges@elpasoco.com>; Kylie Bagley <KylieBagley@elpasoco.com>; governorpolis@state.co.us <governorpolis@state.co.us>; natasha_hutson@bennet.senate.gov <natasha_hutson@bennet.senate.gov>; jess_cohen@hickenlooper.senate.gov <jess_cohen@hickenlooper.senate.gov>; jarvis.caldwell.house@coleg.gov <jarvis.caldwell.house@coleg.gov>; matthew.smith1@mail.house.gov <matthew.smith1@mail.house.gov>; integritymatterscos@gmail.com <integritymatterscos@gmail.com>; contact@trilakespreservation.org <contact@trilakespreservation.org>; savannah.eller@gazette.com <savannah.eller@gazette.com>; Tony.Keith@koaa.com <Tony.Keith@koaa.com>; Noah.Caplan@koaa.com <Noah.Caplan@koaa.com>; EXTERNAL KOAA News <News@KOAA.com>; ASack@kxrm.com <ASack@kxrm.com>; EXTERNAL Fox News <EXTERNALFoxNews@elpasoco.com>; EXTERNAL KKTV News <news@kktv.com>; achalfin@krcc.org <achalfin@krcc.org>; EXTERNAL KRCC News <news@krcc.org>; newstips@denver7.com <newstips@denver7.com>; newstips@9news.com <newstips@9news.com>; tips@kdvr.com <tips@kdvr.com>; jalvarado@denverpost.com <jalvarado@denverpost.com>; EXTERNAL Newsroom Denver <newsroom@denverpost.com>; oliviaprentzel@coloradosun.com <oliviaprentzel@coloradosun.com>; newsroom@coloradosun.com <newsroom@coloradosun.com>; Karin.Brulliard@washpost.com <Karin.Brulliard@washpost.com>; jim.carlton@wsj.com <jim.carlton@wsj.com>; news-tips@nytimes.com <news-tips@nytimes.com>; tips@cnn.com <tips@cnn.com>; tips@nbcuni.com <tips@nbcuni.com>; news.tips@abc.com <news.tips@abc.com>; LBergman@newsnationnow.com <LBergman@newsnationnow.com>; tips@thefp.com <tips@thefp.com>; talkshow@aol.com <talkshow@aol.com>; Nikki Curtis <nmcurtis67@gmail.com>
Subject: Re: Objection to the Buc-ee's Appeal of Administrative Determination ADM264

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Mark Safe Report El Paso County Digital, Strategy & Technology (DST)

Board of County Commissioners

RE: Denial of Buc-ee's Appeal of Administrative Determination ADM264

Dear Commissioners,

I am writing to respectfully request that the Board of County Commissioners **deny Buc-ee's appeal and uphold the Director's July 1 determination** regarding Administrative Determination ADM264.

The proposal for a 120-position fueling facility at I-25 and County Line Road / Beacon Lite Road clearly constitutes a gas station. Under our current County Code, gas stations are explicitly excluded from the C-1 Commercial Zone. Approving this appeal would bypass the clear intent and text of our local zoning regulations.

To ensure fairness and transparency for all parties involved, I urge the Board to take the following actions:

- **Uphold the Code:** Recognize that a fueling facility of this scale is fundamentally a gas station, which is not a permitted use in the C-1 zone.
- **Ensure Public Transparency:** Decide this appeal in public, based on a full evidentiary record, ensuring that the impacted community has a meaningful opportunity to be heard.
- **Require Proper Process:** Direct the applicant to utilize the appropriate public planning processes already established by the county—such as a request for rezoning to C-2, or a special-use / Planned Unit Development (PUD) review. This will guarantee full public notice and comprehensive hearings.

Thank you for your time, your leadership, and your continued commitment to upholding our county's zoning standards and protecting the integrity of our community.

Respectfully submitted,

Nikki Curtis
1615 Plowman Place, Monument, CO 80132
nmcurtis67@gmail.com
719.337.0593

Jessica Merriam

From: Kylie Bagley
Sent: Friday, July 10, 2026 3:04 PM
To: Jessica Merriam
Subject: Fw: Buc-ee's Appeal of Administrative Determination ADM264 — Please DENY the Appeal and Uphold the Director's July 1 Determination (C-1 Zone, I-25 & County Line Road / Beacon Lite Road

Kylie Bagley
Principal Planner
Planning and Community Development
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From: Patti Hettler <pahettler@gmail.com>
Sent: Friday, July 10, 2026 2:58 PM
To: Carrie Geitner <CarrieGeitner@elpasoco.com>; Bill Wysong <BillWysong@elpasoco.com>; Cory Applegate <CoryApplegate@elpasoco.com>; Lauren Nelson <LaurenNelson@elpasoco.com>; Kenny Hodges <KennyHodges@elpasoco.com>; Kylie Bagley <KylieBagley@elpasoco.com>; governorpolis@state.co.us <governorpolis@state.co.us>; natasha_hutson@bennet.senate.gov <natasha_hutson@bennet.senate.gov>; jess_cohen@hickenlooper.senate.gov <jess_cohen@hickenlooper.senate.gov>; jarvis.caldwell.house@coleg.gov <jarvis.caldwell.house@coleg.gov>; matthew.smith1@mail.house.gov <matthew.smith1@mail.house.gov>; integritymatterscos@gmail.com <integritymatterscos@gmail.com>; contact@trilakespreservation.org <contact@trilakespreservation.org>; savannah.eller@gazette.com <savannah.eller@gazette.com>; Tony.Keith@koaa.com <Tony.Keith@koaa.com>; Noah.Caplan@koaa.com <Noah.Caplan@koaa.com>; EXTERNAL KOAA News <News@KOAA.com>; ASack@kxrm.com <ASack@kxrm.com>; EXTERNAL Fox News <EXTERNALFoxNews@elpasoco.com>; EXTERNAL KKTV News <news@kktv.com>; achalfin@krcc.org <achalfin@krcc.org>; EXTERNAL KRCC News <news@krcc.org>; newstips@denver7.com <newstips@denver7.com>; newstips@9news.com <newstips@9news.com>; tips@kdvr.com <tips@kdvr.com>; jalvarado@denverpost.com <jalvarado@denverpost.com>; EXTERNAL Newsroom Denver <newsroom@denverpost.com>; oliviaprentzel@coloradosun.com <oliviaprentzel@coloradosun.com>; newsroom@coloradosun.com <newsroom@coloradosun.com>; Karin.Brulliard@washpost.com <Karin.Brulliard@washpost.com>; jim.carlton@wsj.com <jim.carlton@wsj.com>; news-tips@nytimes.com <news-tips@nytimes.com>; tips@cnn.com <tips@cnn.com>; tips@nbcuni.com <tips@nbcuni.com>; news.tips@abc.com <news.tips@abc.com>; LBergman@newsnationnow.com <LBergman@newsnationnow.com>; tips@thefp.com <tips@thefp.com>; talkshow@aol.com <talkshow@aol.com>
Subject: Buc-ee's Appeal of Administrative Determination ADM264 — Please DENY the Appeal and Uphold the Director's July 1 Determination (C-1 Zone, I-25 & County Line Road / Beacon Lite Road

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Dear Commissioners:

On July 1, 2026, the Planning and Community Development Director declined to classify the proposed Buc-ee's — a 30-plus-acre interstate travel center — as a permitted "Convenience Store" in the C-1 zoning district, concluding that the use could not be determined to qualify under the Land Development Code. Buc-ee's has now appealed that determination to you. I ask you to deny the appeal and uphold the Director's determination.

As a 35 year resident of the Monument area, I strongly oppose the proposed Buc-ee's as a permitted use in the C-1 zoning district, and I ask that this matter be referred to the Board of County Commissioners for a public hearing. The application asks the County to allow, by a closed-door administrative determination, a use the Land Development Code does not permit in C-1.

I have been following the proposed Buc-cee's being built off County Line Road and I-25. I have many concerns beginning with water. If there is no concern over water why is Palmer Lake and Monument/Woodmoor on water restrictions? Also, we had a very mild winter with little snow fall or rain over the last six months. Is it not a concern that our lakes and resevoirs may be extremely low?

My other concern is the location of where Buc-cee's want to build. Since Palmer Ridge High School is near the intersection of County Line Road and I-25 it is a major route for students, from the Palmer Lake and some Monument Locations, to get to the school using County Line Road. Should we not be concerned about the safety of these students? Traffic is bad enough on I-25 without

adding extra traffic not to mention the infastructure on County Line Road not being able to handle massive amounts of traffic.

Since we are on high fire danger another concern is safety regarding evacuations due to fires. County Line Road, I-25 and Highway 83 are major outlets for the people of the Tri-Lakes area. Added on and off traffic from Bucc-ee's on I-25 could impact evacuations and Highway 83 is only a two lane road causing serious issues for people trying to evacuate. This could also effect Colorado Springs residences if an evacuation is in progress. The thought of 120 gas pumps along a busy interstate does not make sense. We are usually under a no burn restrictions at least once a year! If a fire started around I-25 and County Line area it could put hundreds of people at risk.

Please put politics and money aside and concentrate on what is best for the people in the Tri-Lakes and Colorado Springs area.

This is not about whether Buc-ee's is a good business in the proper location. It is about the County's own Code, which answers the question the appeal raises.

1. A gas station is not a permitted use in C-1. Table 5-1 lists "Gas Station" as an allowed use in the CC, CR, CS, C-2, and M districts — but not in C-1. Under § 1.6.6 and § 5.3.6(C)(2), listing a use in some districts "shall be deemed to be an exclusion of the use from any other zoning district in which the use is not listed." A facility with 60 dispensers and 120 fueling positions is a gas station. "Convenience Store" and "Gas Station" are separately defined and separately listed uses; the convenience-store definition's "may include retail sale of gasoline" covers incidental fuel and cannot be used to place into C-1 a use the Code deliberately excluded from it. Read literally, as § 1.6.1 requires, this use is prohibited in C-1.

The appeal tries to escape this prohibition by misreading the Gas Station definition — three ways, all traceable to page 5 of the underlying request:

- First, it argues Buc-ee's is not a gas station because it "will not provide vehicle repairs, oil changes, accessory installation, [or] car washing." But § 1.15 does not require any of those services; it lists them as things a gas station "may include, as an incidental use." Their absence is irrelevant.

- Second, the appeal asserts the Code defines a gas station as a use "primarily oriented toward the petroleum fueling and servicing of motor vehicles" — a "primary orientation" requirement that appears nowhere in § 1.15.
- Third, it claims the definition "expressly limits retail activity to the incidental sale of vehicle accessories," which it does not. What actually defines a gas station under § 1.15 is the retail sale of gasoline and diesel for vehicles — which Buc-ee's plainly does, at 120 fueling positions. Read as the Code is written, this is a gas station, and gas stations are not allowed in C-1.

2. The use does not meet the Code's "Convenience Store" definition. That definition (§ 1.15) requires an establishment serving "the neighborhood in which it is located," and the Code defines a neighborhood as "primarily residential areas." The appeal represents that the store will serve the surrounding neighborhood. It will not. This project is a regional tourist destination, not a neighborhood store — and the company says so itself:

> At the grand opening of the company's recently opened Goodyear, Arizona travel center — a store identical to the one proposed here (74,000 square feet, 120 fueling positions and an estimate 165 toilets) — Buc-ee's own store-opening manager called it **"a destination," comparing it to Disney World** (*Arizona Daily Star, June 22, 2026*).
>
> *The Arizona Republic* reported that hotels nearest that store sold out for opening weekend, and the *Arizona Daily Star* documented customers driving in from Oregon, Minnesota, and other states, with Nevada and California plates filling the lot.
>
> According to figures Buc-ee's provided to the City of Springfield, Missouri, the company estimates **roughly six million customers a year,** with 88% traveling more than 20 miles to reach the store (City of Springfield official website; *Springfield Daily Citizen)*.
>
> A store the company itself markets as a multi-state destination, drawing customers who travel hundreds of miles and book hotels, does not serve "the neighborhood in which it is located." It cannot be shoehorned into the one C-1 use the appeal relies on. The appeal's answer — to redefine the interstate corridor itself as the "neighborhood" — is not what the Code says.

3. **The appeal's "similar use" fallback cannot rescue it either.** Buc-ee's argues in the alternative that its project is a "similar" permitted use under § 5.3.6.C.1. It is not available here. Section 5.3.6(E) is explicit: no interpretation may "authorize any use in a zoning district … unless … substantially similar to an allowed use," none may allow a use "inconsistent with the statement of purpose" of the district, and none may "have the effect of amending, abrogating, or waiving any other standard or requirement established by Code." Reclassifying a gas station into C-1 would abrogate the Code's express exclusion of gas stations from C-1 — exactly what § 5.3.6(E) forbids. And the "similar use" mechanism exists for uses the Code has not listed; a gas station is listed, and it is excluded from C-1. The appeal's trip-generation comparisons do not change this: similar traffic does not override an express exclusion.

4. **This decision belongs on a full public record — and the right path is a rezoning, not a reclassification.** Deciding the permitted use of a specific parcel by applying the Code's definitions to specific facts is a discretionary, quasi-judicial judgment — the Code's own § 5.3.6(B) describes it as an "analysis and comparison of various code provisions … as opposed to a nondiscretionary review." The County itself stated in February 2026 that "a public hearing is required to determine the use classification" for a project like this. The contested questions this appeal raises — whether a multi-state destination "serves the neighborhood," the traffic and

water impacts of a facility of this scale — cannot fairly be resolved on the applicant's paper record. They should be decided by you, in public, on an evidentiary record, with the community heard. If the Board is inclined to entertain reversing the Director, a use classification of this magnitude cannot fairly be decided on the applicant's paper submissions alone; it requires a noticed public evidentiary hearing at which the community can be heard. And because the Code distinguishes C-1 ("commercial activities," § 4.4.1) from C-2 ("large commercial activities," § 4.4.4) — and allows gas stations in C-2 but not C-1 — the proper path for a regional interstate fuel-and-retail center is a rezoning to C-2, or a special-use / PUD review, each with full notice and hearing.

5. **The application is also unreliable on its face**. Beyond the violations above, the record repeatedly misstates the Code and the facts — including a "full list of allowed C-1 uses" that omits Convenience Store, the very use it claims is permitted; fuel-footprint percentages calculated on shifting denominators; and a landscaping requirement misstated as 5% when the Code requires more. A record this flawed is one more reason the determination should be upheld and the matter tested on a full public record rather than reversed on appeal.

I respectfully request that the Board:

1. Deny Buc-ee's appeal and uphold the Director's July 1 determination;
2. Recognize that a 120-position fuel facility **is** a gas station, which the Code excludes from C-1;
3. Decide the appeal in public, on a full evidentiary record, with the community heard; and
4. Require the applicant to use the proper public process — a rezoning to C-2, or special-use / PUD review — with full notice and hearing.

The public is entitled to be heard before a use the Code excludes from C-1 is allowed in through the back door of an administrative determination. Please deny the appeal.

Respectfully

Patricia Hettler
1537 Acorn Way
Monument CO 80132
719-641-0476
pahettler@gmail.com

Jessica Merriam

From: Kylie Bagley
Sent: Thursday, July 9, 2026 8:43 AM
To: Jessica Merriam
Subject: Fw: Public Comment on APP261 / ADM264 — Request to Deny Buc-ee's Appeal

Kylie Bagley
Principal Planner
Planning and Community Development
719.520.6323
www.elpasoco.com

From: Patti Selvey <pattiselvey52@gmail.com>
Sent: Wednesday, July 8, 2026 6:48 PM
To: Holly Williams <HollyWilliams@elpasoco.com>; Carrie Geitner <CarrieGeitner@elpasoco.com>; Bill Wysong <BillWysong@elpasoco.com>; Cory Applegate <CoryApplegate@elpasoco.com>; Lauren Nelson <LaurenNelson@elpasoco.com>
Cc: Meggan Herington <MegganHerington@elpasoco.com>; Kenny Hodges <KennyHodges@elpasoco.com>; Kylie Bagley <KylieBagley@elpasoco.com>; mlakind@tomgov.org <mlakind@tomgov.org>; sking@tomgov.org <sking@tomgov.org>; sabbott@tomgov.org <sabbott@tomgov.org>; csmith@tomgov.org <csmith@tomgov.org>; lkronick@tomgov.org <lkronick@tomgov.org>; kkimple@tomgov.org <kkimple@tomgov.org>; mfiorito@tomgov.org <mfiorito@tomgov.org>; eharris@palmer-lake.org <eharris@palmer-lake.org>; rmoseley@palmer-lake.org <rmoseley@palmer-lake.org>; jmarble@palmer-lake.org <jmarble@palmer-lake.org>; mbeeson@palmer-lake.org <mbeeson@palmer-lake.org>; ajurka@palmer-lake.org <ajurka@palmer-lake.org>; governorpolis@state.co.us <governorpolis@state.co.us>; natasha_hutson@bennet.senate.gov <natasha_hutson@bennet.senate.gov>; jess_cohen@hickenlooper.senate.gov <jess_cohen@hickenlooper.senate.gov>; jarvis.caldwell.house@coleg.gov <jarvis.caldwell.house@coleg.gov>; matthew.smith1@mail.house.gov <matthew.smith1@mail.house.gov>; integritymatterscos@gmail.com <integritymatterscos@gmail.com>; contact@trilakespreservation.org <contact@trilakespreservation.org>; savannah.eller@gazette.com <savannah.eller@gazette.com>; Tony.Keith@koaa.com <Tony.Keith@koaa.com>; Noah.Caplan@koaa.com <Noah.Caplan@koaa.com>; EXTERNAL KOAA News <News@KOAA.com>; ASack@kxrm.com <ASack@kxrm.com>; EXTERNAL Fox News <EXTERNALFoxNews@elpasoco.com>; EXTERNAL KKTV News <news@kktv.com>; news@krdo.com <news@krdo.com>; achalfin@krcc.org <achalfin@krcc.org>; EXTERNAL KRCC News <news@krcc.org>; newstips@denver7.com <newstips@denver7.com>; newstips@9news.com <newstips@9news.com>; tips@kdvr.com <tips@kdvr.com>; jalvarado@denverpost.com <jalvarado@denverpost.com>; EXTERNAL Newsroom Denver <newsroom@denverpost.com>; oliviaprentzel@coloradosun.com <oliviaprentzel@coloradosun.com>; newsroom@coloradosun.com <newsroom@coloradosun.com>; Karin.Brulliard@washpost.com <Karin.Brulliard@washpost.com>; jim.carlton@wsj.com <jim.carlton@wsj.com>; news-tips@nytimes.com <news-tips@nytimes.com>; tips@cnn.com <tips@cnn.com>; tips@nbcuni.com <tips@nbcuni.com>; news.tips@abc.com <news.tips@abc.com>; LBergman@newsnationnow.com <LBergman@newsnationnow.com>; tips@thefp.com <tips@thefp.com>; talkshow@aol.com <talkshow@aol.com>
Subject: Public Comment on APP261 / ADM264 — Request to Deny Buc-ee's Appeal

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Mark Safe Report El Paso County Digital, Strategy & Technology (DST)

Dear Commissioners:

I respectfully request that the Board deny Buc-ee's appeal in file APP261 and uphold the Planning and Community Development Director's July 1 determination in ADM264.

I understand that this appeal presents a limited question: whether the proposed Buc-ee's use is allowed in the C-1 zoning district as a "Convenience Store," or is sufficiently similar to an allowed use to be treated as one. This is not a request that the Board decide every potential impact of the proposed development. It is a request that the Board apply the existing Land Development Code without expanding an allowed-use classification beyond its reasonable meaning.

1. The Code separately identifies convenience stores and gas stations.

The Land Development Code separately defines and regulates "Convenience Store" and "Gas Station." A gas station is defined by the retail sale of gasoline, diesel or other vehicle fuel. The proposed facility would contain approximately 60 dispensers and 120 fueling positions and would plainly engage in retail vehicle-fuel sales on an extraordinary scale.

The C-1 use table allows convenience stores but does not list gas stations. Section 1.6.6 provides that listing a use as permitted in certain zoning districts excludes that use from districts in which it is not listed. Gas stations are listed in other commercial and industrial districts, but not in C-1.

The convenience-store definition states that a convenience store may include retail gasoline sales. That language should be read together with—not in a way that eliminates—the Code's separate gas-station definition and use-table classifications. Otherwise, virtually any fuel facility could become a C-1 convenience store merely by adding a sufficiently large retail building.

The Board should therefore consider the project's actual function, not simply the applicant's preferred label.

2. The proposal does not reasonably fit the neighborhood-serving element of the convenience-store definition.

The Code describes a convenience store as serving the neighborhood in which it is located. Buc-ee's proposes an approximately 74,000-square-foot facility with 120 fueling positions and hundreds of parking spaces at an interstate interchange.

Those characteristics indicate a regional interstate destination rather than a store principally serving the surrounding neighborhood. The question is not whether some nearby residents might shop there. The question is whether the proposed use, considered as a whole, reasonably fits the Code's neighborhood-serving convenience-store classification.

Treating an interstate corridor and its regional travelers as the relevant "neighborhood" would expand that term far beyond its ordinary land-use meaning.

3. The similar-use provision should not override the express exclusion of gas stations from C-1.

The applicant alternatively argues that the proposal is sufficiently similar to a permitted C-1 use. But a similar-use interpretation should not be used to accomplish indirectly what the use table does not permit directly.

The Code already recognizes and defines gas stations. Because gas stations are expressly listed in some districts and omitted from C-1, the similar-use process should not be used to reclassify a large fuel-centered operation as a convenience store.

The proposed project's scale, parking demand, fueling capacity, operating characteristics and regional orientation are also relevant to whether it is substantially similar in character and intensity to uses reasonably contemplated in C-1.

4. Denying the appeal would not prohibit Buc-ee's from pursuing the appropriate public process.

A denial would establish only that this particular proposal cannot proceed as a permitted C-1 convenience store based on the present record. Buc-ee's could pursue an applicable discretionary land-use process identified by county staff, potentially including rezoning or another process involving appropriate notice, technical review and public participation.

That approach would preserve the distinction between interpreting the existing Code and effectively changing the range of uses allowed in C-1.

For these reasons, I respectfully ask the Board to:

1. Deny the appeal in APP261;
2. Uphold the Director's determination in ADM264;
3. Find that the proposed use has not been shown to qualify as a C-1 convenience store or substantially similar permitted use; and
4. Require any further proposal to proceed through the applicable discretionary land-use process.

Thank you for considering this comment and including it in the official record.

Respectfully,
Patricia M. Selvey
Monument, CO

Jessica Merriam

From: Kylie Bagley
Sent: Wednesday, July 8, 2026 8:24 AM
To: Jessica Merriam
Subject: Fw: Public Comment on APP261 / ADM264 — Request to Deny Buc-ee's Appeal

Kylie Bagley
Principal Planner
Planning and Community Development
719.520.6323
www.elpasoco.com

From: Paul Lee <paullee.1990@gmail.com>
Sent: Tuesday, July 7, 2026 4:43 PM
To: Holly Williams <HollyWilliams@elpasoco.com>; Carrie Geitner <CarrieGeitner@elpasoco.com>; Bill Wysong <BillWysong@elpasoco.com>; Cory Applegate <CoryApplegate@elpasoco.com>; Lauren Nelson <LaurenNelson@elpasoco.com>
Cc: Meggan Herington <MegganHerington@elpasoco.com>; Kenny Hodges <KennyHodges@elpasoco.com>; Kylie Bagley <KylieBagley@elpasoco.com>; mlakind@tomgov.org <mlakind@tomgov.org>; sking@tomgov.org <sking@tomgov.org>; sabbott@tomgov.org <sabbott@tomgov.org>; csmith@tomgov.org <csmith@tomgov.org>; lkronick@tomgov.org <lkronick@tomgov.org>; kkimple@tomgov.org <kkimple@tomgov.org>; mfiorito@tomgov.org <mfiorito@tomgov.org>; eharris@palmer-lake.org <eharris@palmer-lake.org>; rmoseley@palmer-lake.org <rmoseley@palmer-lake.org>; jmarble@palmer-lake.org <jmarble@palmer-lake.org>; mbeeson@palmer-lake.org <mbeeson@palmer-lake.org>; ajurka@palmer-lake.org <ajurka@palmer-lake.org>; governorpolis@state.co.us <governorpolis@state.co.us>; natasha_hutson@bennet.senate.gov <natasha_hutson@bennet.senate.gov>; jess_cohen@hickenlooper.senate.gov <jess_cohen@hickenlooper.senate.gov>; jarvis.caldwell.house@coleg.gov <jarvis.caldwell.house@coleg.gov>; matthew.smith1@mail.house.gov <matthew.smith1@mail.house.gov>; integritymatterscos@gmail.com <integritymatterscos@gmail.com>; contact@trilakespreservation.org <contact@trilakespreservation.org>; savannah.eller@gazette.com <savannah.eller@gazette.com>; Tony.Keith@koaa.com <Tony.Keith@koaa.com>; Noah.Caplan@koaa.com <Noah.Caplan@koaa.com>; EXTERNAL KOAA News <News@KOAA.com>; ASack@kxrm.com <ASack@kxrm.com>; EXTERNAL Fox News <EXTERNALFoxNews@elpasoco.com>; EXTERNAL KKTV News <news@kktv.com>; news@krdo.com <news@krdo.com>; achalfin@krcc.org <achalfin@krcc.org>; EXTERNAL KRCC News <news@krcc.org>; newstips@denver7.com <newstips@denver7.com>; newstips@9news.com <newstips@9news.com>; tips@kdvr.com <tips@kdvr.com>; jalvarado@denverpost.com <jalvarado@denverpost.com>; EXTERNAL Newsroom Denver <newsroom@denverpost.com>; oliviaprentzel@coloradosun.com <oliviaprentzel@coloradosun.com>; newsroom@coloradosun.com <newsroom@coloradosun.com>; Karin.Brulliard@washpost.com <Karin.Brulliard@washpost.com>; jim.carlton@wsj.com <jim.carlton@wsj.com>; news-tips@nytimes.com <news-tips@nytimes.com>; tips@cnn.com <tips@cnn.com>; tips@nbcuni.com <tips@nbcuni.com>; news.tips@abc.com <news.tips@abc.com>; LBergman@newsnationnow.com <LBergman@newsnationnow.com>; tips@thefp.com <tips@thefp.com>; talkshow@aol.com <talkshow@aol.com>
Subject: Public Comment on APP261 / ADM264 — Request to Deny Buc-ee's Appeal

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Mark Safe Report El Paso County Digital, Strategy & Technology (DST)

Dear Commissioners:

I respectfully request that the Board deny Buc-ee's appeal in file APP261 and uphold the Planning and Community Development Director's July 1 determination in ADM264.

I understand that this appeal presents a limited question: whether the proposed Buc-ee's use is allowed in the C-1 zoning district as a "Convenience Store," or is sufficiently similar to an allowed use to be treated as one. This is not a request that the Board decide every potential impact of the proposed development. It is a request that the Board apply the existing Land Development Code without expanding an allowed-use classification beyond its reasonable meaning.

1. The Code separately identifies convenience stores and gas stations.

The Land Development Code separately defines and regulates "Convenience Store" and "Gas Station." A gas station is defined by the retail sale of gasoline, diesel or other vehicle fuel. The proposed facility would contain approximately 60 dispensers and 120 fueling positions and would plainly engage in retail vehicle-fuel sales on an extraordinary scale.

The C-1 use table allows convenience stores but does not list gas stations. Section 1.6.6 provides that listing a use as permitted in certain zoning districts excludes that use from districts in which it is not listed. Gas stations are listed in other commercial and industrial districts, but not in C-1.

The convenience-store definition states that a convenience store may include retail gasoline sales. That language should be read together with—not in a way that eliminates—the Code's separate gas-station definition and use-table classifications. Otherwise, virtually any fuel facility could become a C-1 convenience store merely by adding a sufficiently large retail building.

The Board should therefore consider the project's actual function, not simply the applicant's preferred label.

2. The proposal does not reasonably fit the neighborhood-serving element of the convenience-store definition.

The Code describes a convenience store as serving the neighborhood in which it is located. Buc-ee's proposes an approximately 74,000-square-foot facility with 120 fueling positions and hundreds of parking spaces at an interstate interchange.

Those characteristics indicate a regional interstate destination rather than a store principally serving the surrounding neighborhood. The question is not whether some nearby residents might shop there. The question is whether the proposed use, considered as a whole, reasonably fits the Code's neighborhood-serving convenience-store classification.

Treating an interstate corridor and its regional travelers as the relevant "neighborhood" would expand that term far beyond its ordinary land-use meaning.

3. The similar-use provision should not override the express exclusion of gas stations from C-1.

The applicant alternatively argues that the proposal is sufficiently similar to a permitted C-1 use. But a similar-use interpretation should not be used to accomplish indirectly what the use table does not permit directly.

The Code already recognizes and defines gas stations. Because gas stations are expressly listed in some districts and omitted from C-1, the similar-use process should not be used to reclassify a large fuel-centered operation as a convenience store.

The proposed project's scale, parking demand, fueling capacity, operating characteristics and regional orientation are also relevant to whether it is substantially similar in character and intensity to uses reasonably contemplated in C-1.

4. Denying the appeal would not prohibit Buc-ee's from pursuing the appropriate public process.

A denial would establish only that this particular proposal cannot proceed as a permitted C-1 convenience store based on the present record. Buc-ee's could pursue an applicable discretionary land-use process identified by county staff, potentially including rezoning or another process involving appropriate notice, technical review and public participation.

That approach would preserve the distinction between interpreting the existing Code and effectively changing the range of uses allowed in C-1.

For these reasons, I respectfully ask the Board to:

1. Deny the appeal in APP261;
2. Uphold the Director's determination in ADM264;
3. Find that the proposed use has not been shown to qualify as a C-1 convenience store or substantially similar permitted use; and
4. Require any further proposal to proceed through the applicable discretionary land-use process.

Thank you for considering this comment and including it in the official record.

Respectfully,
Paul J. Lee
Monument, Colorado

--
Paul J. Lee
University of Maryland, Class of 2013
paullee.1990@gmail.com
410.624.6328

Jessica Merriam

From: Kylie Bagley
Sent: Monday, July 13, 2026 9:14 AM
To: Jessica Merriam
Subject: Fw: Re; Buc-ee's appeal of administrative determination ADM264- PLEASE DENY

Kylie Bagley
Principal Planner
Planning and Community Development
719.520.6323
www.elpasoco.com

From: Rachael Bauer <ornursermb@gmail.com>
Sent: Sunday, July 12, 2026 11:50 AM
To: Carrie Geitner <CarrieGeitner@elpasoco.com>; Bill Wysong <BillWysong@elpasoco.com>; Cory Applegate <CoryApplegate@elpasoco.com>; Kenny Hodges <KennyHodges@elpasoco.com>; Kylie Bagley <KylieBagley@elpasoco.com>; governorpolis@state.co.us <governorpolis@state.co.us>; natasha_hutson@bennet.senate.gov <natasha_hutson@bennet.senate.gov>; jess_cohen@hickenlooper.senate.gov <jess_cohen@hickenlooper.senate.gov>; jarvis.caldwell.house@coleg.gov <jarvis.caldwell.house@coleg.gov>; matthew.smith1@mail.house.gov <matthew.smith1@mail.house.gov>; integritymatterscos@gmail.com <integritymatterscos@gmail.com>; contact@trilakespreservation.org <contact@trilakespreservation.org>; savannah.eller@gazette.com <savannah.eller@gazette.com>; Tony.Keith@koaa.com <Tony.Keith@koaa.com>; Noah.Caplan@koaa.com <Noah.Caplan@koaa.com>; EXTERNAL KOAA News <News@KOAA.com>; ASack@kxrm.com <ASack@kxrm.com>; EXTERNAL Fox News <EXTERNALFoxNews@elpasoco.com>; EXTERNAL KKTV News <news@kktv.com>; achalfin@krcc.org <achalfin@krcc.org>; EXTERNAL KRCC News <news@krcc.org>; newstips@denver7.com <newstips@denver7.com>; newstips@9news.com <newstips@9news.com>; tips@kdvr.com <tips@kdvr.com>; jalvarado@denverpost.com <jalvarado@denverpost.com>; EXTERNAL Newsroom Denver <newsroom@denverpost.com>; oliviaprentzel@coloradosun.com <oliviaprentzel@coloradosun.com>; newsroom@coloradosun.com <newsroom@coloradosun.com>; Karin.Brulliard@washpost.com <Karin.Brulliard@washpost.com>; jim.carlton@wsj.com <jim.carlton@wsj.com>; news-tips@nytimes.com <news-tips@nytimes.com>; tips@cnn.com <tips@cnn.com>; tips@nbcuni.com <tips@nbcuni.com>; news.tips@abc.com <news.tips@abc.com>; LBergman@newsnationnow.com <LBergman@newsnationnow.com>
Subject: Re; Buc-ee's appeal of administrative determination ADM264- PLEASE DENY

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Mark Safe Report El Paso County Digital, Strategy & Technology (DST)

Re: Buc-ee's Appeal of Administrative Determination ADM264 — Please DENY the Appeal and Uphold the Director's July 1 Determination (C-1 Zone, I-25 & County Line Road / Beacon Lite Road)

Dear Commissioners:

On July 1, 2026, the Planning and Community Development Director declined to classify the proposed Buc-ee's — a 30-plus-acre interstate travel center — as a permitted "Convenience Store" in the C-1 zoning district, concluding that the use could not be determined to qualify under the Land Development Code. Buc-ee's has now appealed that determination to you. I ask you to deny the appeal and uphold the Director's determination.

This is not about whether Buc-ee's is a good business in the proper location. It is about the County's own Code, which answers the question the appeal raises.

1. **A gas station is not a permitted use in C-1.** Table 5-1 lists "Gas Station" as an allowed use in the CC, CR, CS, C-2, and M districts — but not in C-1. Under § 1.6.6 and § 5.3.6(C)(2), listing a use in some districts "shall be deemed to be an exclusion of the use from any other zoning district in which the use is not listed." A facility with 60 dispensers and 120 fueling positions is a gas station. "Convenience Store" and "Gas Station" are separately defined and separately listed uses; the convenience-store definition's "may include retail sale of gasoline" covers incidental fuel and cannot be used to place into C-1 a use the Code deliberately excluded from it. Read literally, as § 1.6.1 requires, **this use is prohibited in C-1.**

The appeal tries to escape this prohibition by misreading the Gas Station definition — three ways, all traceable to page 5 of the underlying request:

- First, it argues Buc-ee's is not a gas station because it "will not provide vehicle repairs, oil changes, accessory installation, [or] car washing." But § 1.15 does not require any of those services; it lists them as things a gas station "may include, as an incidental use." Their absence is irrelevant.
- Second, the appeal asserts the Code defines a gas station as a use "primarily oriented toward the petroleum fueling and servicing of motor vehicles" — a "primary orientation" requirement that appears nowhere in § 1.15.
- Third, it claims the definition "expressly limits retail activity to the incidental sale of vehicle accessories," which it does not. What actually defines a gas station under § 1.15 is the retail sale of gasoline and diesel for vehicles — which Buc-ee's plainly does, at 120 fueling positions. Read as the Code is written, this is a gas station, and gas stations are not allowed in C-1.

2. **The use does not meet the Code's "Convenience Store" definition.** That definition (§ 1.15) requires an establishment serving "the neighborhood in which it is located," and the Code defines a neighborhood as "primarily residential areas." The appeal represents that the store will serve the surrounding neighborhood. It will not. This project is a regional tourist destination, not a neighborhood store — and the company says so itself:

> At the grand opening of the company's recently opened Goodyear, Arizona travel center — a store identical to the one proposed here (74,000 square feet, 120 fueling positions and an estimate 165 toilets) — Buc-ee's own store-opening

manager called it **"a destination," comparing it to Disney World** (*Arizona Daily Star, June 22, 2026*).
The Arizona Republic reported that hotels nearest that store sold out for opening weekend, and the *Arizona Daily Star* documented customers driving in from Oregon, Minnesota, and other states, with Nevada and California plates filling the lot.
According to figures Buc-ee's provided to the City of Springfield, Missouri, the company estimates **roughly six million customers a year,** with 88% traveling more than 20 miles to reach the store (City of Springfield official website; *Springfield Daily Citizen)*.
A store the company itself markets as a multi-state destination, drawing customers who travel hundreds of miles and book hotels, does not serve "the neighborhood in which it is located." It cannot be shoehorned into the one C-1 use the appeal relies on. The appeal's answer — to redefine the interstate corridor itself as the "neighborhood" — is not what the Code says.

3. **The appeal's "similar use" fallback cannot rescue it either.** Buc-ee's argues in the alternative that its project is a "similar" permitted use under § 5.3.6.C.1. It is not available here. Section 5.3.6(E) is explicit: no interpretation may "authorize any use in a zoning district … unless … substantially similar to an allowed use," none may allow a use "inconsistent with the statement of purpose" of the district, and none may "have the effect of amending, abrogating, or waiving any other standard or requirement established by Code." Reclassifying a gas station into C-1 would abrogate the Code's express exclusion of gas stations from C-1 — exactly what § 5.3.6(E) forbids. And the "similar use" mechanism exists for uses the Code has not listed; a gas station is listed, and it is excluded from C-1. The appeal's trip-generation comparisons do not change this: similar traffic does not override an express exclusion.
4. **This decision belongs on a full public record — and the right path is a rezoning, not a reclassification.** Deciding the permitted use of a specific parcel by applying the Code's definitions to specific facts is a discretionary, quasi-judicial judgment — the Code's own § 5.3.6(B) describes it as an "analysis and comparison of various code provisions … as opposed to a nondiscretionary review." The County itself stated in February 2026 that "a public hearing is required to determine the use classification" for a project like this. The contested questions this appeal raises — whether a multi-state destination "serves the neighborhood," the traffic and water impacts of a facility of this scale — cannot fairly be resolved on the applicant's paper record. They should be decided by you, in public, on an evidentiary record, with the community heard. If the Board is inclined to entertain reversing the Director, a use classification of this magnitude cannot fairly be decided on the applicant's paper submissions alone; it requires a noticed public evidentiary hearing at which the community can be heard. And because the Code distinguishes C-1 ("commercial activities," § 4.4.1) from C-2 ("large commercial activities," § 4.4.4) — and allows gas stations in C-2 but not C-1 — the proper path for a regional interstate fuel-and-retail center is a rezoning to C-2, or a special-use / PUD review, each with full notice and hearing.
5. **The application is also unreliable on its face**. Beyond the violations above, the record repeatedly misstates the Code and the facts — including a "full list of allowed C-1 uses" that omits Convenience Store, the very use it claims is permitted; fuel-footprint percentages calculated on shifting denominators; and a landscaping requirement misstated as 5% when the Code requires more. A record this flawed is one more reason the determination should be upheld and the matter tested on a full public record rather than reversed on appeal.

I respectfully request that the Board:

1. Deny Buc-ee's appeal and uphold the Director's July 1 determination;
2. Recognize that a 120-position fuel facility **is** a gas station, which the Code excludes from C-1;
3. Decide the appeal in public, on a full evidentiary record, with the community heard; and
4. Require the applicant to use the proper public process — a rezoning to C-2, or special-use / PUD review — with full notice and hearing.

The public is entitled to be heard before a use the Code excludes from C-1 is allowed in through the back door of an administrative determination. Please deny the appeal.

Respectfully,
Rachael Bauer

Jessica Merriam

From: Kylie Bagley
Sent: Wednesday, July 8, 2026 8:26 AM
To: Jessica Merriam
Subject: Fw: Request to deny Buc-ee's re Determination ADM264

Kylie Bagley
Principal Planner
Planning and Community Development
719.520.6323
www.elpasoco.com

From: Scott Towne <jscotttowne@gmail.com>
Sent: Tuesday, July 7, 2026 6:04 PM
To: Holly Williams <HollyWilliams@elpasoco.com>; Carrie Geitner <CarrieGeitner@elpasoco.com>; Bill Wysong <BillWysong@elpasoco.com>; Cory Applegate <CoryApplegate@elpasoco.com>; Lauren Nelson <LaurenNelson@elpasoco.com>
Cc: EXTERNAL Fox News <EXTERNALFoxNews@elpasoco.com>; Meggan Herington <MegganHerington@elpasoco.com>; Kenny Hodges <KennyHodges@elpasoco.com>; Kylie Bagley <KylieBagley@elpasoco.com>; mlakind@tomgov.org <mlakind@tomgov.org>; sking@tomgov.org <sking@tomgov.org>; sabbott@tomgov.org <sabbott@tomgov.org>; csmith@tomgov.org <csmith@tomgov.org>; lkronick@tomgov.org <lkronick@tomgov.org>; kkimple@tomgov.org <kkimple@tomgov.org>; mfiorito@tomgov.org <mfiorito@tomgov.org>; eharris@palmer-lake.org <eharris@palmer-lake.org>; rmoseley@palmer-lake.org <rmoseley@palmer-lake.org>; jmarble@palmer-lake.org <jmarble@palmer-lake.org>; mbeeson@palmer-lake.org <mbeeson@palmer-lake.org>; ajurka@palmer-lake.org <ajurka@palmer-lake.org>; governorpolis@state.co.us <governorpolis@state.co.us>; natasha_hutson@bennet.senate.gov <natasha_hutson@bennet.senate.gov>; jess_cohen@hickenlooper.senate.gov <jess_cohen@hickenlooper.senate.gov>; jarvis.caldwell.house@coleg.gov <jarvis.caldwell.house@coleg.gov>; matthew.smith1@mail.house.gov <matthew.smith1@mail.house.gov>; integritymatterscos@gmail.com <integritymatterscos@gmail.com>; Tri-Lakes Preservation, Inc. <contact@trilakespreservation.org>; savannah.eller@gazette.com <savannah.eller@gazette.com>; Tony.Keith@koaa.com <Tony.Keith@koaa.com>; Noah.Caplan@koaa.com <Noah.Caplan@koaa.com>; EXTERNAL KOAA News <News@KOAA.com>; ASack@kxrm.com <ASack@kxrm.com>; EXTERNAL KKTV News <news@kktv.com>; news@krdo.com <news@krdo.com>; achalfin@krcc.org <achalfin@krcc.org>; EXTERNAL KRCC News <news@krcc.org>; newstips@denver7.com <newstips@denver7.com>; newstips@9news.com <newstips@9news.com>; tips@kdvr.com <tips@kdvr.com>; jalvarado@denverpost.com <jalvarado@denverpost.com>; EXTERNAL Newsroom Denver <newsroom@denverpost.com>; oliviaprentzel@coloradosun.com <oliviaprentzel@coloradosun.com>; newsroom@coloradosun.com <newsroom@coloradosun.com>; Karin.Brulliard@washpost.com <Karin.Brulliard@washpost.com>; jim.carlton@wsj.com <jim.carlton@wsj.com>; news-tips@nytimes.com <news-tips@nytimes.com>; tips@cnn.com <tips@cnn.com>; tips@nbcuni.com <tips@nbcuni.com>; news.tips@abc.com <news.tips@abc.com>; LBergman@newsnationnow.com <LBergman@newsnationnow.com>; tips@thefp.com <tips@thefp.com>
Subject: Request to deny Buc-ee's re Determination ADM264

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- This is their first mail to some recipients.

Mark Safe Report El Paso County Digital, Strategy & Technology (DST)

Dear Commissioners:

On July 1, 2026, the Planning and Community Development Director declined to classify the proposed Buc-ee's — a 30-plus-acre interstate travel center — as a permitted "Convenience Store" in the C-1 zoning district, concluding that the use could not be determined to qualify under the Land Development Code. Buc-ee's has now appealed that determination to you. I ask you to deny the appeal and uphold the Director's determination.

This is not about whether Buc-ee's is a good business in the proper location. It is about the County's own Code, which answers the question the appeal raises.

1.
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4. **gas station is not a permitted use in C-1.**
5. Table 5-1 lists "Gas Station" as an allowed use in the CC, CR, CS, C-2, and M districts — but not in C-1. Under § 1.6.6 and § 5.3.6(C)(2), listing a use in some districts "shall be deemed to be an exclusion of the use from any other zoning district in which
6. the use is not listed." A facility with 60 dispensers and 120 fueling positions is a gas station. "Convenience Store" and "Gas Station" are separately defined and separately listed uses; the convenience-store definition's "may include retail sale of gasoline"
7. covers incidental fuel and cannot be used to place into C-1 a use the Code deliberately excluded from it. Read literally, as § 1.6.1 requires,
8. **this**
9. **use is prohibited in C-1.**
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The appeal tries to escape this prohibition by misreading the Gas Station definition — three ways, all traceable to page 5 of the underlying request:

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- First,
- it argues Buc-ee's is not a gas station because it "will not provide vehicle repairs, oil changes, accessory installation, [or] car washing." But § 1.15 does not require any of those services; it lists them as things a gas station "may include, as an incidental
- use." Their absence is irrelevant.
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- Second,
- the appeal asserts the Code defines a gas station as a use "primarily oriented toward the petroleum fueling and servicing of motor vehicles" — a "primary orientation" requirement that appears nowhere in § 1.15.
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- Third,
- it claims the definition "expressly limits retail activity to the incidental sale of vehicle accessories," which it does not. What actually defines a gas station under § 1.15 is the retail sale of gasoline and diesel for vehicles — which Buc-ee's plainly does,
- at 120 fueling positions. Read as the Code is written, this is a gas station, and gas stations are not allowed in C-1.
-

2.
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5. **use does not meet the Code's "Convenience Store" definition.**
6. That definition (§ 1.15) requires an establishment serving "the neighborhood in which it is located," and the Code defines a neighborhood as "primarily residential areas." The appeal represents that the store will serve the surrounding neighborhood. It will
7. not. This project is a regional tourist destination, not a neighborhood store — and the company says so itself:
8.

At the grand opening of the company's recently opened Goodyear, Arizona travel center — a store identical to the one proposed here (74,000 square feet, 120 fueling positions and an estimate 165 toilets) — Buc-ee's own store-opening manager called it **"a destination," comparing it to Disney World** (*Arizona Daily Star, June 22, 2026*).

The Arizona Republic reported that hotels nearest that store sold out for opening weekend, and the *Arizona Daily Star* documented customers driving in from Oregon, Minnesota, and other states, with Nevada and California plates filling the lot.

According to figures Buc-ee's provided to the City of Springfield, Missouri, the company estimates **roughly six million customers a year,** with 88% traveling more than 20 miles to reach the store (City of Springfield official website; *Springfield Daily Citizen)*.

A store the company itself markets as a multi-state destination, drawing customers who travel hundreds of miles and book hotels, does not serve "the neighborhood in which it is located." It cannot be shoehorned into the one C-1 use the appeal relies on. The appeal's answer — to redefine the interstate corridor itself as the "neighborhood" — is not what the Code says.

3.
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6. **appeal's "similar use" fallback cannot rescue it either.**
7. Buc-ee's argues in the alternative that its project is a "similar" permitted use under § 5.3.6.C.1. It is not available here. Section 5.3.6(E) is explicit: no interpretation may "authorize any use in a zoning district … unless … substantially similar to an
8. allowed use," none may allow a use "inconsistent with the statement of purpose" of the district, and none may "have the effect of amending, abrogating, or waiving any other standard or requirement established by Code." Reclassifying a gas station into C-1
9. would abrogate the Code's express exclusion of gas stations from C-1 — exactly what § 5.3.6(E) forbids. And the "similar use" mechanism exists for uses the Code has not listed; a gas station is listed, and it is excluded from C-1. The appeal's trip-generation
10. comparisons do not change this: similar traffic does not override an express exclusion.
11.

4.
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6. This
7. **decision belongs on a full public record — and the right path is a rezoning, not a reclassification.**
8. Deciding the permitted use of a specific parcel by applying the Code's definitions to specific facts is a discretionary, quasi-judicial judgment — the Code's own § 5.3.6(B) describes it as an "analysis and comparison of various code provisions … as opposed

to a nondiscretionary review." The County itself stated in February 2026 that "a public hearing is required to determine the use classification" for a project like this. The contested questions this appeal raises — whether a multi-state destination "serves the neighborhood," the traffic and water impacts of a facility of this scale — cannot fairly be resolved on the applicant's paper record. They should be decided by you, in public, on an evidentiary record, with the community heard. If the Board is inclined to entertain reversing the Director, a use classification of this magnitude cannot fairly be decided on the applicant's paper submissions alone; it requires a noticed public evidentiary hearing at which the community can be heard. And because the Code distinguishes C-1 ("commercial activities," § 4.4.1) from C-2 ("large commercial activities," § 4.4.4) — and allows gas stations in C-2 but not C-1 — the proper path for a regional interstate fuel-and-retail center is a rezoning to C-2, or a special-use / PUD review, each with full notice and hearing.

The application is also unreliable on its face.

Beyond the violations above, the record repeatedly misstates the Code and the facts — including a "full list of allowed C-1 uses" that omits Convenience Store, the very use it claims is permitted; fuel-footprint percentages calculated on shifting denominators; and a landscaping requirement misstated as 5% when the Code requires more. A record this flawed is one more reason the determination should be upheld and the matter tested on a full public record rather than reversed on appeal.

I respectfully request that the Board:

Deny Buc-ee's appeal and uphold the Director's July 1 determination;

Recognize that a 120-position fuel facility **is** a gas station, which the Code excludes from C-1;

Decide the appeal in public, on a full evidentiary record, with the community heard; and

17.
18.
19. Require
20. the applicant to use the proper public process — a rezoning to C-2, or special-use / PUD review — with full notice and hearing.
21.

The public is entitled to be heard before a use the Code excludes from C-1 is allowed in through the back door of an administrative determination. Please deny the appeal.

Respectfully
Jamie Towne
720 Winding Hills Rd
Monument, Co 80132
North Woodmoor
El Paso County

JS Towne

Jessica Merriam

From: Kylie Bagley
Sent: Wednesday, July 8, 2026 8:27 AM
To: Jessica Merriam
Subject: Fw: Buc-ee's Appeal of Administrative Determination ADM264 — Please DENY the Appeal and Uphold the Director's July 1 Determination (C-1 Zone, I-25 & County Line Road / Beacon Lite Road)

Kylie Bagley
Principal Planner
Planning and Community Development
719.520.6323
www.elpasoco.com

From: Sherry and Bob MacDonald <bobandsherrymac@gmail.com>
Sent: Tuesday, July 7, 2026 6:21 PM
To: Carrie Geitner <CarrieGeitner@elpasoco.com>; Bill Wysong <BillWysong@elpasoco.com>; Cory Applegate <CoryApplegate@elpasoco.com>; Lauren Nelson <LaurenNelson@elpasoco.com>; Holly Williams <HollyWilliams@elpasoco.com>
Cc: Kenny Hodges <KennyHodges@elpasoco.com>; Kylie Bagley <KylieBagley@elpasoco.com>; mlakind@tomgov.org <mlakind@tomgov.org>; sking@tomgov.org <sking@tomgov.org>; sabbott@tomgov.org <sabbott@tomgov.org>; csmith@tomgov.org <csmith@tomgov.org>; lkronick@tomgov.org <lkronick@tomgov.org>; Kenneth Kimple <kkimple@tomgov.org>; mfiorito@tomgov.org <mfiorito@tomgov.org>; eharris@palmer-lake.org <eharris@palmer-lake.org>; rmoseley@palmer-lake.org <rmoseley@palmer-lake.org>; jmarble@palmer-lake.org <jmarble@palmer-lake.org>; mbeeson@palmer-lake.org <mbeeson@palmer-lake.org>; ajurka@palmer-lake.org <ajurka@palmer-lake.org>; governorpolis@state.co.us <governorpolis@state.co.us>; natasha_hutson@bennet.senate.gov <natasha_hutson@bennet.senate.gov>; jess_cohen@hickenlooper.senate.gov <jess_cohen@hickenlooper.senate.gov>; jarvis.caldwell.house@coleg.gov <jarvis.caldwell.house@coleg.gov>; matthew.smith1@mail.house.gov <matthew.smith1@mail.house.gov>; integritymatterscos@gmail.com <integritymatterscos@gmail.com>; contact@trilakespreservation.org <contact@trilakespreservation.org>; savannah.eller@gazette.com <savannah.eller@gazette.com>; Tony.Keith@koaa.com <Tony.Keith@koaa.com>; Noah.Caplan@koaa.com <Noah.Caplan@koaa.com>; EXTERNAL KOAA News <News@KOAA.com>; ASack@kxrm.com <ASack@kxrm.com>; EXTERNAL Fox News <EXTERNALFoxNews@elpasoco.com>; EXTERNAL KKTV News <news@kktv.com>; news@krdo.com <news@krdo.com>; achalfin@krcc.org <achalfin@krcc.org>; EXTERNAL KRCC News <news@krcc.org>; newstips@denver7.com <newstips@denver7.com>; newstips@9news.com <newstips@9news.com>; tips@kdvr.com <tips@kdvr.com>; jalvarado@denverpost.com <jalvarado@denverpost.com>; EXTERNAL Newsroom Denver <newsroom@denverpost.com>; oliviaprentzel@coloradosun.com <oliviaprentzel@coloradosun.com>; newsroom@coloradosun.com <newsroom@coloradosun.com>; Karin.Brulliard@washpost.com <Karin.Brulliard@washpost.com>; jim.carlton@wsj.com <jim.carlton@wsj.com>; news-tips@nytimes.com <news-tips@nytimes.com>; tips@cnn.com <tips@cnn.com>; tips@nbcuni.com <tips@nbcuni.com>; news.tips@abc.com <news.tips@abc.com>; LBergman@newsnationnow.com <LBergman@newsnationnow.com>; tips@thefp.com <tips@thefp.com>; talkshow@aol.com <talkshow@aol.com>; Meggan Herington <MegganHerington@elpasoco.com>
Subject: Re: Buc-ee's Appeal of Administrative Determination ADM264 — Please DENY the Appeal and Uphold the Director's July 1 Determination (C-1 Zone, I-25 & County Line Road / Beacon Lite Road)

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Mark Safe Report El Paso County Digital, Strategy & Technology (DST)

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5. the use is not listed." A facility with 60 dispensers and 120 fueling positions is a gas station. "Convenience Store" and "Gas Station" are separately defined and separately listed uses; the convenience-store
6. definition's "may include retail sale of gasoline" covers incidental fuel and cannot be used to place into C-1 a use the Code deliberately excluded from it. Read literally, as § 1.6.1
7. requires, **this use is prohibited in C-1.**
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The appeal tries to escape this prohibition by misreading the Gas Station definition — three ways, all traceable to page 5 of the underlying request:

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- First, it argues Buc-ee's is not a gas station because it "will not provide vehicle repairs, oil changes, accessory installation,
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At the grand opening of the company's recently opened Goodyear, Arizona travel center — a store identical to the one proposed here (74,000 square feet, 120 fueling positions and an estimate 165 toilets) — Buc-ee's own store-opening manager called it **"a destination," comparing it to Disney World** (*Arizona Daily Star, June 22, 2026*).

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A store the company itself markets as a multi-state destination, drawing customers who travel hundreds of miles and book hotels, does not serve "the neighborhood in which it is located." It cannot be shoehorned into the one C-1 use the appeal relies on. The appeal's answer — to redefine the interstate corridor itself as the "neighborhood" — is not what the Code says.

The appeal's "similar use" fallback cannot rescue it either.

Buc-ee's argues in the alternative that its project is a "similar" permitted use under § 5.3.6.C.1. It is not available here. Section 5.3.6(E) is explicit: no interpretation may "authorize any use in a zoning district … unless … substantially similar to an allowed use," none may allow a use "inconsistent with the statement of purpose" of the district, and none may "have the effect of amending, abrogating, or waiving any other standard or requirement established by Code." Reclassifying a gas station into C-1 would abrogate the Code's express exclusion of gas stations from C-1 — exactly what § 5.3.6(E) forbids. And the "similar use" mechanism exists for uses the Code has not listed; a gas station is listed, and it is excluded from C-1. The appeal's trip-generation comparisons do not change this: similar traffic does not override an express exclusion.

This decision belongs on a full public record — and the right path is a rezoning, not a reclassification.

Deciding the permitted use of a specific parcel by applying the Code's definitions to specific facts is a discretionary, quasi-judicial judgment — the Code's own § 5.3.6(B) describes it as an "analysis and comparison of various code provisions … as opposed to a nondiscretionary review." The County itself stated in February 2026 that "a public hearing is required to determine the use classification" for a project like this. The contested questions this appeal raises — whether a multi-state destination "serves the neighborhood," the traffic and water impacts of a facility of this scale — cannot fairly be resolved on the applicant's paper record. They should be decided by you, in public, on an evidentiary record, with the community heard. If the Board is inclined to entertain reversing the Director, a use classification of this magnitude cannot fairly be decided on the applicant's paper submissions alone; it requires a noticed public evidentiary hearing at which the community can be heard. And because the Code distinguishes C-1 ("commercial activities," § 4.4.1) from C-2 ("large commercial activities," § 4.4.4) — and allows gas stations in C-2 but not C-1 — the proper path for a regional interstate fuel-and-retail center is a rezoning to C-2, or a special-use / PUD review, each with full notice and hearing.

6.
7. **The application is also unreliable on its face**.
8. Beyond the violations above, the record repeatedly misstates the Code and the facts — including a "full list of allowed C-1 uses" that omits Convenience Store, the very use it claims is permitted; fuel-footprint percentages calculated on shifting denominators;
9. and a landscaping requirement misstated as 5% when the Code requires more. A record this flawed is one more reason the determination should be upheld and the matter tested on a full public record rather than reversed on appeal.
10.

I respectfully request that the Board:

1.
2.
3. Deny Buc-ee's appeal and uphold the Director's July 1 determination;
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7. Recognize that a 120-position fuel facility
8. **is**
9. a gas station, which the Code excludes from C-1;
10.
11.
12.
13. Decide the appeal in public, on a full evidentiary record, with the community heard; and
14.
15.
16.
17. Require the applicant to use the proper public process — a rezoning to C-2 or a special-use / PUD review — with full notice and a
18. hearing.
19.

The public is entitled to be heard before a use that the Code excludes from C-1 is allowed in through the back door of an administrative determination. Please deny the appeal.

Respectfully
Sherry MacDonald
1441 Dark Pine Ct
Monument, CO 80132
El Paso County

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Jessica Merriam

From: Kylie Bagley
Sent: Thursday, July 9, 2026 11:52 AM
To: Jessica Merriam
Subject: Fw: Please DENY the Appeal and Uphold the Director's July 1 Determination (C-1 Zone, I-25 & County Line Road / Beacon Lite Road)

Kylie Bagley
Principal Planner
Planning and Community Development
719.520.6323
www.elpasoco.com

From: Steve De Seve <desevesteve@yahoo.com>
Sent: Thursday, July 9, 2026 11:38 AM
To: Holly Williams <HollyWilliams@elpasoco.com>; Carrie Geitner <CarrieGeitner@elpasoco.com>; Bill Wysong <BillWysong@elpasoco.com>; Cory Applegate <CoryApplegate@elpasoco.com>; Lauren Nelson <LaurenNelson@elpasoco.com>
Cc: Meggan Herington <MegganHerington@elpasoco.com>; Kenny Hodges <KennyHodges@elpasoco.com>; Kylie Bagley <KylieBagley@elpasoco.com>; governorpolis@state.co.us <governorpolis@state.co.us>; natasha_hutson@bennet.senate.gov <natasha_hutson@bennet.senate.gov>; jess_cohen@hickenlooper.senate.gov <jess_cohen@hickenlooper.senate.gov>; jarvis.caldwell.house@coleg.gov <jarvis.caldwell.house@coleg.gov>; matthew.smith1@mail.house.gov <matthew.smith1@mail.house.gov>; integritymatterscos@gmail.com <integritymatterscos@gmail.com>; contact@trilakespreservation.org <contact@trilakespreservation.org>; savannah.eller@gazette.com <savannah.eller@gazette.com>; Tony.Keith@koaa.com <Tony.Keith@koaa.com>; Noah.Caplan@koaa.com <Noah.Caplan@koaa.com>; EXTERNAL KOAA News <News@KOAA.com>; ASack@kxrm.com <ASack@kxrm.com>; EXTERNAL Fox News <EXTERNALFoxNews@elpasoco.com>; EXTERNAL KKTV News <news@kktv.com>; achalfin@krcc.org <achalfin@krcc.org>; EXTERNAL KRCC News <news@krcc.org>; newstips@denver7.com <newstips@denver7.com>; newstips@9news.com <newstips@9news.com>; tips@kdvr.com <tips@kdvr.com>; jalvarado@denverpost.com <jalvarado@denverpost.com>; EXTERNAL Newsroom Denver <newsroom@denverpost.com>; oliviaprentzel@coloradosun.com <oliviaprentzel@coloradosun.com>; newsroom@coloradosun.com <newsroom@coloradosun.com>; Karin.Brulliard@washpost.com <Karin.Brulliard@washpost.com>; jim.carlton@wsj.com <jim.carlton@wsj.com>; news-tips@nytimes.com <news-tips@nytimes.com>; tips@cnn.com <tips@cnn.com>; tips@nbcuni.com <tips@nbcuni.com>; news.tips@abc.com <news.tips@abc.com>; LBergman@newsnationnow.com <LBergman@newsnationnow.com>; tips@thefp.com <tips@thefp.com>; talkshow@aol.com <talkshow@aol.com>
Subject: Please DENY the Appeal and Uphold the Director's July 1 Determination (C-1 Zone, I-25 & County Line Road / Beacon Lite Road)

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Mark Safe Report El Paso County Digital, Strategy & Technology (DST)

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The appeal tries to escape this prohibition by misreading the Gas Station definition — three ways, all traceable to page 5 of the underlying request:

- First, it argues Buc-ee's is not a gas station because it "will not provide vehicle repairs, oil changes, accessory installation, [or] car washing." But § 1.15 does not require any of those services; it lists them as things a gas station "may include, as an incidental use." Their absence is irrelevant.

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At the grand opening of the company's recently opened Goodyear, Arizona travel center — a store identical to the one proposed here (74,000 square feet, 120 fueling positions and an estimate 165 toilets) — Buc-ee's own store-opening manager called it **"a destination," comparing it to Disney World** (*Arizona Daily Star, June 22, 2026*).

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According to figures Buc-ee's provided to the City of Springfield, Missouri, the company estimates **roughly six million customers a year,** with 88% traveling more than 20 miles to reach the store (City of Springfield official website; *Springfield Daily Citizen)*.

A store the company itself markets as a multi-state destination, drawing customers who travel hundreds of miles and book hotels, does not serve "the neighborhood in which it is located." It cannot be shoehorned into the one C-1 use the appeal relies on. The appeal's answer — to redefine the interstate corridor itself as the "neighborhood" — is not what the Code says.

3. **The appeal's "similar use" fallback cannot rescue it either.** Buc-ee's argues in the alternative that its project is a "similar" permitted use under § 5.3.6.C.1. It is not available here. Section 5.3.6(E) is explicit: no interpretation may "authorize any use in a zoning district … unless … substantially similar to an allowed use," none may allow a use "inconsistent with the statement of purpose" of the district, and none may "have the effect of amending, abrogating, or waiving any other standard or requirement established by Code." Reclassifying a gas station into C-1 would abrogate the Code's express exclusion of gas stations from C-1 — exactly what § 5.3.6(E) forbids. And the "similar use" mechanism exists for uses the Code has not listed; a gas station is listed, and it is excluded from C-1. The appeal's trip-generation comparisons do not change this: similar traffic does not override an express exclusion.

4. **This decision belongs on a full public record — and the right path is a rezoning, not a reclassification.** Deciding the permitted use of a specific parcel by applying the Code's definitions to specific facts is a discretionary, quasi-judicial judgment — the Code's own § 5.3.6(B) describes it as an "analysis and comparison of various code provisions … as opposed to a nondiscretionary review." The County itself stated in February 2026 that "a public hearing is required to determine the use classification" for a project like this. The contested questions this appeal raises — whether a multi-state destination "serves the neighborhood," the traffic and water impacts of a facility of this scale — cannot fairly be resolved on the applicant's paper record. They should be decided by you, in public, on an evidentiary record, with the community heard. If the Board is inclined to entertain reversing the Director, a use classification of this magnitude cannot fairly be decided on the applicant's paper submissions alone; it requires a noticed public evidentiary hearing at which the community can be heard. And because the Code distinguishes C-1 ("commercial activities," § 4.4.1) from C-2 ("large commercial activities," § 4.4.4) — and allows gas stations in C-2 but not C-1 — the proper path for a regional interstate fuel-and-retail center is a rezoning to C-2, or a special-use / PUD review, each with full notice and hearing.

5. **The application is also unreliable on its face**. Beyond the violations above, the record repeatedly misstates the Code and the facts — including a "full list of allowed C-1 uses" that omits Convenience Store, the very use it claims is permitted; fuel-footprint percentages calculated on shifting denominators; and a landscaping requirement misstated as 5% when the Code requires more. A record this flawed is one more reason the determination should be upheld and the matter tested on a full public record rather than reversed on appeal.

I respectfully request that the Board:

1. Deny Buc-ee's appeal and uphold the Director's July 1 determination;
2. Recognize that a 120-position fuel facility **is** a gas station, which the Code excludes from C-1;
3. Decide the appeal in public, on a full evidentiary record, with the community heard; and
4. Require the applicant to use the proper public process — a rezoning to C-2, or special-use / PUD review — with full notice and hearing.

The public is entitled to be heard before a use the Code excludes from C-1 is allowed in through the back door of an administrative determination.Furthermore, it does NOT serve our neighborhood and certainly does a disservice to our already established businesses. Allowing Bucee’s at this location only serves Mr. Aplin’s Texas-sized ego and bank account. Please deny the appeal.

Respectfully
Steve de Seve
1650 Outrider Way
Monument, CO 80132

Jessica Merriam

From: Kylie Bagley
Sent: Wednesday, July 8, 2026 8:30 AM
To: Jessica Merriam
Subject: Fw: Uphold the directors July 1 determination and deny Buc-ee's s appeal

Kylie Bagley
Principal Planner
Planning and Community Development
719.520.6323
www.elpasoco.com

From: teresa dempsey <teresamckoon@hotmail.com>
Sent: Wednesday, July 8, 2026 5:01 AM
To: Carrie Geitner <CarrieGeitner@elpasoco.com>; Bill Wysong <BillWysong@elpasoco.com>; Cory Applegate <CoryApplegate@elpasoco.com>; Lauren Nelson <LaurenNelson@elpasoco.com>; Holly Williams <HollyWilliams@elpasoco.com>
Cc: Meggan Herington <MegganHerington@elpasoco.com>; Kenny Hodges <KennyHodges@elpasoco.com>; Kylie Bagley <KylieBagley@elpasoco.com>; mlakind@tomgov.org <mlakind@tomgov.org>; sking@tomgov.org <sking@tomgov.org>; sabbott@tomgov.org <sabbott@tomgov.org>; csmith@tomgov.org <csmith@tomgov.org>; lkronick@tomgov.org <lkronick@tomgov.org>; kkimple@tomgov.org <kkimple@tomgov.org>; mfiorito@tomgov.org <mfiorito@tomgov.org>; governorpolis@state.co.us <governorpolis@state.co.us>; natasha_hutson@bennet.senate.gov <natasha_hutson@bennet.senate.gov>; jess_cohen@hickenlooper.senate.gov <jess_cohen@hickenlooper.senate.gov>; jarvis.caldwell.house@coleg.gov <jarvis.caldwell.house@coleg.gov>; matthew.smith1@mail.house.gov <matthew.smith1@mail.house.gov>; integritymatterscos@gmail.com <integritymatterscos@gmail.com>; contact@trilakespreservation.org <contact@trilakespreservation.org>
Subject: Uphold the directors July 1 determination and deny Buc-ee's s appeal

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Mark Safe Report El Paso County Digital, Strategy & Technology (DST)

Dear Commissioners:

On July 1, 2026, the Planning and Community Development Director declined to classify the proposed Buc-ee's — a 30-plus-acre interstate travel center — as a permitted "Convenience Store" in the C-1 zoning district, concluding that the use could not be determined to qualify under the Land Development Code. Buc-ee's has now appealed that determination to you. I ask you to deny the appeal and uphold the Director's determination.

This is not about whether Buc-ee's is a good business in the proper location. It is about the County's own Code, which answers the question the appeal raises.

1. **A gas station is not a permitted use in C-1.** Table 5-1 lists "Gas Station" as an allowed use in the CC, CR, CS, C-2, and M districts — but not in C-1. Under § 1.6.6 and § 5.3.6(C)(2), listing a use in some districts "shall be deemed to be an exclusion of the use from any other zoning district in which the use is not listed." A facility with 60 dispensers and 120 fueling positions is a gas station. "Convenience Store" and "Gas Station" are separately defined and separately listed uses; the convenience-store definition's "may include retail sale of gasoline" covers incidental fuel and cannot be used to place into C-1 a use the Code deliberately excluded from it. Read literally, as § 1.6.1 requires, **this use is prohibited in C-1.**

The appeal tries to escape this prohibition by misreading the Gas Station definition — three ways, all traceable to page 5 of the underlying request:

- First, it argues Buc-ee's is not a gas station because it "will not provide vehicle repairs, oil changes, accessory installation, [or] car washing." But § 1.15 does not require any of those services; it lists them as things a gas station "may include, as an incidental use." Their absence is irrelevant.
- Second, the appeal asserts the Code defines a gas station as a use "primarily oriented toward the petroleum fueling and servicing of motor vehicles" — a "primary orientation" requirement that appears nowhere in § 1.15.
- Third, it claims the definition "expressly limits retail activity to the incidental sale of vehicle accessories," which it does not. What actually defines a gas station under § 1.15 is the retail sale of gasoline and diesel for vehicles — which Buc-ee's plainly does, at 120 fueling positions. Read as the Code is written, this is a gas station, and gas stations are not allowed in C-1.

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At the grand opening of the company's recently opened Goodyear, Arizona travel center — a store identical to the one proposed here (74,000 square feet, 120 fueling positions and an estimate 165 toilets) — Buc-ee's own store-opening manager called it **"a destination," comparing it to Disney World** (*Arizona Daily Star, June 22, 2026*).

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A store the company itself markets as a multi-state destination, drawing customers who travel hundreds of miles and book hotels, does not serve "the neighborhood in which it is located." It cannot be shoehorned into the one C-1 use the appeal relies on. The appeal's answer — to redefine the interstate corridor itself as the "neighborhood" — is not what the Code says.

3. **The appeal's "similar use" fallback cannot rescue it either.** Buc-ee's argues in the alternative that its project is a "similar" permitted use under § 5.3.6.C.1. It is not available here. Section 5.3.6(E) is explicit: no interpretation may "authorize any use in a zoning district … unless … substantially similar to an allowed use," none may allow a use "inconsistent with the statement of purpose" of the district, and none may "have the effect of amending, abrogating, or waiving any other standard or requirement established by Code." Reclassifying a gas station into C-1 would abrogate the Code's express exclusion of gas stations from C-1 — exactly what § 5.3.6(E) forbids. And the "similar use" mechanism exists for uses the Code has not listed; a gas station is listed, and it is excluded from C-1. The appeal's trip-generation comparisons do not change this: similar traffic does not override an express exclusion.
4. **This decision belongs on a full public record — and the right path is a rezoning, not a reclassification.** Deciding the permitted use of a specific parcel by applying the Code's definitions to specific facts is a discretionary, quasi-judicial judgment — the Code's own § 5.3.6(B) describes it as an "analysis and comparison of various code provisions … as opposed to a nondiscretionary review." The County itself stated in February 2026 that "a public hearing is required to determine the use classification" for a project like this. The contested questions this appeal raises — whether a multi-state destination "serves the neighborhood," the traffic and water impacts of a facility of this scale — cannot fairly be resolved on the applicant's paper record. They should be decided by you, in public, on an evidentiary record, with the community heard. If the Board is inclined to entertain reversing the Director, a use classification of this magnitude cannot fairly be decided on the applicant's paper submissions alone; it requires a noticed public evidentiary hearing at which the community can be heard. And because the Code distinguishes C-1 ("commercial activities," § 4.4.1) from C-2 ("large commercial activities," § 4.4.4) — and allows gas stations in C-2 but not C-1 — the proper path for a regional interstate fuel-and-retail center is a rezoning to C-2, or a special-use / PUD review, each with full notice and hearing.
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I respectfully request that the Board:

1. Deny Buc-ee's appeal and uphold the Director's July 1 determination;
2. Recognize that a 120-position fuel facility **is** a gas station, which the Code excludes from C-1;
3. Decide the appeal in public, on a full evidentiary record, with the community heard; and
4. Require the applicant to use the proper public process — a rezoning to C-2, or special-use / PUD review — with full notice and hearing.

The public is entitled to be heard before a use the Code excludes from C-1 is allowed in through the back door of an administrative determination. Please deny the appeal.

Teresa Dempsey
19440 Beacon Lite Rd
Monument CO 80132
Sent from my iPhone

Jessica Merriam

From: Kylie Bagley
Sent: Wednesday, July 8, 2026 8:26 AM
To: Jessica Merriam
Subject: Fw: Buc-ee's Appeal of Administrative Determination ADM264 — Please DENY the Appeal and Uphold the Director's July 1 Determination (C-1 Zone, I-25 & County Line Road / Beacon Lite Road)

Kylie Bagley
Principal Planner
Planning and Community Development
719.520.6323
www.elpasoco.com

From: terreswim77@gmail.com <terreswim77@gmail.com>
Sent: Tuesday, July 7, 2026 4:58 PM
To: Holly Williams <HollyWilliams@elpasoco.com>; Carrie Geitner <CarrieGeitner@elpasoco.com>; Bill Wysong <BillWysong@elpasoco.com>; Cory Applegate <CoryApplegate@elpasoco.com>; Lauren Nelson <LaurenNelson@elpasoco.com>
Cc: Meggan Herington <MegganHerington@elpasoco.com>; Kenny Hodges <KennyHodges@elpasoco.com>; Kylie Bagley <KylieBagley@elpasoco.com>; mlakind@tomgov.org <mlakind@tomgov.org>; sking@tomgov.org <sking@tomgov.org>; sabbott@tomgov.org <sabbott@tomgov.org>; csmith@tomgov.org <csmith@tomgov.org>; lkronick@tomgov.org <lkronick@tomgov.org>; kkimple@tomgov.org <kkimple@tomgov.org>; mfiorito@tomgov.org <mfiorito@tomgov.org>; eharris@palmer-lake.org <eharris@palmer-lake.org>; rmoseley@palmer-lake.org <rmoseley@palmer-lake.org>; jmarble@palmer-lake.org <jmarble@palmer-lake.org>; mbeeson@palmer-lake.org <mbeeson@palmer-lake.org>; ajurka@palmer-lake.org <ajurka@palmer-lake.org>; governorpolis@state.co.us <governorpolis@state.co.us>; natasha_hutson@bennet.senate.gov <natasha_hutson@bennet.senate.gov>; jess_cohen@hickenlooper.senate.gov <jess_cohen@hickenlooper.senate.gov>; jarvis.caldwell.house@coleg.gov <jarvis.caldwell.house@coleg.gov>; matthew.smith1@mail.house.gov <matthew.smith1@mail.house.gov>; integritymatterscos@gmail.com <integritymatterscos@gmail.com>; contact@trilakespreservation.org <contact@trilakespreservation.org>; savannah.eller@gazette.com <savannah.eller@gazette.com>; Tony.Keith@koaa.com <Tony.Keith@koaa.com>; Noah.Caplan@koaa.com <Noah.Caplan@koaa.com>; EXTERNAL KOAA News <News@KOAA.com>; ASack@kxrm.com <ASack@kxrm.com>; EXTERNAL Fox News <EXTERNALFoxNews@elpasoco.com>; EXTERNAL KKTV News <news@kktv.com>; news@krdo.com <news@krdo.com>; achalfin@krcc.org <achalfin@krcc.org>; EXTERNAL KRCC News <news@krcc.org>; newstips@denver7.com <newstips@denver7.com>; newstips@9news.com <newstips@9news.com>; tips@kdvr.com <tips@kdvr.com>; jalvarado@denverpost.com <jalvarado@denverpost.com>; EXTERNAL Newsroom Denver <newsroom@denverpost.com>; oliviaprentzel@coloradosun.com <oliviaprentzel@coloradosun.com>; newsroom@coloradosun.com <newsroom@coloradosun.com>; Karin.Brulliard@washpost.com <Karin.Brulliard@washpost.com>; jim.carlton@wsj.com <jim.carlton@wsj.com>; news-tips@nytimes.com <news-tips@nytimes.com>; tips@cnn.com <tips@cnn.com>; tips@nbcuni.com <tips@nbcuni.com>; news.tips@abc.com <news.tips@abc.com>; LBergman@newsnationnow.com <LBergman@newsnationnow.com>; tips@thefp.com <tips@thefp.com>; talkshow@aol.com <talkshow@aol.com>
Subject: Re: Buc-ee's Appeal of Administrative Determination ADM264 — Please DENY the Appeal and Uphold the Director's July 1 Determination (C-1 Zone, I-25 & County Line Road / Beacon Lite Road)

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Mark Safe Report El Paso County Digital, Strategy & Technology (DST)

Dear Commissioners:
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5. **The application is also unreliable on its face**. Beyond the violations above, the record repeatedly misstates the Code and the facts — including a "full list of allowed C-1 uses" that omits Convenience Store, the very use it claims is permitted; fuel-footprint percentages calculated on shifting denominators; and a landscaping requirement misstated as 5% when the Code requires more. A record

this flawed is one more reason the determination should be upheld and the matter tested on a full public record rather than reversed on appeal.

I respectfully request that the Board:

1. Deny Buc-ee's appeal and uphold the Director's July 1 determination;
2. Recognize that a 120-position fuel facility **is** a gas station, which the Code excludes from C-1;
3. Decide the appeal in public, on a full evidentiary record, with the community heard; and
4. Require the applicant to use the proper public process — a rezoning to C-2, or special-use / PUD review — with full notice and hearing.

The public is entitled to be heard before a use the Code excludes from C-1 is allowed in through the back door of an administrative determination. Please deny the appeal.

Respectfully,

Terre Christensen

"A smooth sea never made a skilled sailor."

Jessica Merriam

From: Kylie Bagley
Sent: Thursday, July 9, 2026 8:49 AM
To: Jessica Merriam
Subject: Fw: Request to Deny Buc-ee's Appeal of Administrative of Determination ADM264 and Uphold the Director's July 1 Determination (C-1 Zone, I-25 & County Line Road / Beacon Lite Road)

Kylie Bagley
Principal Planner
Planning and Community Development
719.520.6323
www.elpasoco.com

From: Tim Beichley <tbeichley@gmail.com>
Sent: Thursday, July 9, 2026 7:11 AM
To: Holly Williams <HollyWilliams@elpasoco.com>; Carrie Geitner <CarrieGeitner@elpasoco.com>; Bill Wysong <BillWysong@elpasoco.com>; Cory Applegate <CoryApplegate@elpasoco.com>; Lauren Nelson <LaurenNelson@elpasoco.com>
Cc: Meggan Herington <MegganHerington@elpasoco.com>; Kenny Hodges <KennyHodges@elpasoco.com>; Kylie Bagley <KylieBagley@elpasoco.com>; mlakind@tomgov.org <mlakind@tomgov.org>; sking@tomgov.org <sking@tomgov.org>; sabbott@tomgov.org <sabbott@tomgov.org>; csmith@tomgov.org <csmith@tomgov.org>; Laura Kronick <lkronick@tomgov.org>; kkimple@tomgov.org <kkimple@tomgov.org>; mfiorito@tomgov.org <mfiorito@tomgov.org>; governorpolis@state.co.us <governorpolis@state.co.us>; natasha_hutson@bennet.senate.gov <natasha_hutson@bennet.senate.gov>; jess_cohen@hickenlooper.senate.gov <jess_cohen@hickenlooper.senate.gov>; jarvis.caldwell.house@coleg.gov <jarvis.caldwell.house@coleg.gov>; matthew.smith1@mail.house.gov <matthew.smith1@mail.house.gov>; integritymatterscos@gmail.com <integritymatterscos@gmail.com>; contact@trilakespreservation.org <contact@trilakespreservation.org>
Subject: Request to Deny Buc-ee's Appeal of Administrative of Determination ADM264 and Uphold the Director's July 1 Determination (C-1 Zone, I-25 & County Line Road / Beacon Lite Road)

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Mark Safe Report El Paso County Digital, Strategy & Technology (DST)

Dear Commissioners:

I am writing to urge you to reject Buc-ee's appeal of Administrative Determination ADM264 and affirm the Planning and Community Development Director's July 1, 2026 decision. In that determination, the Director correctly declined to classify the proposed Buc-ee's — a large interstate travel center on more than 30 acres — as a permitted "Convenience Store" in the C-1 zoning district, finding that the use could not properly be determined to qualify under the County's Land Development Code.

This appeal is not really about whether Buc-ee's is popular or whether some people may want it in the area. The issue before you is much narrower: whether this specific project is allowed under the County's existing Code. The answer is no.

1. The proposed Buc-ee's is a gas station, and gas stations are not permitted in C-1.
Table 5-1 allows "Gas Station" in the CC, CR, CS, C-2, and M zoning districts, but not in C-1. Sections 1.6.6 and 5.3.6(C)(2) make clear that when a use is expressly listed in certain districts but omitted from another, that omission means the use is excluded from the district where it does not appear. A development with 60 dispensers and 120 fueling positions is, by any common-sense and Code-based reading, a gas station.

The Code separately defines and separately lists "Convenience Store" and "Gas Station." That distinction matters. The fact that a convenience store definition says it may include retail gasoline sales does not erase the Code's separate category for gas stations or permit a use in C-1 that the Code deliberately chose not to allow there. The plain-language interpretation required by § 1.6.1 leads to only one conclusion: this use is prohibited in C-1.

The appeal repeats the same flawed reading of the gas station definition that appeared in the original request. First, it argues that Buc-ee's cannot be considered a gas station because it will not offer repairs, oil changes, accessory installation, or car washing. But § 1.15 does not require those services. It only says a gas station *may* include them as incidental uses. Whether they are present or not is beside the point. Second, the appeal introduces a supposed requirement that a gas station must be "primarily oriented" toward fuel sales and vehicle service, even though that language appears nowhere in § 1.15. Third, it asserts that the gas station definition limits retail sales to incidental vehicle accessories, which it does not. What the Code actually identifies as the defining feature is the retail sale of gasoline and diesel for vehicles. That is plainly what Buc-ee's proposes to do — on an enormous scale, with 120 fueling positions. Under the Code as written, it is a gas station, and gas stations are not allowed in C-1.

2. The project does not fit the Code's definition of a convenience store.
The Code defines a convenience store in § 1.15 as a business serving "the neighborhood in which it is located," and it defines "neighborhood" as "primarily residential areas." Buc-ee's claims this development would serve the surrounding neighborhood, but the facts show otherwise. This is not a local convenience business aimed at nearby residents. It is a major regional and interstate destination.

The company's own statements about similar locations confirm that point. At the opening of Buc-ee's Goodyear, Arizona travel center — a location comparable in size to the one proposed here, with approximately 74,000 square feet, 120 fueling positions, and an estimated 165 toilets — a Buc-ee's store-opening manager described the location as "a destination" and compared it to Disney World (Arizona Daily Star, June 22, 2026). The Arizona Republic reported that hotels closest to that store sold out during opening weekend, and the Arizona Daily Star documented customers traveling from places such as Oregon and Minnesota, with parking lots full of out-of-state plates from Nevada and California. Buc-ee's has also reportedly told the City of Springfield, Missouri that its stores can attract around six million customers annually, with 88% traveling more than 20 miles to visit (City of Springfield official website; Springfield Daily Citizen).

A store promoted as a multi-state attraction and drawing visitors from hundreds of miles away is not serving "the neighborhood in which it is located." The appeal attempts to solve this problem by effectively redefining the interstate corridor as the "neighborhood," but that is not what the Code says.

3. The appeal cannot be saved by the "similar use" argument.
As a fallback, Buc-ee's argues that its proposal should be treated as a "similar" allowed use under § 5.3.6.C.1. That argument fails as well. Section 5.3.6(E) places clear limits on interpretation. It states that no interpretation may authorize a use in a zoning district unless the use is substantially similar to an allowed use, may not permit a use that is inconsistent with the district's statement of purpose, and may not have the effect of amending, waiving, or undoing another Code requirement. Reclassifying a gas station as an allowed use in C-1 would do exactly what the Code forbids: it would override the express exclusion of gas stations from that district.

The "similar use" provision is intended for uses the Code has not specifically listed. Here, "Gas Station" is specifically listed — and specifically omitted from C-1. That should end the matter. Traffic comparisons offered by the applicant do not change that result. Even if another use generated similar trips, comparable traffic volumes cannot nullify an express zoning exclusion.

4. This matter should be decided on a full public record, and the appropriate route is rezoning or special review.
Classifying a proposed use for a particular parcel by applying Code definitions to the facts is not a ministerial checkbox exercise. It is a discretionary and quasi-judicial decision. Section 5.3.6(B) itself describes the process as an "analysis and comparison of various code provisions … as opposed to a nondiscretionary review." The County also stated in February 2026 that "a public hearing is required to determine the use classification" for a project like this.

The questions raised by this appeal are substantial: whether a development of this scale serves a neighborhood, what traffic and water impacts it would create, and whether it belongs in a district intended for smaller-scale commercial activity. Those are not issues that should be resolved solely through the applicant's paperwork. They should be addressed publicly, on an evidentiary record, with meaningful community participation.

If the Board is even considering overturning the Director's decision, such a reversal should not occur based only on written submissions from the applicant. A project of this size and impact deserves a noticed public evidentiary hearing. And because the Code distinguishes between C-1, intended for "commercial activities" under § 4.4.1, and C-2, intended for "large commercial activities" under § 4.4.4 — while allowing gas stations in C-2 but not C-1 — the proper avenue for this proposal is rezoning to C-2 or pursuing special-use or PUD review, each of which includes public notice and hearing.

5. The application itself contains numerous inaccuracies.
Aside from the larger legal and zoning issues, the record is not reliable on its face. It repeatedly misstates both the Code and factual matters. For example, it includes what it describes as a complete list of allowed C-1 uses while omitting Convenience Store — the very category the applicant claims applies. It also relies on fuel-footprint percentages calculated using inconsistent denominators, and it cites a landscaping requirement of 5% when the Code requires more. These kinds of errors only reinforce why the Director's determination should stand and why this matter should be tested through a full public process rather than reversed on appeal.

For these reasons, I respectfully ask the Board to:

1. **Deny Buc-ee's appeal and affirm the Director's July 1 determination;**
2. **Acknowledge that a facility with 120 fueling positions is a gas station, which the Code excludes from C-1;**
3. **Ensure that any decision is made publicly, on a full evidentiary record, with community input; and**
4. **Require the applicant to pursue the appropriate public process, such as rezoning to C-2 or obtaining special-use or PUD approval, with full notice and hearing.**

The public should not be shut out while a use expressly excluded from C-1 is approved through the back door of administrative reinterpretation. This proposal does not serve our neighborhood, and it does nothing to support the businesses already established here. Placing Buc-ee's at this location would benefit the applicant far more than the surrounding community. I urge you to deny the appeal.

Respectfully,

Tim Beichley
19834 Kershaw Ct.
Monument, CO 80132

Jessica Merriam

From: Kylie Bagley
Sent: Monday, July 13, 2026 9:14 AM
To: Jessica Merriam
Subject: Fw: Buc-ee's Appeal of Administrative Determination ADM264 — Please DENY the Appeal and Uphold the Director's July 1 Determination (C-1 Zone, I-25 & County Line Road / Beacon Lite Road)

Kylie Bagley
Principal Planner
Planning and Community Development
719.520.6323
www.elpasoco.com

From: Wendy Ladau <ladauw@gmail.com>
Sent: Sunday, July 12, 2026 4:24 PM
To: Holly Williams <HollyWilliams@elpasoco.com>; Carrie Geitner <CarrieGeitner@elpasoco.com>; Bill Wysong <BillWysong@elpasoco.com>; Cory Applegate <CoryApplegate@elpasoco.com>; Lauren Nelson <LaurenNelson@elpasoco.com>
Cc: Meggan Herington <MegganHerington@elpasoco.com>; Kenny Hodges <KennyHodges@elpasoco.com>; Kylie Bagley <KylieBagley@elpasoco.com>; governorpolis@state.co.us <governorpolis@state.co.us>; natasha_hutson@bennet.senate.gov <natasha_hutson@bennet.senate.gov>; jess_cohen@hickenlooper.senate.gov <jess_cohen@hickenlooper.senate.gov>; jarvis.caldwell.house@coleg.gov <jarvis.caldwell.house@coleg.gov>; matthew.smith1@mail.house.gov <matthew.smith1@mail.house.gov>; integritymatterscos@gmail.com <integritymatterscos@gmail.com>; contact@trilakespreservation.org <contact@trilakespreservation.org>; savannah.eller@gazette.com <savannah.eller@gazette.com>; Tony.Keith@koaa.com <Tony.Keith@koaa.com>; Noah.Caplan@koaa.com <Noah.Caplan@koaa.com>; EXTERNAL KOAA News <News@KOAA.com>; ASack@kxrm.com <ASack@kxrm.com>; EXTERNAL Fox News <EXTERNALFoxNews@elpasoco.com>; EXTERNAL KKTV News <news@kktv.com>; achalfin@krcc.org <achalfin@krcc.org>; EXTERNAL KRCC News <news@krcc.org>; newstips@denver7.com <newstips@denver7.com>; newstips@9news.com <newstips@9news.com>; tips@kdvr.com <tips@kdvr.com>; jalvarado@denverpost.com <jalvarado@denverpost.com>; EXTERNAL Newsroom Denver <newsroom@denverpost.com>; oliviaprentzel@coloradosun.com <oliviaprentzel@coloradosun.com>; newsroom@coloradosun.com <newsroom@coloradosun.com>; Karin.Brulliard@washpost.com <Karin.Brulliard@washpost.com>; jim.carlton@wsj.com <jim.carlton@wsj.com>; news-tips@nytimes.com <news-tips@nytimes.com>; tips@cnn.com <tips@cnn.com>; tips@nbcuni.com <tips@nbcuni.com>; news.tips@abc.com <news.tips@abc.com>; LBergman@newsnationnow.com <LBergman@newsnationnow.com>; tips@thefp.com <tips@thefp.com>; talkshow@aol.com <talkshow@aol.com>
Subject: Re: Buc-ee's Appeal of Administrative Determination ADM264 — Please DENY the Appeal and Uphold the Director's July 1 Determination (C-1 Zone, I-25 & County Line Road / Beacon Lite Road)

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Mark Safe Report El Paso County Digital, Strategy & Technology (DST)

Dear Commissioners:

On July 1, 2026, the Planning and Community Development Director declined to classify the proposed Buc-ee's — a 30-plus-acre interstate travel center — as a permitted "Convenience Store" in the C-1 zoning district, concluding that the use could not be determined to qualify under the Land Development Code. Buc-ee's has now appealed that determination to you. I ask you to deny the appeal and uphold the Director's determination.

This is not about whether Buc-ee's is a good business in the proper location. It is about the County's own Code, which answers the question the appeal raises.

1.
2.
3. **A gas station is not a permitted use in C-1.**
4. Table 5-1 lists "Gas Station" as an allowed use in the CC, CR, CS, C-2, and M districts — but not in C-1. Under § 1.6.6 and § 5.3.6(C)(2), listing a use in some districts "shall be deemed to be an exclusion of the use from any other zoning district in which
5. the use is not listed." A facility with 60 dispensers and 120 fueling positions is a gas station. "Convenience Store" and "Gas Station" are separately defined and separately listed uses; the convenience-store definition's "may include retail sale of gasoline"
6. covers incidental fuel and cannot be used to place into C-1 a use the Code deliberately excluded from it. Read literally, as § 1.6.1 requires,
7. **this use is prohibited in C-1.**
8.

The appeal tries to escape this prohibition by misreading the Gas Station definition — three ways, all traceable to page 5 of the underlying request:

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-
- First, it argues Buc-ee's is not a gas station because it "will not provide vehicle repairs, oil changes, accessory installation,
- [or] car washing." But § 1.15 does not require any of those services; it lists them as things a gas station "may include, as an incidental use." Their absence is irrelevant.

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- Second, the appeal asserts the Code defines a gas station as a use "primarily oriented toward the petroleum fueling and servicing
- of motor vehicles" — a "primary orientation" requirement that appears nowhere in § 1.15.
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-
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- Third, it claims the definition "expressly limits retail activity to the incidental sale of vehicle accessories," which it does not.
- What actually defines a gas station under § 1.15 is the retail sale of gasoline and diesel for vehicles — which Buc-ee's plainly does, at 120 fueling positions. Read as the Code is written, this is a gas station, and gas stations are not allowed in C-1.
-

2.
3.
4. **The use does not meet the Code's "Convenience Store" definition.**
5. That definition (§ 1.15) requires an establishment serving "the neighborhood in which it is located," and the Code defines a neighborhood as "primarily residential areas." The appeal represents that the store will serve the surrounding neighborhood. It will
6. not. This project is a regional tourist destination, not a neighborhood store — and the company says so itself:
7.

> At the grand opening of the company's recently opened Goodyear, Arizona travel center — a store identical to the one proposed here (74,000 square feet, 120 fueling positions and an estimate 165 toilets) — Buc-ee's own store-opening manager called it **"a destination," comparing it to Disney World** (*Arizona Daily Star, June 22, 2026*).
>
> *The Arizona Republic* reported that hotels nearest that store sold out for opening weekend, and the *Arizona Daily Star* documented customers driving in from Oregon, Minnesota, and other states, with Nevada and California plates filling the lot.
>
> According to figures Buc-ee's provided to the City of Springfield, Missouri, the company estimates **roughly six million customers a year,** with 88% traveling more than 20 miles to reach the store (City of Springfield official website; *Springfield Daily Citizen)*.
>
> A store the company itself markets as a multi-state destination, drawing customers who travel hundreds of miles and book hotels, does not serve "the neighborhood in which it is located." It cannot be shoehorned into the one C-1 use the appeal relies on. The appeal's answer — to redefine the interstate corridor itself as the "neighborhood" — is not what the Code says.

3.
4.

5. **The appeal's "similar use" fallback cannot rescue it either.**
6. Buc-ee's argues in the alternative that its project is a "similar" permitted use under § 5.3.6.C.1. It is not available here. Section 5.3.6(E) is explicit: no interpretation may "authorize any use in a zoning district … unless … substantially similar to an
7. allowed use," none may allow a use "inconsistent with the statement of purpose" of the district, and none may "have the effect of amending, abrogating, or waiving any other standard or requirement established by Code." Reclassifying a gas station into C-1
8. would abrogate the Code's express exclusion of gas stations from C-1 — exactly what § 5.3.6(E) forbids. And the "similar use" mechanism exists for uses the Code has not listed; a gas station is listed, and it is excluded from C-1. The appeal's trip-generation
9. comparisons do not change this: similar traffic does not override an express exclusion.
10.

4.
5.
6. **This decision belongs on a full public record — and the right path is a rezoning, not a reclassification.**
7. Deciding the permitted use of a specific parcel by applying the Code's definitions to specific facts is a discretionary, quasi-judicial judgment — the Code's own § 5.3.6(B) describes it as an "analysis and comparison of various code provisions … as opposed
8. to a nondiscretionary review." The County itself stated in February 2026 that "a public hearing is required to determine the use classification" for a project like this. The contested questions this appeal raises — whether a multi-state destination "serves
9. the neighborhood," the traffic and water impacts of a facility of this scale — cannot fairly be resolved on the applicant's paper record. They should be decided by you, in public, on an evidentiary record, with the community heard. If the Board is inclined
10. to entertain reversing the Director, a use classification of this magnitude cannot fairly be decided on the applicant's paper submissions alone; it requires a noticed public evidentiary hearing at which the community can be heard. And because the Code distinguishes
11. C-1 ("commercial activities," § 4.4.1) from C-2 ("large commercial activities," § 4.4.4) — and allows gas stations in C-2 but not C-1 — the proper path for a regional interstate fuel-and-retail center is a rezoning to C-2, or a special-use / PUD review, each
12. with full notice and hearing.
13.

5.
6.
7. **The application is also unreliable on its face**.
8. Beyond the violations above, the record repeatedly misstates the Code and the facts — including a "full list of allowed C-1 uses" that omits Convenience Store, the very use it claims is permitted; fuel-footprint percentages calculated on shifting denominators;
9. and a landscaping requirement misstated as 5% when the Code requires more. A record this flawed is one more reason the determination should be upheld and the matter tested on a full public record rather than reversed on appeal.
10.

I respectfully request that the Board:

3. Deny Buc-ee's appeal and uphold the Director's July 1 determination;

7. Recognize that a 120-position fuel facility
8. **is**
9. a gas station, which the Code excludes from C-1;

13. Decide the appeal in public, on a full evidentiary record, with the community heard; and

17. Require the applicant to use the proper public process — a rezoning to C-2, or special-use / PUD review — with full notice and hearing.

The public is entitled to be heard before a use the Code excludes from C-1 is allowed in through the back door of an administrative determination. Please deny the appeal.

Respectfully,

Wendy E.W Ladau
19950 Riverglen Lane, Monument Colorado 80132
Woodmoor neighborhood
El Paso County, Colorado

Jessica Merriam

From: Kylie Bagley
Sent: Wednesday, July 8, 2026 8:26 AM
To: Jessica Merriam
Subject: Fw: Buc-ee's Appeal of Administrative Determination ADM264 — Please DENY the Appeal and Uphold the Director's July 1 Determination (C-1 Zone, I-25 & County Line Road / Beacon Lite Road)

Kylie Bagley
Principal Planner
Planning and Community Development
719.520.6323
www.elpasoco.com

From: Whitney Yeager <whitneyyeager@icloud.com>
Sent: Tuesday, July 7, 2026 6:13 PM
To: Holly Williams <HollyWilliams@elpasoco.com>; Carrie Geitner <CarrieGeitner@elpasoco.com>; Bill Wysong <BillWysong@elpasoco.com>; Cory Applegate <CoryApplegate@elpasoco.com>; Lauren Nelson <LaurenNelson@elpasoco.com>
Cc: Meggan Herington <MegganHerington@elpasoco.com>; Kenny Hodges <KennyHodges@elpasoco.com>; Kylie Bagley <KylieBagley@elpasoco.com>; mlakind@tomgov.org <mlakind@tomgov.org>; sking@tomgov.org <sking@tomgov.org>; sabbott@tomgov.org <sabbott@tomgov.org>; csmith@tomgov.org <csmith@tomgov.org>; lkronick@tomgov.org <lkronick@tomgov.org>; kkimple@tomgov.org <kkimple@tomgov.org>; mfiorito@tomgov.org <mfiorito@tomgov.org>; eharris@palmer-lake.org <eharris@palmer-lake.org>; rmoseley@palmer-lake.org <rmoseley@palmer-lake.org>; jmarble@palmer-lake.org <jmarble@palmer-lake.org>; mbeeson@palmer-lake.org <mbeeson@palmer-lake.org>; ajurka@palmer-lake.org <ajurka@palmer-lake.org>; governorpolis@state.co.us <governorpolis@state.co.us>; natasha_hutson@bennet.senate.gov <natasha_hutson@bennet.senate.gov>; jess_cohen@hickenlooper.senate.gov <jess_cohen@hickenlooper.senate.gov>; jarvis.caldwell.house@coleg.gov <jarvis.caldwell.house@coleg.gov>; matthew.smith1@mail.house.gov <matthew.smith1@mail.house.gov>; integritymatterscos@gmail.com <integritymatterscos@gmail.com>; contact@trilakespreservation.org <contact@trilakespreservation.org>; savannah.eller@gazette.com <savannah.eller@gazette.com>; Tony.Keith@koaa.com <Tony.Keith@koaa.com>; Noah.Caplan@koaa.com <Noah.Caplan@koaa.com>; EXTERNAL KOAA News <News@KOAA.com>; ASack@kxrm.com <ASack@kxrm.com>; EXTERNAL Fox News <EXTERNALFoxNews@elpasoco.com>; EXTERNAL KKTV News <news@kktv.com>; news@krdo.com <news@krdo.com>; achalfin@krcc.org <achalfin@krcc.org>; EXTERNAL KRCC News <news@krcc.org>; newstips@denver7.com <newstips@denver7.com>; newstips@9news.com <newstips@9news.com>; tips@kdvr.com <tips@kdvr.com>; jalvarado@denverpost.com <jalvarado@denverpost.com>; EXTERNAL Newsroom Denver <newsroom@denverpost.com>; oliviaprentzel@coloradosun.com <oliviaprentzel@coloradosun.com>; newsroom@coloradosun.com <newsroom@coloradosun.com>; Karin.Brulliard@washpost.com <Karin.Brulliard@washpost.com>; jim.carlton@wsj.com <jim.carlton@wsj.com>; news-tips@nytimes.com <news-tips@nytimes.com>; tips@cnn.com <tips@cnn.com>; tips@nbcuni.com <tips@nbcuni.com>; news.tips@abc.com <news.tips@abc.com>; LBergman@newsnationnow.com <LBergman@newsnationnow.com>; tips@thefp.com <tips@thefp.com>; talkshow@aol.com <talkshow@aol.com>
Subject: Re: Buc-ee's Appeal of Administrative Determination ADM264 — Please DENY the Appeal and Uphold the Director's July 1 Determination (C-1 Zone, I-25 & County Line Road / Beacon Lite Road)

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Mark Safe Report El Paso County Digital, Strategy & Technology (DST)

Dear Commissioners:

On July 1, 2026, the Planning and Community Development Director declined to classify the proposed Buc-ee's — a 30-plus-acre interstate travel center — as a permitted "Convenience Store" in the C-1 zoning district, concluding that the use could not be determined to qualify under the Land Development Code. Buc-ee's has now appealed that determination to you. I ask you to deny the appeal and uphold the Director's determination.

This is not about whether Buc-ee's is a good business in the proper location. It is about the County's own Code, which answers the question the appeal raises.

1. **A gas station is not a permitted use in C-1.** Table 5-1 lists "Gas Station" as an allowed use in the CC, CR, CS, C-2, and M districts — but not in C-1. Under § 1.6.6 and § 5.3.6(C)(2), listing a use in some districts "shall be deemed to be an exclusion of the use from any other zoning district in which the use is not listed." A facility with 60 dispensers and 120 fueling positions is a gas station. "Convenience Store" and "Gas Station" are separately defined and separately listed uses; the convenience-store definition's "may include retail sale of gasoline" covers incidental fuel and cannot be used to place into C-1 a use the Code deliberately excluded from it. Read literally, as § 1.6.1 requires, **this use is prohibited in C-1.**

The appeal tries to escape this prohibition by misreading the Gas Station definition — three ways, all traceable to page 5 of the underlying request:

- First, it argues Buc-ee's is not a gas station because it "will not provide vehicle repairs, oil changes, accessory installation, [or] car washing." But § 1.15 does not require any of those services; it lists them as things a gas station "may include, as an incidental use." Their absence is irrelevant.
- Second, the appeal asserts the Code defines a gas station as a use "primarily oriented toward the petroleum fueling and servicing of motor vehicles" — a "primary orientation" requirement that appears nowhere in § 1.15.
- Third, it claims the definition "expressly limits retail activity to the incidental sale of vehicle accessories," which it does not. What actually defines a gas station under § 1.15 is the retail sale of gasoline and diesel for vehicles — which Buc-ee's plainly does, at 120 fueling positions. Read as the Code is written, this is a gas station, and gas stations are not allowed in C-1.

2. **The use does not meet the Code's "Convenience Store" definition.** That definition (§ 1.15) requires an establishment serving "the neighborhood in which it is located," and the Code defines a neighborhood as "primarily residential areas."

The appeal represents that the store will serve the surrounding neighborhood. It will not. This project is a regional tourist destination, not a neighborhood store — and the company says so itself:

At the grand opening of the company's recently opened Goodyear, Arizona travel center — a store identical to the one proposed here (74,000 square feet, 120 fueling positions and an estimate 165 toilets) — Buc-ee's own store-opening manager called it **"a destination," comparing it to Disney World** (*Arizona Daily Star, June 22, 2026*).

The Arizona Republic reported that hotels nearest that store sold out for opening weekend, and the *Arizona Daily Star* documented customers driving in from Oregon, Minnesota, and other states, with Nevada and California plates filling the lot.

According to figures Buc-ee's provided to the City of Springfield, Missouri, the company estimates **roughly six million customers a year,** with 88% traveling more than 20 miles to reach the store (City of Springfield official website; *Springfield Daily Citizen)*.

A store the company itself markets as a multi-state destination, drawing customers who travel hundreds of miles and book hotels, does not serve "the neighborhood in which it is located." It cannot be shoehorned into the one C-1 use the appeal relies on. The appeal's answer — to redefine the interstate corridor itself as the "neighborhood" — is not what the Code says.

3. **The appeal's "similar use" fallback cannot rescue it either.** Buc-ee's argues in the alternative that its project is a "similar" permitted use under § 5.3.6.C.1. It is not available here. Section 5.3.6(E) is explicit: no interpretation may "authorize any use in a zoning district … unless … substantially similar to an allowed use," none may allow a use "inconsistent with the statement of purpose" of the district, and none may "have the effect of amending, abrogating, or waiving any other standard or requirement established by Code." Reclassifying a gas station into C-1 would abrogate the Code's express exclusion of gas stations from C-1 — exactly what § 5.3.6(E) forbids. And the "similar use" mechanism exists for uses the Code has not listed; a gas station is listed, and it is excluded from C-1. The appeal's trip-generation comparisons do not change this: similar traffic does not override an express exclusion.
4. **This decision belongs on a full public record — and the right path is a rezoning, not a reclassification.** Deciding the permitted use of a specific parcel by applying the Code's definitions to specific facts is a discretionary, quasi-judicial judgment — the Code's own § 5.3.6(B) describes it as an "analysis and comparison of various code provisions … as opposed to a nondiscretionary review." The County itself stated in February 2026 that "a public hearing is required to determine the use classification" for a project like this. The contested questions this appeal raises — whether a multi-state destination "serves the neighborhood," the traffic and water impacts of a facility of this scale — cannot fairly be resolved on the applicant's paper record. They should be decided by you, in public, on an evidentiary record, with the community heard. If the Board is inclined to entertain reversing the Director, a use classification of this magnitude cannot fairly be decided on the applicant's paper submissions alone; it requires a noticed public evidentiary hearing at which the community can be heard. And because the Code distinguishes C-1 ("commercial activities," § 4.4.1) from C-2 ("large commercial activities," § 4.4.4) — and allows gas stations in C-2 but not C-1 — the proper path for a regional interstate fuel-and-retail center is a rezoning to C-2, or a special-use / PUD review, each with full notice and hearing.
5. **The application is also unreliable on its face**. Beyond the violations above, the record repeatedly misstates the Code and the facts — including a "full list of allowed C-1 uses" that omits Convenience Store, the very use it claims is permitted; fuel-footprint percentages calculated on shifting denominators; and a landscaping requirement misstated as 5% when the Code requires more. A record

this flawed is one more reason the determination should be upheld and the matter tested on a full public record rather than reversed on appeal.

I respectfully request that the Board:

1. Deny Buc-ee's appeal and uphold the Director's July 1 determination;
2. Recognize that a 120-position fuel facility **is** a gas station, which the Code excludes from C-1;
3. Decide the appeal in public, on a full evidentiary record, with the community heard; and
4. Require the applicant to use the proper public process — a rezoning to C-2, or special-use / PUD review — with full notice and hearing.

The public is entitled to be heard before a use the Code excludes from C-1 is allowed in through the back door of an administrative determination. Please deny the appeal.

Respectfully,

Whitney Yeager
565 Heatherdowns
Monument, Co 80132
Woodmoor
El Paso County

Sent from my iPhone

Jessica Merriam

From: steve draper <ssdraper@mac.com>
Sent: Friday, July 10, 2026 11:37 AM
To: Lauren Nelson; Bill Wysong; Cory Applegate; Holly Williams; Carrie Geitner; PCD Hearings; Ron Scott
Cc: Meggan Herington; Kylie Bagley; trilakespreservation@gmail.com; dpshops@sbcglobal.net; Kenny Hodges
Subject: Re: Buc-ee's EPCO, LLC — Appeal of the Planning and Community Development Director's Use-Classification Determination

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Commissioners / Meggan Herington / and Kylie Bagley :

First - Meggan and Kylie - please put this email into the official project record for the Buc-ee's appeal file and let me know if this is the place I need to submit to be on record for the future hearing. Thanks .

Members of the Board,

I respectfully urge you to **deny this appeal and uphold the Director's determination.** I believe the following reasons are simple, clear, and concise . Please note the argument reference numbers for the future hearing I will be attending.

On this appeal, Buc-ee's carries the burden of affirmatively proving that its facility meets the Land Development Code's specific definition of a "convenience store." Its own record proves the opposite.

1. The burden is Buc-ee's — and the standard is a "yes," not a "maybe."

A use-classification appeal is not something the County must win; it is something the applicant must win. Buc-ee's must demonstrate that its facility ***fits*** the defined, permitted use — not that it is **"close enough," "similar to," or "arguably like"** a convenience store. A permitted use must be affirmatively established. Where a use cannot be clearly classified as permitted, it is not permitted, and genuine doubt resolves against the applicant.

County staff, after reviewing the definitions, historical approvals, and a comparative analysis, found it **difficult to classify** the proposed use. That is not a neutral result. Under the correct standard, an

inability to clearly classify the use as permitted is itself a sufficient basis to deny the appeal. Buc-ee's needed to supply the Board a clear "yes." It has not.

2. The definition contains a limiting principle Buc-ee's cannot satisfy: it must serve "the neighborhood."

The Code defines a convenience store as an establishment intended to serve **"the neighborhood in which it is located."** That phrase is a functional test, not a description of size. The question is not whether the building is large or small — it is whom the use is designed to serve.

By its own evidence, Buc-ee's fails this test:

- **Scale.** The proposal is a 74,000-square-foot facility with 120 fueling positions — the largest format Buc-ee's builds anywhere in the country, matching the world-record Luling, Texas location, and roughly ten times the pumps and many times the floor area of an ordinary neighborhood convenience store.
- **Siting and marketing.** The facility is deliberately located at an interstate interchange and is marketed by its own developer as a regional destination that draws new customers and tax revenue from well beyond the local area. Buc-ee's nationally brands its locations as travel centers and destinations. A use designed and advertised to pull customers off I-25 from many miles away does not serve *its neighborhood* — it serves the interstate.
- **Its own revenue pitch.** In previously seeking annexation by the Town of Palmer Lake, Buc-ee's promoted the store's sales-tax revenue as a central benefit — a town-commissioned fiscal analysis projected roughly **$950,000 to nearly $1 million per year** in sales-tax revenue for a town of fewer than 3,000 residents. Critically, Palmer Lake's sales tax **excludes gasoline sales** — so that revenue reflects *non-fuel merchandise* alone, implying retail sales on the order of tens of millions of dollars per year. (The annexation was ultimately withdrawn after community opposition, and Buc-ee's then purchased the unincorporated County site now at issue.) A neighborhood convenience store does not generate that kind of non-fuel sales volume; a regional destination does. In its own words, to another government body, Buc-ee's described its use as a regional revenue generator.

Buc-ee's own destination marketing, its scale, and its regional-draw projections affirmatively establish that this facility is not neighborhood-serving. In other words, **the appellant's own record defeats its appeal.**

3. The County's own approved benchmark for this location proves the point.

The Board does not have to imagine what a genuine neighborhood convenience store looks like on this ground — the County has already decided it. The adjacent parcel, zoned **Commercial Community (C-C)**, was approved for a Maverik convenience store/gas station — a store of the size these operators typically build in this region, which for Maverik and comparable chains along the Front Range is generally in the neighborhood of **5,000 square feet**. That approval is a County-endorsed benchmark of what this use looks like at this location.

By contrast, the proposed Buc-ee's is roughly **74,000 square feet — on the order of fifteen times the floor area** of a typical regional Maverik — with 120 fueling positions — Buc-ee's maximum format nationwide. The fact that Maverik ultimately elected not to build does not diminish the comparison — indeed, it sharpens it: Maverik abandoned the site because CDOT's access restrictions on County Line Road made even a modest store unworkable, a constraint that bears directly on the far larger facility now proposed (see Section 7). The approved plan still reflects the County's own judgment of the scale and

character associated with a convenience-store use here. Placed side by side, the approved Maverik store and the proposed Buc-ee's are not the same kind of thing — one is a neighborhood-serving store; the other is a regional interstate destination roughly fifteen times its size. **Scale here is not cosmetic; it is evidence that the use has crossed the line the definition draws.**

(Note: this refers to the convenience-store use approved on the vacant C-C parcel adjacent to the Buc-ee's site — not the separate, existing Maverik store operating elsewhere in Monument.)

This benchmark also frames the decision fairly for the Board: denying Buc-ee's is not hostility to convenience stores or to development. The County can approve — and did approve — a real neighborhood convenience store on this very ground. The issue is only that Buc-ee's is not that use.

4. The Code's own classification test — "intensity" — and its dedicated regional-commercial zone both place this use outside "convenience store."

Two features of the Code itself resolve this classification, and both cut against Buc-ee's.

First, the Code makes intensity a classification criterion. Where a use is not separately listed, the Code directs that similar uses fall within a category of use "by character, descriptor, and **intensity**." Intensity is therefore not a policy argument opponents are raising from outside the Code — it is a factor the Code expressly commands the Director to weigh. A 74,000-square-foot facility with 120 fueling positions, drawing regional and interstate traffic, is of a categorically different *intensity* than a convenience store, and the Code requires that difference to control the classification.

Second, the Code already has a category for exactly this kind of use — and it is not "convenience store." The Commercial Regional (CR) district exists specifically "to accommodate regional centers." By contrast, both the C-1 convenience-store use and the adjacent C-C district are framed around neighborhood service — the C-C district is expressly intended for establishments that "primarily serve adjoining neighborhoods." The Code thus draws a clear line between neighborhood-serving commercial uses and regional centers, and it places them in different categories. A regional interstate destination belongs on the regional side of that line. An applicant cannot escape the more-specific, regional classification simply by volunteering into the broader, neighborhood-serving "convenience store" category. The specific governs the general.

Third, the proportions of the facility show that fuel — not neighborhood retail — is the primary use. The Code's convenience-store definition permits gasoline sales, but as an accessory to the store's neighborhood retail function. Here that relationship is inverted. The fuel operation — 120 fueling positions under multiple canopies, underground fuel storage that at comparable Buc-ee's locations has been permitted at roughly a quarter-million gallons or more (on the order of eight times the total capacity of a typical gas station), and multiple tanker deliveries every day — is the dominant physical and operational feature of the site. Where fuel is the primary use and retail the accessory, the facility is functionally a gas station at minimum — a use the C-1 district does not allow. A convenience store may sell gasoline; a fuel facility of this magnitude does not become a convenience store by attaching a retail building.

The process contrast reinforces this. A genuine convenience-store use on the adjacent lot was approved through the C-C process. Buc-ee's — a facility many times larger — now seeks to have its use resolved through an **administrative use-determination on the C-1 parcel**, a path that, by the County's own description, does not involve a public hearing. Even the smaller store went through the front door; the far larger one should not be permitted to enter through the side.

5. The facility now incorporates the adjacent C-C parcel — so it must be reviewed as one development.

Buc-ee's owns the adjacent parcel that was approved, under C-C zoning, for a Maverik convenience store, and that parcel is now part of the Buc-ee's site. This is not a facility that happens to sit next to another lot; it is a single integrated development that now spans two differently-zoned parcels — a C-1 parcel and a C-C parcel whose approved neighborhood-serving use has effectively been absorbed into a far larger regional one.

A development of that nature cannot properly be classified as a "convenience store" on the C-1 parcel in isolation. It should be evaluated as one unified development through the appropriate process, with the purposes and permitted uses of *both* districts considered — including the C-C district's express limitation to uses that "primarily serve adjoining neighborhoods." Resolving the use of an integrated, multi-parcel interstate destination through a single-parcel administrative determination understates what is actually being approved and sidesteps the review such a project warrants.

6. Buc-ee's own arguments do not carry its burden.

Buc-ee's has offered several reasons it should be classified as a convenience store. None survives scrutiny:

- **"The interstate is part of our neighborhood."** Buc-ee's argues that because the Code's definition of "neighborhood" references the surrounding roadway network, its location on I-25 makes the interstate part of the neighborhood it serves. This reading would erase the definition's limiting principle entirely: if fronting a major highway means a use "serves the neighborhood," then *every* use on *every* road is neighborhood-serving, and the requirement means nothing. A roadway may help *define the boundaries* of a neighborhood; it does not convert a facility designed to capture interstate travelers into one that serves the residents around it. The test is whom the use is designed to serve, and Buc-ee's own destination marketing answers that question.
- **"No repair bays, oil changes, or car wash, so we're not a gas station."** The absence of a few automotive services does not make a 120-position, 74,000-square-foot regional fuel-and-retail destination a neighborhood convenience store. It simply means it is not one particular sub-type of automotive use. The relevant distinction the Code draws is between neighborhood-serving and regional-serving uses — and on intensity, scale, and design, this facility falls on the regional side regardless of whether it changes oil. Moreover, the absence of repair services does not answer the primary-use question: with 120 fueling positions, storage tanks many times a normal station's capacity, and daily multi-tanker deliveries, fuel is the dominant use of this site, and the retail building is the accessory — the inverse of what the convenience-store definition contemplates.
- **"Most of our revenue comes from retail, not fuel."** Zoning classifies uses by their physical character, function, and impacts on the surrounding land — the Code directs review of "function, performance characteristics and location requirements" — not by an applicant's revenue mix, which is invisible to the neighborhood and could change every quarter. What the neighborhood and road network experience is the fuel operation: 120 fueling positions, two canopies, industrial-scale tank storage, and daily tanker deliveries. And the argument defeats itself either way: if fuel dominates, the facility is functionally a gas station, which C-1 does not allow; if retail dominates, then by Buc-ee's own numbers it is a regional retail destination generating tens of millions of dollars in annual merchandise sales — the Palmer Lake fiscal analysis projected nearly $1 million per year in sales tax from non-fuel sales alone — which belongs in the Code's regional-commercial category, not "convenience store." Nor can Buc-ee's claim fuel is incidental while

proposing the largest fuel installation it builds anywhere in the country. **Either way, the use is not neighborhood-serving** — the only thing the definition requires.

- **"Community-serving amenities" and "emergency refuge."** EV chargers, a bicycle plaza, open space, and the possibility of sheltering during an emergency are features many large commercial destinations offer; they do not change the fundamental character or intensity of the use. A regional destination does not become neighborhood-serving because it includes amenities. Additionally - the proposed area is the most dangerous and highest point between Colorado Springs and Denver - and especially during winter - will predispose **MORE** accidents to occur because of the much higher traffic volumes that Buc-ee's **own traffic study** projects.

Because Buc-ee's bears the burden, it is not enough to offer arguments that the use ***could*** be viewed as a convenience store. It must show the use ***is*** one under the definition. Its own evidence shows the opposite.

7. The supporting record all points the same direction.

Every factual concern below is not a separate argument — each is additional evidence from Buc-ee's own operations that this is a regional fuel-and-retail destination, not a neighborhood convenience store:

- **Traffic scale.** Applying the same ITE trip-generation methodology the County uses, a facility with 120 fueling positions and 74,000 square feet generates traffic an order of magnitude greater than a typical neighborhood convenience store. Studies have found standard ITE rates can ***understate*** trips at large sites of this type.
- **An incomplete traffic study.** The traffic study submitted with the appeal does not account for fuel-tanker delivery traffic — a defining, high-volume feature of a 120-position fueling operation. The Code's compatibility factors (**traffic, noise, vibration, dust**) cannot be found satisfied on a record that omits this impact.
- **Fuel storage scale.** A typical convenience gas station operates two to three underground storage tanks totaling roughly 30,000 gallons. Buc-ee's 104-position location in Florida — smaller than the 120 positions proposed here — was permitted with two 120,000-gallon underground tanks: 240,000 gallons, roughly eight times a normal station's total capacity — and site-specific figures for the Monument proposal should be disclosed and evaluated **before** any classification is made. Storage of that magnitude is industrial-scale fuel infrastructure, not the incidental fuel component of a neighborhood store.
- **Tanker frequency.** Buc-ee's own fuel distributor has publicly stated that its high-volume stores receive ***multiple tanker deliveries every day*** — versus roughly **two to four** deliveries **per week** at an ordinary convenience store. That is a fundamentally different, and heavier, traffic character - and - turning onto a rural collector road described below.
- **CDOT access restriction forces all heavy traffic onto Beacon Lite Road.** The site has essentially two frontages: County Line Road and Beacon Lite Road. CDOT, which controls access near the I-25 interchange, does not allow access on County Line Road for approximately 550 feet from the property's east side — a constraint significant enough that Maverik abandoned its approved convenience store on the adjacent parcel for that very reason. If access limitations defeated a ~5,000-square-foot neighborhood store, a facility fifteen times that size — with 120 fueling positions, daily multi-tanker fuel deliveries, and roughly 790 parking spaces — cannot resolve them except by routing its heaviest traffic onto Beacon Lite Road, a rural, residential-serving collector. A "neighborhood-serving convenience store" whose only available truck route runs its industrial-scale deliveries through the neighborhood it claims to serve is a **contradiction**

in terms. The Board **should require the CDOT access documentation** and a truck-routing analysis to be placed in the record before any classification is made — particularly because the submitted traffic study is **silent** on this traffic entirely.

- **Beacon Lite Road's character. Beacon Lite Road's character — and reclassification as admission.** Beacon Lite Road is a rural, residential-serving road; its southern portion carries a rural connector classification. Prior planning analysis for this same project already predicted that this development would drive the road's reclassification from a local road toward an arterial. That prediction is itself dispositive: road classifications describe the traffic a road is meant to carry, and a genuine neighborhood convenience store does not require reclassifying the neighborhood's road — by definition, its traffic fits the roads the neighborhood already has. If this project's viability depends on re-engineering Beacon Lite Road to **arterial capacity to carry its tankers and trucks, then by the County's own engineering standards the use is not a neighborhood use**. The applicant cannot classify the store as neighborhood-serving while requiring the neighborhood's road to be reclassified to serve it. And this is a change in kind, not routine development improvement: paving, curbs, and drainage upgrade a road within its classification; a functional reclassification to arterial changes what the road is — **an admission that the corridor's traffic character is being transformed by this use.**

- **Conclusion**

The Board need not find any fact against Buc-ee's to deny this appeal. It need only hold Buc-ee's to its burden and apply the Code as written. The defined use is **neighborhood-serving**; the Code makes **intensity** a classification criterion and provides a separate **regional-commercial** category for exactly this kind of destination; the County's own approved benchmark for this location is a store roughly one-fifteenth the size; Buc-ee's own evidence proves this facility is a regional interstate destination; and staff could not classify it as a permitted use. On that record, the appeal fails.

Finally, the Board's decision on this appeal is a quasi-judicial determination that must be supported by the record and by a correct application of the Code's definitions. A classification that stretches **"neighborhood-serving convenience store" to cover the largest travel-center format in the applicant's national portfolio** — on a record whose traffic study **omits** the project's heavy-vehicle impacts entirely — would be difficult to sustain under the standards that govern review of such decisions.

I ask the Board to **deny the appeal and uphold the Director's determination**, leaving Buc-ee's to pursue a rezoning application with the full public hearing and analysis a project of this scale warrants. Let them build a 5,000 sq foot station on the C - C lot !

Respectfully submitted,

Steve Draper

Colorado Estates Monument area resident / El Paso County

Map

Overview

Case Number: CCM-2622627

Case Type: Contact My Commissioner

Case Status: Submitted

Address: 80132, MONUMENT, CO, 80132

Unit:

Priority: Normal

Category: Citizen Contact Management

Assignees:

Internal Workflow Status: Submitted

Submitted By: Anonymous

Created Date: 08/11/2026 02:15 PM

Updated Date: 08/11/2026 03:12 PM

Source: Web

Tags:

Resolution:

Details

Case Number: CCM-2622627
Case Type: Contact My Commissioner

I affirm that I am submitting my electronic email address, telephone number, and/or home address for the purpose of receiving future electronic communications from El Paso County related to this Citizen Connect request. I request that this information be kept confidential under C.R.S. § 24-72-204(2)(a)(VII).: Yes

Please note that information you submit, including your name, may be subject to release under the Colorado Open Records Act. Certain specific information may be withheld if you checked the box above. If you do not wish for your name to be potentially released, please submit your request anonymously.

Contact All Commissioners: No

Commissioner Category: Rezoning/Land Use

Commissioner Category Description: Buc-ee's

Type of Submission: Other

Subject: DO NOT APPROVE BUc EES

Notes (Describe the issue for the Commissioner): Dear Holly Williams, Please do not approve the Buc-ee's application for an outpost on the Palmer Divide. This is NOT an area with sufficient water nor does this development protect the million dollar plus wildlife corridor directly to its north. The geography of Monument Hill is well known as an environmentally sensitive area which includes snow and ice dangers in the winter. Putting more traffic on side streets that do not currently support today's traffic will increase the number of accidents as motorists try to navigate not only a truck weigh station but more incoming and outgoing traffic at either the foot of the hill or its summit. Most importantly, you already have the tools to deny this application given it does NOT meet the requirements for a "convenience store" . Just because Buc-ee's made an error in purchasing property that DID NOT qualify for its use is not a reason to comply with their request. It is time to put the citizens who live in this area ahead of a corporate entity. I hope you concur.

GIS Attributes

District :3

Jurisdiction :TOWN OF MONUMENT

Contact Info

Robin Davis
Individual
Constituent

Phone: (719) 481-8763

Email: rgdmonument@gmail.com

Address: N/A

Updated by:	On:
Anonymous	01/10/2026

Comments

No details available

Images

No documents associated

Activity Logs

Case details edited

Paula Linhares | 08/11/2026 03:12 PM

Set District 3 | Provider changed to CCM District 3

System | 08/11/2026 02:15 PM

Set District 3 | Case created

Anonymous | 08/11/2026 02:15 PM

Jessica Merriam

From: Austin Middleton <austinmid@gmail.com>
Sent: Monday, August 10, 2026 8:34 AM
To: PCD Hearings
Subject: Buc-ee's Proposal – Is This the Kind of Corporate Neighbor We Want?

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Dear El Paso County Planning Commissioners,

I'm writing regarding the proposed Buc-ee's development near Palmer Lake.

I understand that the Planning Commission's role is primarily focused on land use, infrastructure, and compliance with county regulations. But with a project of this size, I think there is also a broader question worth asking: **Is this a company we should be bending over backwards to bring into our community?**

Buc-ee's has developed a remarkable reputation for aggressively suing smaller businesses over their logos and branding.

One of the more absurd examples involved Choke Canyon, a Texas travel center whose logo featured a cartoon **alligator wearing a cowboy hat**. Buc-ee's sued them, arguing that the alligator logo was confusingly similar to Buc-ee's cartoon **beaver wearing a baseball cap**.

Yes, an alligator.

Buc-ee's complaint specifically argued that the alligator copied important elements of its branding because it was a friendly, smiling cartoon animal used by a convenience store. The Choke Canyon logo used a green alligator in a yellow circle. Buc-ee's uses a brown beaver in a yellow circle.

Buc-ee's has pursued other businesses over animal mascots and similar branding as well. Most recently, it filed a federal lawsuit against a small Ohio convenience store called Beaver's Mini Mart over its beaver branding.

I understand why companies legitimately protect their trademarks. But there is a difference between protecting a trademark from an actual copycat and using the resources of a huge corporation to drag much smaller businesses into expensive litigation over cartoon animals.

That distinction matters to me.

Buc-ee's is asking El Paso County to accommodate an enormous development that would fundamentally change this area. According to CPR's reporting, the proposal involves roughly 29 acres, a 74,000-square-foot store, 120 gas pumps, and major associated infrastructure. This isn't a neighborhood gas station. It is a regional-scale commercial development being inserted into an area whose character is very different from the interstate commercial corridors where Buc-ee's normally operates.

When a corporation wants to make that large of an imprint on our community, I think its behavior as a corporate citizen is fair game.

A company willing to spend its resources suing smaller businesses because their cartoon alligator, dog, or beaver supposedly looks too much like its cartoon beaver does not strike me as the kind of corporate neighbor El Paso County should be eager to accommodate.

There may be perfectly legitimate legal arguments behind some of these cases. But taken together, the pattern is troubling. Having the money to pursue aggressive trademark litigation does not necessarily make doing so reasonable.

El Paso County is going to live with the consequences of this development long after the novelty of having a Buc-ee's wears off. The traffic, infrastructure demands, visual impact, water issues, and change in the character of the area will belong to us.

Before approving or facilitating a project of this magnitude, I hope the Commission will look beyond the promised jobs and tax revenue and ask a simpler question:

Do we really want a company that behaves this way toward smaller businesses to become one of the largest commercial presences in this part of El Paso County?

I don't.

Thank you for considering my comments.

Austin Middleton

719-400-3843

Jessica Merriam

From: brianna.dupre@gmail.com
Sent: Tuesday, August 11, 2026 6:59 AM
To: PLNWEB
Cc: PCD Hearings
Subject: File No. APP261 – Appeal of Buc-ee's Administrative Determination (ADM264)

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Mark Safe | Report

El Paso County Digital, Strategy & Technology (DST)

Is Buc-ee's a "convenience store" per Land Development Code definitions?

No, Bucee's is clearly not a convenience store. I am a homeowner in Monument, located just a few miles from the proposed Buc-ee's travel center.

A decision of this magnitude should not move quietly through administrative channels based on outdated zoning definitions that were never intended for a project of this scale. As a community, we are asking for transparency, careful scrutiny, and a meaningful public process.

This project is not comparable to the type of "convenience store" that existed when the C-1 zoning code was created. In 1991, convenience stores were small neighborhood-serving businesses such as 7-Eleven, typically around 5,000–6,000 square feet. C-1 zoning and convenience store uses were historically intended to serve local neighborhood and community needs through small-scale commercial services, retail, and offices.

By Buc-ee's own statements to the Palmer Lake Planning Commission in 2025, the company acknowledged that approximately, "90–95% of store sales come from outside of the zip code." That statement alone demonstrates that this is not a neighborhood-serving convenience store, but a large regional commercial destination designed to draw substantial outside traffic from well beyond the local community.

Additionally, within the C-1 designation, gas stations were historically permitted only as an accessory use alongside a convenience store, not as the defining feature of a massive regional travel center operation. Buc-ee's far exceeds the original scale, intent, and community-serving purpose contemplated under the obsolete C-1 zoning classification.

Several issues deserve careful scrutiny and a full public process:

• The current C-1 zoning classification is obsolete and has not been updated since 1991.

• Buc-ee's appears to more closely match the intent of C-3 or regional commercial zoning rather than neighborhood commercial zoning.

. Buc-ee's calls itself a "travel center," not a convenience store. Their own website and FAQ use the term "travel center". They should not get to market themselves as a highway travel center and then ask the county to zone them as a small neighborhood convenience store.

• A project of this scale should not move forward through administrative approval simply because the obsolete zoning code lacks a modern size limitation for convenience stores.

• The proposed building and sign heights appear to exceed the 30-foot limits allowed under C-1 zoning.

• This project would have major regional impacts involving traffic, infrastructure, water use, visual character, noise, and public safety.

For the reasons outlined above, I respectfully request that the Board of County Commissioners uphold Administrative Determination ADM264 and deny the applicant's request to classify the proposed Buc-ee's development as an allowed convenience store use within the C-1 Commercial zoning district. It is your duty to ensure that a project of this scale and significance receive fair, comprehensive, public review, and do what is best for the El Paso community.

Thank you for your time and consideration.

Sincerely,
Brianna Flynn
Homeowner, Physician Assistant, Concerned Community Member

Jessica Merriam

From: PLNWEB
Sent: Thursday, August 6, 2026 1:34 PM
To: Jessica Merriam
Subject: FW: BUC-EE'S

From: Charles Cooke <ccpalmerridge@gmail.com>
Sent: Thursday, August 6, 2026 1:22 PM
To: PLNWEB <PLNWEB@elpasoco.com>
Subject: BUC-EE'S

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Mark Safe | Report

El Paso County Digital, Strategy & Technology (DST)

To Whom it may concern,

My family lives in Monument. The site where BUC-EE'S is planning on destroying our natural beauty. Very close to our home.

Next to no one in this area wants this potential disgusting eye-sore cheap tinsel town amusement park here.

The people of Palmer Lake don't want.it. The people of Monument don't want it. Our Governor and Senator Bennet asked them to pick a different location.

Please, please do not cave to them. This time, please tell them NO. They cannot build their cheap amusement park in Northern El Paso County!

Honor the wishes of your fellow citizens and preserve the Natural Beauty God Endowed Us With.

Thank you,
Charles Cooke
Monument, CO

Jessica Merriam

From: PLNWEB
Sent: Thursday, August 6, 2026 9:48 AM
To: Jessica Merriam
Subject: FW: NO! to Buc-ee's

Gayle Jackson
Administrative Assistant
El Paso County | Planning and Community Development
2880 International Circle Suite 110
Colorado Springs, CO 80910
Phone: 719-520-6300
https://planningdevelopment.elpasoco.com/
www.epcdevplanreview.com

From: Chris <cclabaugh@protonmail.com>
Sent: Thursday, August 6, 2026 9:42 AM
To: PLNWEB <PLNWEB@elpasoco.com>
Subject: NO! to Buc-ee's

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Mark Safe Report

El Paso County Digital, Strategy & Technology (DST)

Saw in Our Community News this e-mail address to comment on Buc-ee's.

Buc-ee's would be a disaster for our community - the light pollution, the noise pollution, the eyesore, the amount of water consumed, the traffic, and the trash.

Buc-ee's is not trying to come here to serve the Tri-Lakes region. They are trying to come here only because the owners recognize an opportunity to get rich.

That part of Tri-Lakes is rural and residential. Buc-ee's DOES NOT FIT.

For the benefit of our community we must resist.

Chris Clabaugh
14585 Latrobe Dr, 80921

Jessica Merriam

From: PLNWEB
Sent: Wednesday, August 12, 2026 7:06 AM
To: Jessica Merriam
Subject: FW: Buc-ee's Appeal of Administrative Determination ADM264 — Please DENY the Appeal and Uphold the Director's July 1 Determination (C-1 Zone, I-25 & County Line Road / Beacon Lite Road)

Gayle Jackson
Administrative Assistant
El Paso County | Planning and Community Development
2880 International Circle Suite 110
Colorado Springs, CO 80910
Phone: 719-520-6300
https://planningdevelopment.elpasoco.com/
www.epcdevplanreview.com

From: Chris Wright <homesteadbrewer@gmail.com>
Sent: Tuesday, August 11, 2026 8:46 PM
To: Holly Williams <HollyWilliams@elpasoco.com>
Cc: Carrie Geitner <CarrieGeitner@elpasoco.com>; Bill Wysong <BillWysong@elpasoco.com>; Cory Applegate <CoryApplegate@elpasoco.com>; Lauren Nelson <LaurenNelson@elpasoco.com>; PLNWEB <PLNWEB@elpasoco.com>; secretary@trilakespreservation.org
Subject: Buc-ee's Appeal of Administrative Determination ADM264 — Please DENY the Appeal and Uphold the Director's July 1 Determination (C-1 Zone, I-25 & County Line Road / Beacon Lite Road)

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Mark Safe | Report | El Paso County Digital, Strategy & Technology (DST)

Commissioner Williams,

I am writing to urge you to deny the appeal of the Buc-ee's appeal of administrative determination.

I do not believe Buc-ee's can be classified as a convenience store. There is no question in my mind that Buc-ee's will not "serve the needs of the neighborhood in which it is located" - of which I reside. It is much larger and has the implicit intent of being a tourist destination. There is a huge preponderance of evidence and public experience that Buc-ee's is built and desires to draw business from around the State of Colorado and neighboring states. Its location in the proposed plot of land is inconsistent with the original intent of the zoning.

I respectfully request that the Board:

1. Deny Buc-ee's appeal and uphold the Director's July 1 determination;
2. Recognize that a 120-position fuel facility **is** a gas station, which the Code excludes from C-1;
3. Decide the appeal in public, on a full evidentiary record, with the community heard; and
4. Require the applicant to use the proper public process — a rezoning to C-2, or special-use / PUD review — with full notice and hearing.

Sincerely,

Chris Wright
19670 Belatrix Dr, Monument, CO 80132

Jessica Merriam

From: Aaron Kellar <aarondkellar@gmail.com>
Sent: Tuesday, August 11, 2026 10:48 AM
To: PLNWEB
Cc: PCD Hearings
Subject: File No. APP261 – Appeal of Buc-ee's Administrative Determination (ADM264)– Buc-ee's Administrative Determination Appeal

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Mark Safe Report

El Paso County Digital, Strategy & Technology (DST)

Dear El Paso County Board of County Commissioners and Planning and Community Development Department,

Please accept this letter as my formal written comment for the official record regarding Buc-ee's EPCO, LLC's appeal concerning the proposed Buc-ee's development at I-25 and County Line Road in El Paso County.

My name is Aaron Kellar. I am a longtime resident of El Paso County and have lived on True Vista Circle for more than twenty years, approximately one-half mile from the proposed Buc-ee's site. I am also a business owner and very active in volunteer work and philanthropy in the community

When my family chose to live in this area more than two decades ago, we carefully considered the zoning and planned uses of the vacant land surrounding our home, including the property now proposed for development as Buc-ee's. Like many residents and business owners, I believe strongly in private property rights, responsible economic development, and the importance of businesses contributing to a healthy local economy.

At the same time, those principles depend upon the County applying its Land Development Code consistently and fairly.

For that reason, I respectfully oppose classifying the proposed Buc-ee's travel center as a "Convenience Store," or as a use sufficiently similar to a convenience store to be permitted under the existing C-1 zoning.

The fundamental question before the County should not simply be whether Buc-ee's sells some of the same products sold at a convenience store. The question is whether the proposed development, considered as a whole, is actually the type of use contemplated by the County's definition of a "Convenience Store."

I strongly believe the proposed Buc-ee's is not a Convenience Store.

1. The County's definition of "Convenience Store" is specifically neighborhood-oriented.

The Land Development Code defines a "Convenience Store" as:

"An establishment for the purpose of offering for sale to the neighborhood in which it is located such items as groceries, ready to eat food, over the counter drugs, and sundries."

While the definition allows a convenience store to include gasoline and petroleum sales, the definition does more than list products. It specifically describes an establishment serving **"the neighborhood in which it is located."**

That language matters.

The proposed Buc-ee's is not being designed or marketed as a neighborhood-serving convenience store. It is being proposed at a major Interstate 25 interchange as a large-scale interstate travel destination.

Buc-ee's business model is centered around large travel centers serving interstate travelers. The proposed Colorado facility has consistently been described as a travel center, and its size, number of fuel pumps, parking capacity, retail offerings, and location all support that characterization.

Buc-ee's certainly sells groceries, prepared food, sundries, and other products that may also be found in a convenience store. But the fact that two businesses sell some of the same products does not necessarily make them the same land use.

A grocery store, a restaurant, a truck stop, and a neighborhood convenience store may all sell food, for example, but that does not mean they are interchangeable uses under a zoning code.

The County should look at the **actual function, purpose, scale, and intensity of the proposed development**, not simply the individual products it sells.

2. Buc-ee's own business model and characterization are relevant.

Buc-ee's is not simply a traditional neighborhood convenience store that happens to sell gasoline.

Its business model is based on large interstate-oriented travel centers that combine extensive fuel facilities, retail merchandise, prepared food, restrooms, parking, and amenities specifically designed to attract travelers.

It is reasonable for the County to consider how the applicant actually intends the property to function.

A business should not be able to characterize a development as a large-scale travel center when designing and marketing the project, while simultaneously seeking to have that same development classified as a neighborhood convenience store for zoning purposes because that classification is more favorable under the existing zoning.

The County should classify the proposed use based upon what it actually is—not simply upon the label that provides the easiest path to approval.

3. The scale of this development is fundamentally different from a conventional convenience store.

The proposed Buc-ee's is approximately **74,000 square feet**, with approximately **120 fuel pumps and nearly 790 parking spaces**.

Those numbers are not minor details. They demonstrate the scale, intensity, and intended function of the development.

A facility of this magnitude, located immediately adjacent to Interstate 25, is fundamentally different from the neighborhood-serving convenience store contemplated by the County's definition.

The size of the building, number of fuel positions, amount of parking, expected customer volume, and interstate location all point toward a regional or interstate travel-oriented use.

The County's own administrative review recognized the unusual nature of the proposal. Based on the County's review of the applicant's materials, applicable LDC definitions, historical approvals, and comparative information, the Planning and Community Development Director determined that the proposed use presented significant classification issues and could not simply be treated as an ordinary convenience store.

That distinction deserves careful consideration by the Board.

4. The LDC's similar-use test requires consideration of traffic and parking impacts.

Section 5.3.6(C)(1) of the Land Development Code establishes criteria for determining whether an unlisted use is sufficiently similar to an allowed use.

Among other factors, the Code requires consideration of characteristics including:

- traffic and parking generation;
- noise;
- glare;
- vibration; and

- dust.

The Code also requires the function, performance characteristics, and location requirements of an unlisted use to be consistent with the purpose and description of the applicable zoning district.

These requirements are particularly important in this case.

A 74,000-square-foot interstate travel center with approximately 120 fuel pumps and nearly 790 parking spaces will necessarily have a substantially different traffic and parking profile than a conventional neighborhood convenience store.

The scale of the proposed development is not merely a matter of appearance. It directly affects traffic, circulation, parking demand, noise, lighting, and the overall intensity of the use.

Even if the Board concludes that Buc-ee's sells products commonly associated with convenience stores, the broader use should still be evaluated under the LDC's similar-use criteria.

When the actual characteristics and impacts of the proposed development are considered, I do not believe it is sufficiently similar to a conventional convenience store to satisfy that test.

5. The proposed development is inconsistent with the scale and intensity contemplated by the existing C-1 classification.

The County describes the C-1 district as an obsolete commercial zoning district intended for general commercial uses.

The LDC recognizes that zoning exists to locate land uses where they are most appropriate, taking into account factors such as road access, existing development patterns, public utilities, and the intensity to which property may be developed. It also recognizes the importance of separating incompatible uses.

The fact that a property is zoned C-1 does not mean that every conceivable commercial development can automatically be placed into an existing permitted-use category.

There is a significant difference between allowing a general commercial district to accommodate appropriate commercial uses and using an existing use classification to authorize a development whose size, intensity, and function are substantially different from that use.

The County should not lose sight of that distinction simply because Buc-ee's sells products that are also sold by convenience stores.

6. An administrative interpretation should not be used to circumvent the appropriate level of land-use review.

The LDC provides important safeguards regarding administrative interpretations. An interpretation may not authorize a use that is inconsistent with the purpose of the applicable zoning district, nor may an interpretation amend, abrogate, or waive another requirement of the Code.

That safeguard is particularly important here.

If a 74,000-square-foot interstate travel center with approximately 120 fuel pumps and nearly 790 parking spaces can be classified as a "Convenience Store" simply because it sells groceries, prepared food, sundries, and gasoline, then the practical distinction between a neighborhood convenience store and a large regional travel destination becomes extremely difficult to maintain.

That interpretation could also create a precedent well beyond this particular project.

Future developers could potentially seek approval for substantially larger and more intensive developments under narrower permitted-use classifications simply by incorporating the products or services associated with those classifications.

That is not a sound approach to land-use planning.

The County should instead apply its Code based upon the **actual nature, function, scale, intensity, location, and impacts** of the proposed use.

7. The County's own administrative record warrants careful consideration.

This is not a situation in which County staff initially determined that Buc-ee's plainly meets the definition of a convenience store.

Rather, the County's June/July 2026 administrative review considered the applicant's materials, applicable LDC definitions, historical approvals, and comparative information and ultimately determined that the proposed use could not clearly be classified as a convenience store or as sufficiently similar to an allowed C-1 use.

Buc-ee's has appealed that determination, and the Board of County Commissioners will ultimately decide the land-use classification issue.

I respectfully ask the Board to give careful consideration to that administrative record and to the substantial differences between the proposed Buc-ee's and the neighborhood-serving use contemplated by the LDC.

As a resident who has lived here for more than twenty years, a local business owner, and a REALTOR who works with people making significant decisions about where they live and invest, I believe consistency in land-use decisions is extremely important.

People should be able to look at the County's zoning classifications and have a reasonable understanding of what those classifications mean.

Requested Action

For the reasons outlined above, I respectfully request that the Board of County Commissioners:

1. **Decline to classify the proposed Buc-ee's development as a "Convenience Store"** under the El Paso County Land Development Code;
2. **Decline to find that the proposed travel center is sufficiently similar to a permitted C-1 use** under LDC Section 5.3.6(C);

3. **Require the applicant to pursue the appropriate zoning, land-use, and public-review process** applicable to the actual proposed use, rather than relying upon a convenience-store classification that does not accurately reflect the scale and function of the development; and
4. **Preserve the integrity and consistency of the County's zoning classifications** so that future developments cannot obtain substantially different levels of review simply by adopting the label of an otherwise permitted use.

I want to be clear that my objection is not an objection to retail businesses, private property rights, or economic development.

As a longtime business owner, I understand the value that responsible businesses can bring to a community. I also understand that good development requires more than simply asking whether a project can technically fit within an existing category. It requires looking honestly at what the proposed development actually is, how it will function, how intensely it will operate, and whether that use is consistent with the rules the County has established.

That is the standard I am asking the County to apply here.

The central question should be **what this development actually is—not simply what products it sells or what classification is most advantageous to the applicant.**

A 74,000-square-foot interstate travel center with approximately 120 fuel pumps and nearly 790 parking spaces should not be treated as a neighborhood convenience store simply because it sells groceries, prepared food, sundries, and gasoline.

I respectfully ask the Board to uphold the integrity of the El Paso County Land Development Code and to deny Buc-ee’s appeal of the County's administrative determination.

Thank you for taking the time to consider my comments and for including this correspondence in the official record.

Respectfully,

Aaron Kellar

Jessica Merriam

From: PLNWEB
Sent: Friday, July 31, 2026 10:01 AM
To: Jessica Merriam
Subject: FW: Resident Against Buc-ee's Development Appeal

Marcella Maes
Associate Planning Services Coordinator
E.P.C. Planning & Community Development
2880 International Circle
Colorado Springs, CO. 80910
719.520.6318
https://planningdevelopment.elpasoco.com/

From: Allan McMullen <mcmidea@yahoo.com>
Sent: Friday, July 31, 2026 9:42 AM
To: PLNWEB <PLNWEB@elpasoco.com>
Subject: Resident Against Buc-ee's Development Appeal

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Mark Safe | Report

El Paso County Digital, Strategy & Technology (DST)

The will and property rights of the residents in a community must take precedence over the moneyed power of a large corporation especially now when there are so many reasons to deny Buc-ee's development appeal. In addition to the NO BUC-EES will of the community, the proposed site is completely wrong based on weather conditions, water, ingress and egress, and location and light pollution next to the Greenland Ranch Preserve open space.

The Palmer divide is the highest point on I-25 between the two Colorado State lines and has the worst wind and winter driving conditions on that interstate route.
1. This pass closes on a regular basis or requires chains during the winter storm events so snarled, unsafe driving conditions will become much worse from such a large establishment's traffic for locals who commute to Denver for work on a daily basis.
2. Trash and debris scattered by wind onto adjoining properties will create an extra expense for clean-up for Douglas and El Paso County, and local residents.
3. The continual, round-the-clock flushing of hundreds of toilets from this establishment will have a terrible impact on the property values of so many adjoining properties who rely on drinking water wells, along with other area communities already on water restrictions in the worst drought on record as climate change and access to water continues to worsen.
4. To assume that this "travel center" is a convenience store when in fact, it is the size of a town's sports stadium or shopping center based on water usage, parking spaces and 24-7 hour traffic, is completely erroneous and should not be approved.
5. For the above reasons and so many more, the economic viability of this project is doomed to failure and our community will end up with an ugly vacant property ripe for criminal activity because interstate 25 is known to be a drug corridor up from Mexico which has already caused the closing of two nearby rest areas.

DO NOT APPROVE BUC-EES DEVELOPMENT, MONUMENT SAYS NO!

Allan McMullen
Monument Resident

Jessica Merriam

From: Kylie Bagley
Sent: Monday, August 3, 2026 7:47 AM
To: Jessica Merriam
Subject: Fw: Require Buc-ee's to properly rezone

Kylie Bagley
Principal Planner
Planning and Community Development
719.520.6323
www.elpasoco.com

From: Ira Cline <ira.cline@gmail.com>
Sent: Sunday, August 2, 2026 8:34 AM
To: Holly Williams <HollyWilliams@elpasoco.com>; Bill Wysong <BillWysong@elpasoco.com>; Carrie Geitner <CarrieGeitner@elpasoco.com>; Lauren Nelson <LaurenNelson@elpasoco.com>; Cory Applegate <CoryApplegate@elpasoco.com>; Meggan Herington <MegganHerington@elpasoco.com>; Kylie Bagley <KylieBagley@elpasoco.com>
Cc: SPA-RD-CO@usace.army.mil <SPA-RD-CO@usace.army.mil>; steven.b.crosson@usace.army.mil <steven.b.crosson@usace.army.mil>; code.tanya@epa.gov <code.tanya@epa.gov>; r8eisc@epa.gov <r8eisc@epa.gov>; michaela.snow@state.co.us <michaela.snow@state.co.us>; cdphe.commentswqcd@state.co.us <cdphe.commentswqcd@state.co.us>; Jason.Ullmann@state.co.us <Jason.Ullmann@state.co.us>; Tracy.Kosloff@state.co.us <Tracy.Kosloff@state.co.us>; ColoradoES@fws.gov <ColoradoES@fws.gov>; mlakind@tomgov.org <mlakind@tomgov.org>; sking@tomgov.org <sking@tomgov.org>; sabbott@tomgov.org <sabbott@tomgov.org>; csmith@tomgov.org <csmith@tomgov.org>; lkronick@tomgov.org <lkronick@tomgov.org>; kkimple@tomgov.org <kkimple@tomgov.org>; mfiorito@tomgov.org <mfiorito@tomgov.org>; integritymatterscos@gmail.com <integritymatterscos@gmail.com>; contact@trilakespreservation.org <contact@trilakespreservation.org>; governorpolis@state.co.us <governorpolis@state.co.us>; natasha_hutson@bennet.senate.gov <natasha_hutson@bennet.senate.gov>; jess_cohen@hickenlooper.senate.gov <jess_cohen@hickenlooper.senate.gov>; eharris@palmer-lake.org <eharris@palmer-lake.org>; rmoseley@palmer-lake.org <rmoseley@palmer-lake.org>; jmarble@palmer-lake.orgm <jmarble@palmer-lake.orgm>; beeson@palmer-lake.org <beeson@palmer-lake.org>; ajurka@palmer-lake.org <ajurka@palmer-lake.org>; savannah.eller@gazette.com <savannah.eller@gazette.com>; Tony.Keith@koaa.com <Tony.Keith@koaa.com>; sam.page@krdo.com <sam.page@krdo.com>; Noah.Caplan@koaa.com <Noah.Caplan@koaa.com>; ASack@kxrm.com <ASack@kxrm.com>; Karin.Brulliard@washpost.com <Karin.Brulliard@washpost.com>; jim.carlton@wsj.com <jim.carlton@wsj.com>; jalvarado@denverpost.com <jalvarado@denverpost.com>; oliviaprentzel@coloradosun.com <oliviaprentzel@coloradosun.com>; achalfin@krcc.org <achalfin@krcc.org>; talkshow@aol.com <talkshow@aol.com>; EXTERNAL KKTV News <news@kktv.com>; news@7news.com <news@7news.com>; spencer.soicher@9news.com <spencer.soicher@9news.com>; news@cpr.org <news@cpr.org>; EXTERNAL Fox News <EXTERNALFoxNews@elpasoco.com>; EXTERNAL Newsroom Denver <newsroom@denverpost.com>; EXTERNAL KRCC News <news@krcc.org>; newsroom@coloradosun.com <newsroom@coloradosun.com>; EXTERNAL KOAA News <News@KOAA.com>; tips@kdvr.com <tips@kdvr.com>; tips@thefp.com <tips@thefp.com>; tips@cnn.com <tips@cnn.com>; newstips@9news.com <newstips@9news.com>; EXTERNAL News TipsDenver <newstips@thedenverchannel.com>; newstips@denver7.com <newstips@denver7.com>; news-tips@nytimes.com

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Subject: Require Buc-ee's to properly rezone

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Mark Safe Report El Paso County Digital, Strategy & Technology (DST)

Good morning El Paso County Planning Department and County Commissioners,
My name is Ira Cline. I'm a retired 21-year Air Force veteran and resident of Monument here in northern El Paso county since 2007. I am deeply concerned about the proposed Buc-ee's development near Monument and Palmer Lake. I strongly urge the Planning Department not to treat this proposal as a simple administrative approval under the obsolete C-1 zoning designation.
Please do not dismiss these concerns as just another round of public opposition. The vast majority of us residing here feel that decisions of this magnitude should not move quietly through administrative channels based on outdated zoning definitions that were never intended for a project of this scale. We are asking not for special treatment, but for transparency, careful scrutiny, and a meaningful public process. Public input should matter before irreversible decisions are made.
This project is not comparable to the type of "convenience store" that existed when the C-1 zoning code was created. In 1991, convenience stores were small neighborhood-serving businesses such as 7-Eleven stores, typically around 5,000–6,000 square feet. C-1 zoning and convenience store uses were historically intended to serve local neighborhood and community needs through small-scale commercial services, retail, and offices.
By Buc-ee's own statements to the Palmer Lake Planning Commission in 2025, the company acknowledged that approximately "90–95% of store sales come from outside of the zip code." That statement alone demonstrates that this is not a neighborhood-serving convenience store, but a large regional commercial

destination designed to draw substantial outside traffic from well beyond the local community.
Additionally, within the C-1 designation, gas stations were historically permitted only as an accessory use alongside a convenience store, not as the defining feature of a massive regional travel center operation. Buc-ee's far exceeds the original scale, intent, and community-serving purpose contemplated under the obsolete C-1 zoning classification.
Several issues deserve careful scrutiny and a full public process:
• The current C-1 zoning classification is obsolete and has not been updated since 1991.
• Buc-ee's appears to more closely match the intent of C-3 or regional commercial zoning rather than neighborhood commercial zoning.
• A project of this scale should not move forward through administrative approval simply because the obsolete zoning code lacks a modern size limitation for convenience stores.
• Buc-ee's should not be allowed to avoid public hearings by using an outdated zoning technicality.
• The Town of Monument has already raised concerns regarding possible "segmentation" related to the Beacon Lite Road project and the use of dirt generated from county-funded road work.
• The proposed building and sign heights appear to exceed the 30-foot limits allowed under C-1 zoning. I request clarification regarding how these heights are being measured and whether retaining wall height is being included under applicable building code standards.
• The public deserves transparency regarding whether any future Planned Unit Development (PUD) process could be used to waive existing restrictions.
This project would have major regional impacts involving traffic, infrastructure, water use, visual character, noise, and public safety. Because of its scale and significance, I respectfully request that the Planning Department require a full public review process rather than allowing this proposal to proceed administratively.
Please do not ignore your constituents here in northern El Paso county. We are speaking loud and clear on this matter. We are deeply concerned about the scope and magnitude of this proposed project. Hear our voices. Thank you for your time and consideration.
Sincerely,
Ira Cline
19890 Lark Ln. Monument CO 80132

Jessica Merriam

From: PLNWEB
Sent: Wednesday, August 12, 2026 3:23 PM
To: Jessica Merriam
Subject: FW: ADM264 and APP261

Gayle Jackson
Administrative Assistant
El Paso County | Planning and Community Development
2880 International Circle Suite 110
Colorado Springs, CO 80910
Phone: 719-520-6300
https://planningdevelopment.elpasoco.com/
www.epcdevplanreview.com

From: Jeanette Breton <jeanettebreton@gmail.com>
Sent: Wednesday, August 12, 2026 3:16 PM
To: PLNWEB <PLNWEB@elpasoco.com>
Subject: ADM264 and APP261

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Mark Safe Report

El Paso County Digital, Strategy & Technology (DST)

I would contest the classification of Buc-ee's as a traditional convenience store.

A convenience store typically serves nearby residents and motorists who want to quickly stop in for fuel, a drink, a snack, or a few basic necessities. Buc-ee's operates on a very different scale and is intentionally designed as a destination for highway travelers.

With its enormous retail footprint, extensive food offerings, merchandise, household goods, gifts, and other products, Buc-ee's functions more like a Walmart or Costco combined with a large-scale gas station and travel center. Its purpose is not primarily neighborhood convenience, but to attract and serve travelers looking for a rest stop that offers nearly everything they may need along their journey.

For that reason, I believe Buc-ee's is more accurately characterized as a large travel center or destination retailer rather than a convenience store.

Jeanette Breton & Mike Hinkle, Resident
80 E Stirrup Trail, Monument

Jessica Merriam

From: PLNWEB
Sent: Monday, August 10, 2026 7:34 AM
To: Jessica Merriam
Subject: FW: Buccees appeal - not in approval

-----Original Message-----
From: Johan Moum <johanmoum@gmail.com>
Sent: Saturday, August 8, 2026 4:11 PM
To: PLNWEB <PLNWEB@elpasoco.com>
Subject: Buccees appeal - not in approval

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Dear, El Paso county commissioners,
I want to make it know not only am I against Buc-ee's appeal to be classified as a convenient store I am opposed to Buccees as a whole. They are not there to serve the local community as a majority of us do not want them here. They will only benefit and make millions on tourists and do not care about the local community not wanting them on county line road.
Please consider the local community and stop this horrible request from Buccees.

Johan Moum
719-432-9778

Jessica Merriam

From: PLNWEB
Sent: Monday, August 3, 2026 7:44 AM
To: Jessica Merriam
Subject: FW: Buc-ee's Appeal of Administrative Determination ADM264 — Please DENY the Appeal and Uphold the Director's July 1 Determination (C-1 Zone, I-25 & County Line Road / Beacon Lite Road

From: mtnbkr64 ircbiz.com <mtnbkr64@ircbiz.com>
Sent: Sunday, August 2, 2026 12:55 PM
To: PLNWEB <PLNWEB@elpasoco.com>
Subject: Buc-ee's Appeal of Administrative Determination ADM264 — Please DENY the Appeal and Uphold the Director's July 1 Determination (C-1 Zone, I-25 & County Line Road / Beacon Lite Road

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El Paso County Digital, Strategy & Technology (DST)

RESIDENT COMMENTS AGAINST BUC-EE'S DEVELOPMENT APPEAL

The will and property rights of the residents in a community must take precedence over the moneyed power of a large corporation especially now when there are so many reasons to deny Buc-ee's development appeal.

In addition to the NO BUC-EES will of the community, the proposed site is completely wrong based on weather conditions, ingress and egress, and location and light pollution next to the Greenland Ranch Preserve open space.

The Palmer divide is the highest point on I 25 between the two Colorado State lines and has the worst wind and winter driving conditions on that interstate route:

1. This pass closes on a regular basis or requires chains during the winter storm events so snarled, unsafe driving conditions will become much worse from such a large establishment's traffic for the locals who commute to Denver for work on a daily basis.

2. Trash and debris scattered by wind onto adjoining properties will create an extra expense for clean-up for Douglas and El Paso County and local residents.

3. The continual round-the-clock flushing of hundreds of toilets from this establishment will
have a terrible impact on the property values of so many adjoining properties who rely on
drinking water wells, along with other area communities already on water restrictions in the worst drought on record as climate change and access to water continues to worsen.

4. To assume that this "travel center" is a convenience store when in fact, it is the size of a town's sports stadium or shopping center based on water usage, parking spaces and 24-7 hour traffic is completely erroneous and should not be approved.

5. For the above reasons and so many more, the economic viability of this project is doomed to failure and our community will end up with an ugly vacant property ripe for criminal activity because interstate 25 is known to be a drug corridor up from Mexico which has already caused the closure of two nearby rest areas.

DO NOT APPROVE BUC-EE’S DEVELOPMENT, MONUMENT SAYS NO!

Sincerely,

John Stahl
Monument Resident
565 Heatherdowns
Monument, Co 80132

Jessica Merriam

From: PLNWEB
Sent: Monday, August 10, 2026 10:32 AM
To: Jessica Merriam
Subject: FW: File No. APP261 – Appeal of Buc-ee's Administrative Determination (ADM264)

-----Original Message-----
From: Dan Benedict <EggsDan@netscape.net>
Sent: Monday, August 10, 2026 10:09 AM
To: PLNWEB <PLNWEB@elpasoco.com>
Subject: File No. APP261 – Appeal of Buc-ee's Administrative Determination (ADM264)

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Buc-ee's needs to go somewhere else, NOT on the top of Monument Hill!

It doesn't fit the zoning, and there's a reason the zoning is the way it is. DO NOT allow it.

The water use would be disastrous, the traffic would be disastrous, it would be an eye-sore as well.

Don't do it!!! It's the wrong place in so many different ways.

-Dan Benedict

Jessica Merriam

From: PLNWEB
Sent: Tuesday, August 11, 2026 9:35 AM
To: Jessica Merriam
Subject: FW: My comments regarding Buc-ee's appeal

Gayle Jackson
Administrative Assistant
El Paso County | Planning and Community Development
2880 International Circle Suite 110
Colorado Springs, CO 80910
Phone: 719-520-6300
https://planningdevelopment.elpasoco.com/
www.epcdevplanreview.com

From: Debra Boudreau <debraboudreau@mac.com>
Sent: Monday, August 10, 2026 7:02 PM
To: PLNWEB <PLNWEB@elpasoco.com>
Subject: My comments regarding Buc-ee's appeal

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El Paso County Digital, Strategy & Technology (DST)

I am strongly opposed to a finding that the proposed Buc-ee's in El Paso County meets the definition of a convenience store. It the term is not clearly defined by county policy, then the generally accepted meaning applies. A convenience store is a small shop that sells basic food, drinks, and everyday items. The key features are small size, usually under 5,000 square feet; long opening hours or 24/7

access; easy parking or walk-in access; quick in-and-out shopping; and higher prices than big supermarkets due to the ease of access. Convenience store items for sale generally include snacks, candy, soft drinks, basic groceries like milk and bread, tobacco, lottery tickets, and basic travel medicines and toiletries. Sometimes, a convenience store is co-located with a gas station. This information comes from Convenience.org, the web page of the National Association of Convenience Stores. The largest of their 5 types of convenience stores is the one of 5,000 square feet, which the organization identifies as a Hyper Convenience Store. They do not describe a gas station as part of the convenience store itself. This organization with about 800 national members certainly knows how to define a convenience store.

There can be no doubt that Buc-ee's does not run convenience stores and that the proposal before you is not a convenience store. It is a travel center of the kind that Buc-ee's describes on-line as its core business.

How many times have we seen large trucks trying to get up the right lane of Monument Hill in the winter in bad weather on both southbound and northbound I-25? It's a regular winter occurrence. Vehicles will be trying to get into Buc-ees from both directions of I-25 if it is approved, slowing large trucks even more. Buc-ee's describes long lines of vehicles waiting to enter its establishments in its online feature listing. A convenience store would have minimal impact on traffic. The travel centers on Baptist Road already have a significant impact on traffic in that area in the winter as big rigs park about everywhere when the interstate is impassible. It's very difficult to go westbound on Baptist across the bridge over I-25 and enter I-25 South. with the log jam of tractor trailers So, Buc-ee's won't have tractor-trailers ,or so they think, but where are all those vehicles at a Buc-ee's supposed to go when the weather on the interstate causes a shutdown? Buc-ee's bills themselves as a travel destination, meaning a lot of vehicles, which is so contrary to a convenience store. This particular part of I-25 is probably the last place I would put a travel center.

No business should be allowed to light up the sky all night long, especially in such close proximity to protected open space. The state just spent a fortune for a wildlife crossing over I-25. This proposed Buc-ees is too close to that wildlife crossing and will contribute nothing but an ugly facade, noise, and glaring light. There are residents in the area who will not want to be subjected to bright night lighting, both human and animal. A convenience store would never have the environment impact of a Buc-ee's travel center. We do not need Buc-ee's massive, highly visible,and brightly lit highway property and directional signage on I-25 in an area with steep up and downhill elevation. It's likely to be highly distracting and bothersome to drivers, too. A convenience store would never have such a garish and out-of-place light display.

I suppose the county will provide all police, fire services ,water, and utilities if this Buc-ee's is approved. As a Monument taxpayer, I along with many others I know in the town will absolutely object to a penny of our tax dollars supporting Buc-ee's travel center. We already face significant public service shortfalls. A true convenience store would have minimal impact on my tax dollars. Everyone I have spoken to in Monument absolutely supports the Town of Monument's position.

Has anyone considered the impact of hundreds of idling vehicles in that particular area? I believe the proposal includes about 150 gas pumps, and you'll have people trying to find parking as others are enjoying the department store-like aspect and restaurant inside Buc-ees. We've just had a few ozone days in Monument and that part of the county where Buc-ee's would like to build is very weather sensitive. A convenience store would have minimal impact on the environment.

If terms are not defined in county or state documents, then use commonly accepted definitions of terms like “convenience store” and employ common sense. Using accepted definitions of terms is always within the law. Finally, you make decisions that should consider the best interests of El Paso County. In this real world scenario, the best interests of the county are opposed to the profit motives of a Texas private business that wants to build a huge travel center in our midst and would try to hoodwink you into believing it’s just a convenience store.

Thank you for the opportunity to provide comments prior to your meeting on this important issue.

Debra Boudreau
Monument, CO

Jessica Merriam

From: PLNWEB
Sent: Monday, August 3, 2026 7:45 AM
To: Jessica Merriam
Subject: FW: Do not build Buc-ee's

-----Original Message-----
From: Don Killilea <donkillilea@ymail.com>
Sent: Saturday, August 1, 2026 2:51 PM
To: PLNWEB <PLNWEB@elpasoco.com>
Subject: Do not build Buc-ee's

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My name is Don Killilea and I oppose this development as a resident of the area.

Jessica Merriam

From: PLNWEB
Sent: Tuesday, August 11, 2026 9:16 AM
To: Jessica Merriam
Subject: FW: OPPOSE ADM264 and APP261

Gayle Jackson
Administrative Assistant
El Paso County | Planning and Community Development
2880 International Circle Suite 110
Colorado Springs, CO 80910
Phone: 719-520-6300
https://planningdevelopment.elpasoco.com/
www.epcdevplanreview.com

From: Dee <nanasierka1@gmail.com>
Sent: Tuesday, August 11, 2026 8:55 AM
To: PLNWEB <PLNWEB@elpasoco.com>
Subject: OPPOSE ADM264 and APP261

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Mark Safe Report

El Paso County Digital, Strategy & Technology (DST)

El Paso County BOCC:

We deeply oppose siting a gigantic 74,000sf TRAVEL CENTER on top of the Palmer Divide in Northern El Paso County. This blatant attempt to weasel around zoning restrictions which are in place to protect our community from predatory businesses, well known for tactics such as these, needs to be denied.

The C1 zoning designation allows for a "neighborhood" convenience store. The difference in scale should be obvious.

Deny the appeal, and protect our community from devastating impacts and precedents.

I firmly believe that in our representative society it is our right and responsibility to speak out when we see things that are wrong. Similarly, it is your responsibility and your duty to respond to your constituents' views. Buc'ees is wrong for this location, the gateway to the Pikes Peak Region.

Respectfully,

Dr. Heidi Arbury, long-time community resident and voter

Jessica Merriam

From: PLNWEB
Sent: Wednesday, August 12, 2026 11:03 AM
To: Jessica Merriam
Subject: FW: Buc-ees

Gayle Jackson
Administrative Assistant
El Paso County | Planning and Community Development
2880 International Circle Suite 110
Colorado Springs, CO 80910
Phone: 719-520-6300
https://planningdevelopment.elpasoco.com/
www.epcdevplanreview.com

From: Justin Ahl <justin.ahl.83@gmail.com>
Sent: Wednesday, August 12, 2026 10:45 AM
To: PLNWEB <PLNWEB@elpasoco.com>
Subject: Buc-ees

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Mark Safe Report

El Paso County Digital, Strategy & Technology (DST)

Good day,
I was initially for Buc-ees but after seeing how many SLAPP suits Bucees has filed against other convience stores for having animal logos that have almost no similarities to Bucees logo. They are also suing stores nowhere them or even competing with. This shows they are anti-competition and anti-

consumer and if allowed, it could be detrimental to any local business that Bucees "doesnt like". This has changed my opinion on them being allowed to operate in the county, let alone state. If Bucees doesn't want to play fair then they need to go kick rocks so the Average American isn't getting squeezed by another greedy corporation. We're not rich and we're already getting price gouged and fleeced worse than any point in history now. Feels like we're losing, unless you have money I suppose smh.

Respectfully,
Justin Ahl
Semper Fi

Jessica Merriam

From: PLNWEB
Sent: Thursday, August 6, 2026 12:33 PM
To: Jessica Merriam
Subject: FW: Buc-ee's

Gayle Jackson
Administrative Assistant
El Paso County | Planning and Community Development
2880 International Circle Suite 110
Colorado Springs, CO 80910
Phone: 719-520-6300
https://planningdevelopment.elpasoco.com/
www.epcdevplanreview.com

From: Karen DaPra <karendap44@gmail.com>
Sent: Thursday, August 6, 2026 10:27 AM
To: Kat O <kathi.omalley@gmail.com>
Cc: PLNWEB <PLNWEB@elpasoco.com>; pcdhearings@elpascoco.com; CARCTB <carctb@elpasoco.com>; Citizen Comments <citizencomments@elpasoco.com>
Subject: Re: Buc-ee's

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Mark Safe | Report

El Paso County Digital, Strategy & Technology (DST)

Great letter and certainly stated the facts in educated and thoughtful manner. KD

On Wed, Aug 5, 2026 at 1:28 PM Kat O <kathi.omalley@gmail.com> wrote:

> To Whom it Concerns:
>
> The fact that you could not "determine" that Buc-ee's is NOT a convenience store is outrageous. I live at County Line Rd & I-25. I strongly oppose the proposal to construct a Buc-ee's at Monument Hill. It is one of the worst possible locations in El Paso County for a development of this outrageous magnitude.
>
> Monument Hill is not an empty interchange waiting to become another highway commercial hub. It is the gateway to one of the gems of Colorado Open Spaces. Our community has deliberately worked to perserve the area's natural character. We added a wildlife overpass so our wildlife can safely cross over I-25. We have homes all around the area with children! This is not one of those giant interchanges meant for a monstrosity like Buc-ee's.
>
> The traffic implications and water needed should give this Board pause. Adding thousands of additional vehicles every day would create a transportation nightmare. The water demands for a project of this size is not suitable for this are. It is difficult to understand what you all are thinking???
>
> Equally troubling is the precedent this would set. The community is against this. And again, we understand development will come. But to call this a convenience store is outrageous - it is a mega-travel station unsuited for this exit! You talk about resonsible development - this is not responsible. It betrays our community and our beautiful area. It is far too close to housing and far too congested already. More traffic deaths would be in your hands!
>
> Planning is about making decisions that future generations will thank you for - not decisions future generations will spend decades undoing.
>
> I urgently request that you reject this proposal and instead focus on being responsible stewards of our planning and development (that is why you were elected). Focus on development that is compatible with our planning codes and zoning, infrastructure, community, and future. Please protect this gateway to El Paso county. Some mistakes cannot be corrected.
>
> Buc-ee's is a bully, we need to stand up to bullies. They have tried to go through Monument, Palmer Lake, and now through you. Please do the right thing and reject this project.
>
> Thank you,
>
> Kathleen O'Malley
> 19616 Still River Ct
> Monument, CO 80132

Jessica Merriam

From: PLNWEB
Sent: Thursday, August 13, 2026 7:47 AM
To: Jessica Merriam
Subject: FW: Objection to hearing procedures and request for governing authority — Buc-ee's appeal, BoCC hearing Aug. 27, 2026

From: Integrity Matters <integritymatterscos@gmail.com>
Sent: Wednesday, August 12, 2026 4:10 PM
To: Kenny Hodges <KennyHodges@elpasoco.com>
Cc: PLNWEB <PLNWEB@elpasoco.com>; Cory Applegate <CoryApplegate@elpasoco.com>; Carrie Geitner <CarrieGeitner@elpasoco.com>; Lauren Nelson <LaurenNelson@elpasoco.com>; Holly Williams <HollyWilliams@elpasoco.com>; Bill Wysong <BillWysong@elpasoco.com>; Secretary TPI <secretary@trilakespreservation.org>; Mary Scott <tpitreasurer1@gmail.com>; TPI Treasurer <treasurer@trilakespreservation.org>; Sean Saw <nobuccees@gmail.com>; Matthew Beverly <matt.beverly99@gmail.com>; Monument Independent <editor@monumentindependent.com>; CARCTB <carctb@elpasoco.com>; Dana Duggan <danaannduggan@gmail.com>; Kat Gayle <Trout_65@yahoo.com>
Subject: Objection to hearing procedures and request for governing authority — Buc-ee's appeal, BoCC hearing Aug. 27, 2026

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Mark Safe | Report

El Paso County Digital, Strategy & Technology (DST)

Mr. Hodges,

I represent Integrity Matters, a Colorado 501(c)(4) corporation, and write on its behalf and on behalf of its members, including members who own property in the vicinity of the subject parcel at I-25 and County Line Road and who have registered or will register to

provide evidence on August 27. Please add this to the record.

This email objects to several of the hearing procedures published at https://clerkandrecorder.elpasoco.com/clerk-to-the-board/public-hearing-participation/ (the "Procedures Page"), requests identification of the adopted authority for them, and requests certain records. I have preserved copies of the Page as captured on August 10, 2026.

1. THE HEARING IS QUASI-JUDICIAL AND DUE PROCESS ATTACHES

The Procedures Page states that the hearing is quasi-judicial, that the Board "must base its findings on specific, factual evidence," and that the applicant "has the burden of proof." It repeatedly describes public participation as the provision of evidence. We agree.

Quasi-judicial decision-making requires notice and an opportunity to be heard as a matter of fundamental fairness to those whose protected interests are likely to be affected. *Cherry Hills Resort Dev. Co. v. City of Cherry Hills Village, 757 P.2d 622, 625 (Colo. 1988); Whitelaw v. Denver City Council, 2017 COA 47, ¶ 10.*

The absence of a prescribed procedural rule does not lower that floor: "In the absence of legislatively prescribed notice and hearing requirements, it is incumbent upon the governmental body to provide adequate notice and an opportunity to be heard to those persons whose protected interests are likely to be affected." *Cherry Hills, 757 P.2d at 629.*

That obligation includes the receipt of evidence — parties "must be given an opportunity to introduce evidence in their own behalf and [must be] afforded an opportunity, through evidence and argument, to affect the result." *W. Alfalfa Corp. v. Air Pollution Variance Bd., 534 P.2d 796, 799 (Colo. App. 1975)*. An opportunity that exists in form but not substance is "merely a hollow gesture." Id. at 800.

2. OBJECTIONS

(a) Order of proceeding — the party bearing the burden has the last word, and no one may answer it.

The published order is Staff, Applicant, Public Input, Applicant Rebuttal, Decision. Each speaker may speak only once, and time may not be yielded. The appellant therefore presents without any published time limit, hears all opposing evidence, and then rebuts, while no participant in opposition may respond. Anything first advanced in rebuttal enters the record untested. "[P]arties to an administrative hearing should have the opportunity to be confronted with all facts that influence the disposition of a case." *Whitelaw, ¶ 11*. The announced structure guarantees the opposite as to any fact first raised in rebuttal.

(b) Electronic presentation is barred <u>only for the public.</u>

The Page states electronic presentations are not permitted "during public testimony." The qualifier is significant. On information and belief, staff and the appellant will both use electronic display. A restriction on the medium of evidence, applied to opponents but not to the proponent or to staff, is not a time, place, or manner rule; it is differential treatment that tracks a participant's position on the merits. The County has adopted no rules of evidence for this proceeding — the Page provides that documents tendered at the hearing are automatically accepted as exhibits — so no principle is identified that would admit a demonstrative from the appellant and exclude the identical demonstrative from an opponent.

(c) Cumulative effect.

A participant may be limited to one minute; may speak once; may not receive time from another; may not use electronic display; and must spend that same minute distributing the six printed copies the County requires, because "[y]our speaking time includes any time you spend at the podium." Opponents are called last, after all testimony in support.

(d) The procedures were published seventeen days before the hearing, and no adopted authority is identified for them.

The County has confirmed, in correspondence with *The Monument Independent* dated August 12, 2026, that "[t]he Buc-ee's land use hearing participation webpage went live at approximately 2:59 p.m. on Aug. 10." The appeal has been pending for months. The one-minute speaker limitation, the prohibition on yielding time, the prohibition on electronic display during public testimony, and the order of proceeding placing applicant rebuttal after public input were therefore first published to the public seventeen days before the hearing.

That timing does not stand alone. Speakers before this Board were traditionally allotted three minutes and were permitted to cede time to a designated speaker. On July 23, 2026, immediately before a quasi-judicial hearing, the allotment was reduced to ninety seconds and ceding was disallowed. The Procedures Page now provides for one minute. I ask the County to identify the date on which each of these terms was adopted and by whom.

The Page states that "[t]he Chair has discretion to limit speaker time" but cites no resolution, code section, or adopted rule. Chapter 2 of the Land Development Code addresses the authority of the approval authorities; the corresponding provision of the predecessor Land Use Code stated that the manner in which the Board conducts its activities is established by BoCC Resolution No. 05-106, as amended. I have been unable to locate that resolution, any amendment to it, or the Board's current Rules, Procedures and Ethics Standards in any publicly accessible location, though the Board's website states those Rules are updated annually.

The Procedures Page is an unadopted staff webpage. A webpage cannot supersede an adopted rule. If the Board's adopted rules fix a speaker time, prescribe an order of proceeding, or vest the setting of time limits in the Board rather than the Chair, the announced procedures depart from the County's own governing authority. If no adopted

rule addresses these matters, Cherry Hills places the obligation of fundamental fairness on the Board directly. I cannot presently determine which is the case, because the governing documents are not public.

I note by way of comparison that the County's Board of Adjustment, which hears land use matters under the same Code, operates under written bylaws that establish an order of presentation, provide the applicant an opportunity for final rebuttal, and adopt Robert's Rules of Order.

(e) Asymmetric questioning.

Commissioners "may ask staff questions" following the staff presentation, while the public is advised that "Commissioners will not respond to questions or engage in dialogue with speakers." The Board may test and develop one body of evidence and not the other.

(f) Prejudice.

These are not abstractions. The announced procedures will exclude, or prevent meaningful presentation of, evidence directly probative of the single question before the Board — whether the proposed use is allowed in the C-1 district or is sufficiently similar to an allowed use. That evidence includes [comparative site plan and fuel-position exhibits]; [gross floor area and trip-generation comparisons against uses enumerated in Table 5-1]; [the appellant's own characterization of the use in its public materials]; and [the Director's stated inability to identify a similar enumerated use]. Each is demonstrative in nature and is materially degraded by a one-minute oral format without display.

3. SUBMISSION CHANNEL

As first published, the Procedures Page listed the address for written evidence as PNLweb@elpasoco.com rather than PLNweb@elpasoco.com. I note and credit that the County corrected the Page the same afternoon, and that the County has since confirmed that the incorrect address was not a valid recipient, that senders would have received a non-delivery notification, and that email-management logging identified no messages sent to it during the period it appeared. On that record I do not pursue the matter further, with one exception: the County states that the log report "covered the preceding seven days." If that reflects a retention period rather than a chosen query window, the underlying data for August 10 may age out shortly. I therefore ask that the County preserve and produce the log export or screen capture already generated, which appears to require no additional work.

One related question remains open. The Procedures Page directs written evidence to an email address. The Department's standard hearing agenda language directs public comments and supplemental documents to the EDARP project page, and provides that submissions made at least twenty-four hours before a hearing are given to the Board and included in the hearing materials. The Procedures Page does not mention EDARP. I ask the County to confirm which channel governs for this file, that submissions through

either will be accepted and made part of the project record, and that both will be transmitted to the Board.

4. RECORDS REQUEST (C.R.S. § 24-72-201 et seq.)

1. BoCC Resolution No. 05-106 and all amendments — or, if superseded, the resolution or rule now establishing the manner in which the Board conducts its activities.
2. The Board's current Rules, Procedures and Ethics Standards and the adopting resolution. If published publicly, please identify where.
3. The PCD Procedures Manual referenced in the Land Development Code.
4. All versions of the Procedures Page and of any predecessor public hearing participation page, with revision dates, the author and approving official, and the date on which each of the following first appeared in any form: the one-minute speaker limitation; the ninety-second limitation that preceded it; the prohibition on yielding time; the prohibition on electronic presentations during public testimony; and the order of proceeding placing applicant rebuttal after public input.
5. The email-management log export or screen capture referenced in the County's August 12, 2026 correspondence.
6. All records, including email, text messages, and messages on personal accounts or devices, among any Commissioner, the Chair, your office, the Clerk to the Board, and PCD staff concerning speaker time limits, yielding of time, electronic presentations, or the order of proceeding for the August 27 hearing, from June 1, 2026 to present.
7. All records of communications between the County and the appellant or its counsel or consultants concerning hearing format, allotted time, or use of electronic display at the August 27 hearing.

I am aware that The Monument Independent has made related inquiries of the County. Integrity Matters makes this request independently and for the purpose of this hearing record. To the extent the County has produced or will produce responsive material to that inquiry, production of the same material here will satisfy items 4 and 5.

5. RELIEF REQUESTED

Before the hearing commences:

1. Identify the adopted authority for each announced procedural restriction, and the date each was adopted and first published.
2. Confirm in writing whether staff and the appellant will use electronic display.
3. Either permit opponents to use electronic display on the same terms afforded staff and the appellant, or apply the prohibition uniformly.
4. Afford opponents an opportunity for surrebuttal following the appellant's rebuttal — at minimum by permitting one designated representative to reserve time — or place the rebuttal before public input.
5. Permit a designated representative of interested opponents to present for a period commensurate with that afforded the appellant.
6. Confirm that printed handouts may be tendered to the Clerk in advance of a speaker's turn, so that distribution does not consume allotted time.
7. Confirm which submission channel governs, and that all timely written evidence will

be transmitted to each Commissioner in advance of the hearing, and the manner of transmittal.

8. Put the hearing procedures to a vote of the full Board at the outset rather than proceeding on the unilateral ruling of the Chair.

9. Preserve the audio and video recording, registration records, exhibits tendered, and written evidence received.

6. RESERVATION

All objections are reserved, including the right to renew them on the record, to make offers of proof as to evidence excluded by operation of the announced procedures, and to seek review under C.R.C.P. 106(a)(4). Review under that rule is confined to the record made below; evidence kept out at the hearing cannot be supplied afterward. Whitelaw, ¶ 43.

I am aware of *Sundance Hills Homeowners Ass'n v. Board of County Commissioners, 534 P.2d 1212 (Colo. 1975)*, holding that a board's failure to follow precisely its own ordained procedure did not deprive anyone of due process. It is distinguishable: the material there was cumulative of evidence already in the record, the Court characterized the deviation as "an insignificant aspect of an extensive process," and no timely objection was lodged. This is that objection, lodged in advance.

Nothing here asks the Board to reach any particular result. I ask only that the proceeding be governed by rules that are adopted, published, and applied evenly to every participant. A decision built on a record assembled under the announced procedures will be vulnerable for reasons unrelated to the merits of the land use question, which serves no one.

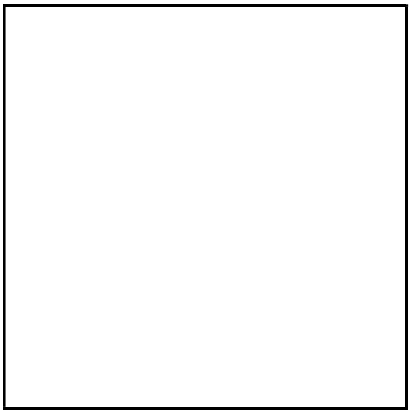
Given the August 26 evidence deadline, I would appreciate a response by August 19. I am available at your convenience.

Regards,

Katherine A. Gayle
Atty. Reg. No. 20089
Chief Legal Counsel
Integrity Matters

--

Integrity is doing the right thing when no one is watching.



Jessica Merriam

From: Meggan Herington
Sent: Tuesday, August 11, 2026 2:04 PM
To: Jessica Merriam
Subject: FW: Buc'ees

Meggan Herington, AICP
Executive Director
El Paso County Planning and Community Development
719-520-7941
https://planningdevelopment.elpasoco.com

From: cookcob <cookcob@aol.com>
Sent: Tuesday, August 11, 2026 1:58 PM
To: Meggan Herington <MegganHerington@elpasoco.com>
Cc: Holly Williams <HollyWilliams@elpasoco.com>; CarrieGeitner@elpasocounty.com; BillWysong@elpasocounty.com; CoryApplegate@elpasocounty.com; LaurenNelson@elpasocounty.com; KennyHodges@elpasocounty.com; kyliebagley@eelpasocounty.com
Subject: Buc'ees

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Mark Safe | Report

El Paso County Digital, Strategy & Technology (DST)

This has been a horrible summer. So many Coloradoans suffering tremendous loss because of wildfires and so many in the tri lakes area praying they aren't next. With the possible presence of a mega travel center and out of state tourists ignorant of the fragile Monument Hill environment the potential for increased fire danger is frightening.
Also most homes in Woodmoor and surrounding areas do not have air conditioning necessitating sleeping with windows open at night to attempt to co our homes. The screeching noise of "crotch rocket" motorcycles all night at this time is disruptive. Give these noisemakers a 24 hour destination to party and congregate will destroy the quality of life we moved here for. Many older, and younger homeowners cannot afford to install air-conditioning because of a Buc'ees travel center.
It is wrong to all an out of state travel center owner to enrich themselves at the expense of a community that DOES NOT WANT THEM HERE!
PLEASE do not allow this travel center destination to disguise itself as a convenience store. Listen to the people who gave you your jobs and who you are supposed to represent.

V/R
Kathleen Coblar

Sent from my Galaxy

Jessica Merriam

From: PLNWEB
Sent: Wednesday, August 5, 2026 1:47 PM
To: Jessica Merriam
Subject: FW: Buc-ee's

From: Kat O <kathi.omalley@gmail.com>
Sent: Wednesday, August 5, 2026 1:28 PM
To: PLNWEB <PLNWEB@elpasoco.com>; pcdhearings@elpascoco.com; CARCTB <carctb@elpasoco.com>; Citizen Comments <citizencomments@elpasoco.com>
Subject: Buc-ee's

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El Paso County Digital, Strategy & Technology (DST)

To Whom it Concerns:

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Monument Hill is not an empty interchange waiting to become another highway commercial hub. It is the gateway to one of the gems of Colorado Open Spaces. Our community has deliberately worked to perserve the area's natural character. We added a wildlife overpass so our wildlife can safely cross over I-25. We have homes all around the area with children! This is not one of those giant interchanges meant for a monstrosity like Buc-ee's.

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I urgently request that you reject this proposal and instead focus on being responsible stewards of our planning and development (that is why you were elected). Focus on development that is compatible with our planning codes and zoning, infrastructure, community, and future. Please protect this gateway to El Paso county. Some mistakes cannot be corrected.

Buc-ee's is a bully, we need to stand up to bullies. They have tried to go through Monument, Palmer Lake, and now through you. Please do the right thing and reject this project.

Thank you,

Kathleen O'Malley
19616 Still River Ct
Monument, CO 80132

Jessica Merriam

From: PLNWEB
Sent: Monday, August 10, 2026 7:36 AM
To: Jessica Merriam
Subject: FW: File No. ADM264 x Buc-ee's Administrative Determination Appeal

From: Kathryn Johnson <kjohnsonco@aol.com>
Sent: Saturday, August 8, 2026 2:20 PM
To: PLNWEB <PLNWEB@elpasoco.com>
Subject: File No. ADM264 x Buc-ee's Administrative Determination Appeal

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El Paso County Digital, Strategy & Technology (DST)

Dear Honorable Commissioners,

Please accept this written testimony for the official public record regarding the proposed Buc-ee's project at Monument Hill. Due to a disability, I am unable to attend the public hearing in person, but as a deeply concerned community member a resident of Monument, it is vital that my objection to this specific land-use misclassification is recorded.

I strongly urge the Board of County Commissioners to uphold the Planning Director's administrative determination and **deny** Buc-ee's request to be classified as a "neighborhood-serving convenience store" under the El Paso County Land Development Code.

This appeal is a clear attempt to distort code definitions to bypass strict land-use restrictions. I request that the Board deny the appeal based on the following direct definition violations:

- **Violation of the "Neighborhood-Serving" Mandate:** The C-1 Commercial district is explicitly codified to permit low-intensity businesses that serve the immediate, local residential cluster. A 74,000-square-foot mega-retailer is, by definition, a regional commercial destination. Its entire business model relies on attracting high-volume interstate traffic from I-25, which completely violates the localized intent of the C-1 zone.
- **Illegal Circumvention of the Gas Station Prohibition:** The C-1 zone explicitly prohibits standard gas stations and commercial truck stops. Classifying a project with **up to 120 fueling positions** as a simple "convenience store" stretches the legal definition beyond all reason. Labeling a fueling footprint of this massive, industrial scale as "incidental retail" creates an illegal loophole that renders the county's explicit prohibition on gas stations meaningless.
- **Failure of the "Sufficiently Similar" Test:** Under the Land Development Code, unlisted uses can only be approved if they are "sufficiently similar" to allowed uses in operational impacts and scale. Buc-ee's combines the traits of a mega-retailer, a heavy-fueling plaza, and a regional market. It shares no operational, structural, or scale similarities with a standard neighborhood corner store.
- **Erosion of Zoning Integrity:** Zoning definitions exist to provide predictable land use and protect community standards. Allowing a massive interstate travel center to legally masquerade as a neighborhood convenience store sets a dangerous precedent. It undermines the text of the Land Development Code and strips property owners of the zoning protections they rely on.

The Planning and Community Development Director correctly determined that this project cannot fit into the convenience store definition. I respectfully request that the Board uphold that decision, protect the text of our code, and deny this appeal.

Thank you for your time and consideration of my written testimony.

Sincerely,

Kathryn Johnson

Mobile Phone: 719-339-4371

kjohnsonco@aol.com

]

[Your Email Address]

Jessica Merriam

From: PLNWEB
Sent: Monday, August 3, 2026 4:18 PM
To: Jessica Merriam
Subject: FW: Buc-ee's

From: Kathy Clark <kathy@shearmadness72.com>
Sent: Monday, August 3, 2026 4:12 PM
To: PLNWEB <PLNWEB@elpasoco.com>
Subject: Buc-ee's

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El Paso County Digital, Strategy & Technology (DST)

Hi:

I hope this is where I can comment on the Buc-ee's appeal re: it being a convenience store. According to Buc-ee's own website it is a "travel center". Convenience stores service local neighborhoods - clearly Buc-ee's does not. Their #1 selling point is "World's Cleanest Restrooms". This "friendly neighbor along the highway" clearly is NOT a local convenience store so I hope their appeal will be DENIED.

Thank you!
Kathy Clark
19619 Glen Shadows Dr
Colorado Springs, CO 80908

Jessica Merriam

From: Kimberlee Gresham <kimberlee.gresham@gmail.com>
Sent: Saturday, August 8, 2026 6:46 PM
To: PLNWEB
Cc: PCD Hearings
Subject: File No. APP261 - Appeal of Buc-ee's Administrative Determination (ADM264)

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El Paso County Digital, Strategy & Technology (DST)

Dear Commissioners,

Buc-ee's has appealed the Planning and Community Development Director's decision of July 1, 2026 to decline classification as a permitted "Convenience Store" for the C-1 zoning district at I-25 and County Line Rd. I request that you deny the appeal and uphold the Director's determination. I live off of Furrow Rd near County Line Rd and use the I-25 onramp at County Line Rd daily, yet Buc-ee's is not there to serve me, a local resident, as a store with a designation of "convenience store" is supposed to do.

While Buc-ee's claims it will serve the surrounding community, it is clear by their actions that their primary objective is to be a highway tourist destination and stop for those traveling through the area from great distances. This is especially demonstrated by the Buc-ee's billboards found on highways throughout the United States advertising their locations hundreds of miles away. For example, there is a billboard at I-25 exit 451 in New Mexico advertising the Johnstown, Colorado location 262 miles away. A store advertising at those distances clearly does not intend for its primary audience to be the local neighborhood. The use does not meet the Code's "Convenience Store" definition. That definition (§ 1.15) requires an establishment serving "the neighborhood in which it is located," and the Code defines a neighborhood as "primarily residential areas."

I respectfully request that the Board:

1. Deny Buc-ee's appeal and uphold the Director's July 1 determination;
2. Decide the appeal in public, on a full evidentiary record, with the community heard; and
3. Require the applicant to use the proper public process — a rezoning to C-2, or special-use / PUD review — with full notice and hearing.

A project of this scale and intention does not belong in C-1 zoning and should proceed through the appropriate rezoning process.

Thank you,
Kimberlee Gresham
El Paso County Resident

Jessica Merriam

From: Laura Kellar <lzinsmaster11@yahoo.com>
Sent: Tuesday, August 11, 2026 10:18 AM
To: PLNWEB
Cc: PCD Hearings
Subject: File No. APP261 – Appeal of Buc-ee's Administrative Determination (ADM264)– Buc-ee's Administrative Determination Appeal

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El Paso County Digital, Strategy & Technology (DST)

Dear El Paso County Board of County Commissioners and Planning and Community Development Department,

Please accept this email as a formal written comment for the official record regarding Buc-ee's EPCO, LLC's appeal concerning the proposed Buc-ee's development at I-25 and County Line Road in El Paso County, Colorado.

Is Buc-ee's a "convenience store" per Land Development Code definitions? **The answer is no**. Please read my entire email of the many reasons why I believe this to be true.

My name is Laura Kellar and I am a resident of El Paso County, located on True Vista Circle, just ½ mile from the proposed Buc-ee's site. I have lived her over twenty years and when we chose to move here we took into consideration the zoning of the vacant land surrounding our home, including the proposed Buc-ee's site. I am also a REALTOR and am very concerned for my clients and neighbors in this area.

I respectfully oppose classifying the proposed Buc-ee's travel center as a "Convenience Store" or as a use sufficiently similar to a convenience store to be permitted in the existing C-1 zoning district.

My objection is based on the language and purpose of the El Paso County Land Development Code, the characteristics and scale of the proposed development, and the County's own findings during the administrative determination process.

1. The County's definition of "Convenience Store" is expressly neighborhood-oriented.

The Land Development Code defines a "Convenience Store" as:

"An establishment for the purpose of offering for sale to the neighborhood in which it is located such items as groceries, ready to eat food, over the counter drugs, and sundries."

The definition does allow a convenience store to include gasoline and petroleum sales. However, the definition does not simply describe a list of products. It expressly identifies the intended market as the "neighborhood in which it is located."

The proposed Buc-ee's is fundamentally different in its intended function and market. It is being developed at a major Interstate 25 interchange as a large-scale travel destination. Buc-ee's has historically described and marketed its larger facilities as travel centers, and the proposed Colorado facility is consistently described as a travel center in the public record.

That distinction matters. The issue is not whether Buc-ee's happens to sell groceries, prepared food, medicine, and sundries. It plainly does. The question is whether the proposed use, as a whole, is the type of neighborhood-serving establishment contemplated by the County's definition.

I believe the evidence indicates that it is not.

2. Buc-ee's own characterization of its business is relevant to the County's classification decision.

Buc-ee's is not simply a conventional neighborhood convenience store that happens to sell fuel. Its business model is based on large interstate-oriented travel centers that combine fuel, extensive retail merchandise, prepared food, restrooms, parking, and other traveler-oriented amenities.

Contemporary reporting describes Buc-ee's as an interstate-adjacent chain of supersized travel stores, and Buc-ee's proposed Colorado facility has consistently been identified as a "travel center."

It is reasonable for the County to consider the actual function and characteristics of a proposed use rather than relying solely on the applicant's preferred label.

A business should not be able to characterize itself as a large-scale travel center when marketing and designing the facility, while simultaneously relying on the substantially narrower zoning classification of a neighborhood convenience store solely because that classification is permitted under the existing zoning.

3. The scale of the proposed facility is fundamentally different from a conventional convenience store.

The proposed facility is approximately **74,000 square feet**, with approximately **120 fuel pumps** and nearly **790 parking spaces**.

Those characteristics are not incidental details. They are evidence of the nature and intensity of the proposed use.

The County itself reported that its review of historical approvals and comparative information did not provide a clear basis for classifying the proposed development. The Planning and Community Development Director ultimately determined that the proposed use was difficult to classify because its combination of characteristics, impacts, and design elements was unusual in unincorporated El Paso County.

This is important because the question before the Board is not whether Buc-ee's sells some of the same products sold by a convenience store. It is whether this particular proposed use is properly characterized as a convenience store under the LDC.

The enormous difference in scale strongly suggests that it is not.

4. The LDC's similar-use test specifically requires consideration of traffic and parking impacts.

Section 5.3.6(C)(1) of the Land Development Code establishes criteria for determining whether an unlisted use is sufficiently similar to an allowed use.

Among other requirements, the Code states that the proposed use must be compatible with the uses specifically allowed in the district and similar in characteristics including:

- traffic and parking generation;
- noise;
- glare;
- vibration; and
- dust.

The Code also requires the function, performance characteristics, and location requirements of the unlisted use to be consistent with the purpose and description of the zoning district.

These are not merely secondary considerations. They are expressly identified by the Code as part of the similar-use analysis.

A 74,000-square-foot interstate travel center with approximately 120 fuel pumps and nearly 790 parking spaces presents a substantially different traffic and parking profile from a conventional neighborhood convenience store.

Accordingly, even if the Board were to conclude that Buc-ee's sells products commonly associated with convenience stores, the broader use should still fail the similar-use test because its function, scale, traffic generation, parking demand, and overall operating characteristics are materially different.

5. The proposed use is inconsistent with the purpose and intensity contemplated by the existing C-1 classification.

The County describes the C-1 district as an obsolete commercial zoning district intended for general commercial uses.

The LDC explains that zoning is intended to locate particular land uses where they are most appropriate, considering factors including public utilities, road access, established development patterns, and the intensity to which land may be developed. It further states that zoning is intended to segregate incompatible uses.

The proposed Buc-ee's represents an unusually large and intensive use compared with the ordinary neighborhood-serving commercial use contemplated by the "Convenience Store" definition.

The fact that the property is already zoned C-1 should not automatically mean that every conceivable commercial use can be characterized as a convenience store. The LDC provides separate mechanisms for determining whether a proposed use is actually permitted and whether an unlisted use is sufficiently similar to an allowed use.

6. The County should not use an administrative interpretation to circumvent the level of review appropriate to a fundamentally different use.

The LDC states that no interpretation may authorize a use that is inconsistent with the statement of purpose of the applicable zoning district, nor may an interpretation amend, abrogate, or waive another requirement of the Code.

That safeguard is particularly important here.

If a 74,000-square-foot interstate travel center can qualify as a "Convenience Store" simply because it sells groceries, prepared food, sundries, and gasoline, then the practical distinction between a neighborhood convenience store and a large regional travel destination becomes extremely difficult to maintain.

Such an interpretation could establish a precedent whereby substantially larger and more intensive developments could obtain approval under a smaller or different use classification merely by incorporating the products or services associated with that classification.

The County should instead apply the Code according to the actual nature, function, intensity, and impacts of the proposed use.

7. The County's own administrative record supports careful scrutiny rather than automatic classification.

This is not a situation in which County staff determined that Buc-ee's plainly meets the definition of a convenience store.

The County's June/July 2026 administrative review concluded that, after reviewing the applicant's materials, applicable LDC definitions, historical approvals, and comparative analysis, the Planning and Community Development Director was unable to determine that the proposed use met the definition of a convenience store or was sufficiently similar to an allowed C-1 use.

Buc-ee's has appealed that determination, and the County has stated that the Board of County Commissioners will ultimately decide the land-use classification issue.

I respectfully ask the Board to give substantial weight to the actual characteristics of the proposed development and to apply the LDC's criteria as written, rather than allowing the project's classification to turn primarily on the applicant's preferred terminology.

Requested action

For the reasons above, I respectfully request that the Board of County Commissioners:

1. **Decline to classify the proposed Buc-ee's as a "Convenience Store" under the El Paso County Land Development Code;**
2. **Decline to find that the proposed travel center is sufficiently similar to a permitted C-1 use under LDC Section 5.3.6(C);**
3. Require the applicant to pursue whatever zoning, land-use, or public-review process is required for the actual proposed use rather than relying on a convenience-store classification that does not accurately reflect the scale and function of the development; and
4. Preserve the integrity of the County's zoning classifications so that future developments cannot obtain substantially different levels of review merely by adopting the label of an otherwise permitted use.

This objection is not based on opposition to retail businesses or to economic development generally. It is a request that the County apply its existing Land Development Code consistently and according to the actual characteristics of the proposed development.

The central question should be what this development **is**, not simply what products it sells or what classification is most advantageous to the applicant.

Thank you for including this correspondence in the official record and for considering these comments in the Board's review of the Buc-ee's EPCO, LLC appeal.

Respectfully,

Laura Kellar

El Paso County Resident

Warm regards,

Laura Kellar, REALTOR
Engel Voelkers Castle Pines
623-826-5025 (cell)
Laura.Kellar@engelvoelkers.com

Jessica Merriam

From: PLNWEB
Sent: Monday, August 3, 2026 7:44 AM
To: Jessica Merriam
Subject: FW: NO to Buc-ee's

From: wclewe@comcast.net <wclewe@comcast.net>
Sent: Sunday, August 2, 2026 5:00 PM
To: PLNWEB <PLNWEB@elpasoco.com>
Subject: NO to Buc-ee's

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El Paso County Digital, Strategy & Technology (DST)

Dear Members of the El Paso County Planning and Community Development Department:

Please consider this input as adamant denial to any Buc-ee's development in northern El Paso County. This is NOT a "NIMBY" letter … they are in no imaginable way a "convenience store".

If you have not yet visited the gas stop and mega-store along I-25 in Johnstown, you need to see for yourself the monstrosity for yourself, and yes we have made the trip. You will witness, it is no "convenience store", as defined in the "C-1" zoning code. It caters to interstate travelers, not locals. You will see what a huge mistake having a Buc-ee's in Northern El Paso County will be. Plus winter weather on the Monument Hill is additional issue.

DENY Buc-ee's on all matters.

William F. (Bill) and Lindsay Clewe

Monument, Colorado

Jessica Merriam

From: Mariusz J. <mariuszjastrzebski@gmail.com>
Sent: Saturday, August 8, 2026 12:34 PM
To: PLNWEB
Cc: PCD Hearings
Subject: File No. ADM264 – Buc-ee's Administrative Determination Appeal

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El Paso County Digital, Strategy & Technology (DST)

File No. ADM264 – Buc-ee's Administrative Determination Appeal

Hi,
I'm a resident of the unincorporated El Paso county at 19973 Lindenmere Dr, Monument, CO 80132.

I'm writing in opposition of the proposed Buc-ee's.
The convenience store classification does not fit.
Buc-ee's is substantially larger than all convenience stores. There are no direct comparisons.
In addition the land use is incompatible with the neighboring area.
The traffic that this development will negatively affect the area. The freeway ramps nor county line roads are suited to handle it.

Sincerely,
Mariusz Jastrzebski
19973 Lindenmere Dr, Monument, CO 80132

Jessica Merriam

From: PLNWEB
Sent: Tuesday, August 11, 2026 12:31 PM
To: Jessica Merriam
Subject: FW: File No'.s ADM264 - county file APP261

Gayle Jackson
Administrative Assistant
El Paso County | Planning and Community Development
2880 International Circle Suite 110
Colorado Springs, CO 80910
Phone: 719-520-6300
https://planningdevelopment.elpasoco.com/
www.epcdevplanreview.com

From: Mary Pucci <marypucci@comcast.net>
Sent: Tuesday, August 11, 2026 12:13 PM
To: PLNWEB <PLNWEB@elpasoco.com>
Subject: File No'.s ADM264 - county file APP261

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El Paso County Digital, Strategy & Technology (DST)

Dear County Commissioners,

I am writing today to share my thoughts on why Buc-ees should not be considered a convenience store per zoning C-1 on the top of Monument Hill.

As I understand C-1 zoning, which I know is obsolete is zoned to cater to the community at large, i.e.child care facility, a liqour store, a hair salon a gym etal. Buc-ees touts its business as a travel center, as it did when they represented themselves to the citizens of Palmer Lake.
I don't know of any conveniece store that has is 74,000 sq.ft, with 120 gas pumps who advertise for miles before the destination exit.

Per the county code "convenience store" is defined by WHO it serves, not just by what it sells. It should offer goods to the neighborhood in which it resides such as groceries, sundries and ready to eat food. Buc-ees isn't a convenience store designed to serve our community, it is a travel center that caters to a regional, interstate destination for travelers.

On their own website they refer to themselves as a "Travel Center" how more obvious can they be that they are not a convenience store that caters to the existing neighborhood. You have to give it some thought as to what you are willing to approve as a conveniece store in any part of the county. The size and scope of a typical Buc-ees is more of a travel center or a truck stop.

By your own Master Plan you've designated Monument Hill site "suburban residential," where commercial uses "must be small scale stand alone businesses that serve the NEIGHBORHOOD population. The Buc-ees plan is 30 times the size of an average American convenience store as well as about four times the size of every other existing conveience store in the Tri-Lakes area combined.

When they presented to Palmer Lake they told the citizens that 90 to 95% of it's sales comes from customers outside of our zip code, that does'nt fit in with your land use of C-1.

A truck stop, yes I know Buc-ees says no semis, but they are a large scale facility serving highway travelers, not the community.
Calling this proposal a convenience store sidesteps the public review by our community for this project.

I implore you to deny Buc-ees as a convenience store at this location.
You were elected to serve and respect your constituents per the Master Plan.

My name is Mary Pucci, we've lived in Woodmoor Colorado since 1989, and I would hate to see this monstrous store on top of Monument Hill.

Kind regards,
Mary Pucci

Jessica Merriam

From: PLNWEB
Sent: Tuesday, August 11, 2026 9:52 AM
To: Jessica Merriam
Subject: FW: File No. File No. APP261 – Appeal of Buc-ee's Administrative Determination

Gayle Jackson
Administrative Assistant
El Paso County | Planning and Community Development
2880 International Circle Suite 110
Colorado Springs, CO 80910
Phone: 719-520-6300
https://planningdevelopment.elpasoco.com/
www.epcdevplanreview.com

From: MELISSA RIESLING <capegrapes@msn.com>
Sent: Monday, August 10, 2026 6:05 PM
To: PLNWEB <PLNWEB@elpasoco.com>
Subject: File No. File No. APP261 – Appeal of Buc-ee's Administrative Determination

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El Paso County Digital, Strategy & Technology (DST)

Dear Commissioners:

I am a 25-year resident of Woodmoor and currently live approximately one mile east of the I-25/County Line Road intersection. I share this to underscore that your decision regarding this proposed development will have a very real and lasting impact on my home, my neighborhood, and the quality of life of those who live here.

As you consider the zoning question before you, I respectfully implore you to consider not only the **letter of the law, but also the spirit and intent of the law**.

One could argue that Buc-ee's qualifies as a "convenience store," albeit one that is enormous in size and scope. That may satisfy the literal definition of the zoning designation. But simply fitting within a broad definition does not necessarily mean that the proposed use is consistent with the **intent of the zoning** or appropriate for this particular location.

The spirit of C-1 zoning matters.

A C-1 convenience store is intended to provide a relatively small-scale service to the surrounding community and to be compatible with the character and setting of the area in which it is located. The proposed Buc-ee's is something fundamentally different. It is a massive travel center, gas station, and retail destination—described by Buc-ee's itself as the world's largest convenience store—that is designed to attract travelers from far beyond the local neighborhood.

https://buc-ees.com/about/world-record-holder/

To approve this development under C-1 zoning, simply because Buc-ee's can technically be called a "convenience store," would, in my view, stretch the intended purpose of that zoning designation far beyond what was contemplated for this parcel.

I respectfully ask you to look beyond the technical label and consider the actual use, scale, purpose, and impact of this development. **Please honor the spirit and intent of the law, not simply the broadest possible interpretation of its wording.**

Our community has a character, beauty, and legacy worth protecting. Please make your decision with those qualities in mind and consider whether a development of this scale and nature truly belongs in this location.

Thank you for your consideration and for your service to our community.

Sincerely,

Melissa Riesling

20431 Bald Mtn. Court
Monument, CO 80132

capegrapes@msn.com
c 719-359-2525

Jessica Merriam

From: PLNWEB
Sent: Tuesday, August 11, 2026 9:48 AM
To: Jessica Merriam
Subject: FW: File No. File No. APP261 – Appeal of Buc-ee's Administrative Determination

Gayle Jackson
Administrative Assistant
El Paso County | Planning and Community Development
2880 International Circle Suite 110
Colorado Springs, CO 80910
Phone: 719-520-6300
https://planningdevelopment.elpasoco.com/
www.epcdevplanreview.com

From: MELISSA RIESLING <capegrapes@msn.com>
Sent: Monday, August 10, 2026 6:07 PM
To: PLNWEB <PLNWEB@elpasoco.com>
Subject: File No. File No. APP261 – Appeal of Buc-ee's Administrative Determination

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El Paso County Digital, Strategy & Technology (DST)

Commissioners - On the official Buc-ee's website, there are numerous news articles. This particular one states that:

*It's everything you could ask for in a **travel center** and more, which explains its success.*

*As such, Buc-ee's isn't just a pit stop on the road, but an exciting **destination for tourists**.*

*Buc-ee's locations are **humongous** with some locations having hundreds of gas pumps*

*It's the 83 stalls in this Buc-ee's restroom that really impress! [...] this **one-of-a-kind rest stop** is fit for a King."*

Read More: https://www.mashed.com/1081624/mistakes-people-make-at-buc-ees/

This article states the following and I urge you to view the photos and captions:

https://www.daytondailynews.com/local/photos-ohio-s-first-buc-ee-s-opens-in-huber-heights-to-long-lines-excited/collection_7748cba5-de58-4ec3-a7cb-6f6bf97a4f16.html

Buc-ee's is consistently described as a ***Supersized gas station/convenience store*** and also a ***Superstore***

None of these descriptions satisfy the El Paso County C-1 Zoning definition. The information cited above comes from the Buc-ee's home website.

Sincerely,

Melissa Riesling
capegrapes@msn.com
c 719-359-2525

Jessica Merriam

From: PLNWEB
Sent: Tuesday, August 11, 2026 9:37 AM
To: Jessica Merriam
Subject: FW: Ensuring Fair Public Participation for the August 27th Buc-ee's Hearing

Gayle Jackson
Administrative Assistant
El Paso County | Planning and Community Development
2880 International Circle Suite 110
Colorado Springs, CO 80910
Phone: 719-520-6300
https://planningdevelopment.elpasoco.com/
www.epcdevplanreview.com

From: Mike Stern <mxstern@gmail.com>
Sent: Monday, August 10, 2026 7:00 PM
To: Carrie Geitner <CarrieGeitner@elpasoco.com>; Bill Wysong <BillWysong@elpasoco.com>; Cory Applegate <CoryApplegate@elpasoco.com>; Lauren Nelson <LaurenNelson@elpasoco.com>; Kylie Bagley <KylieBagley@elpasoco.com>; Meggan Herington <MegganHerington@elpasoco.com>; Holly Williams <HollyWilliams@elpasoco.com>; PLNWEB <PLNWEB@elpasoco.com>
Subject: RE: Ensuring Fair Public Participation for the August 27th Buc-ee's Hearing

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El Paso County Digital, Strategy & Technology (DST)

RE: Ensuring Fair Public Participation for the August 27th Buc-ee's Hearing

Commissioners,
I am writing to express significant concern regarding the procedural arrangements for the upcoming Buc-ee's hearing on August 27th at 9:00 AM.
There is a large and active coalition of residents currently mobilizing in opposition to this development. Because this project will have a lasting impact on our community, it is essential that the Board facilitates a process that is as transparent and accessible as possible. A 9:00 AM start time creates a substantial barrier for many of the working citizens who have a direct stake in this decision, and it risks leaving the impression that the Board is prioritizing convenience over public inclusion. Moreover, there are coordinated presentations--not random 'one off' blah blah sessions.
To ensure this hearing is a fair and balanced process, our coalition is requesting the following:

- **Extended and Flexible Comment Periods:** Given the high level of public interest, we ask that the Board exercise flexibility with time limits. We want to ensure that every resident who has prepared testimony is given a reasonable opportunity to be heard, rather than being cut off by rigid, restrictive time constraints.
- **Procedural Parity:** It is vital that the rules of presentation are applied equitably to all parties. We expect the public's input to be treated with the same level of consideration and structural importance as the developer's presentation. A "fair fight" requires that the community's concerns are not sidelined by overly technical or obstructive procedural hurdles.
- **Expansion of Public Access:** If the Board finds it impossible to accommodate the volume of public testimony during the morning session, we urge you to schedule a follow-up or evening session. This would demonstrate a clear commitment to hearing from the full spectrum of your constituents, including those who cannot be present during standard business hours.

Our goal is simply to ensure that this hearing serves as a legitimate forum for community dialogue. We trust the Board values the perspectives of its residents as much as it values the input of developers, and we look forward to a hearing process that reflects that balance.
Thank you for your attention to this matter. I look forward to your response regarding how the Board plans to facilitate a fair and inclusive process on August 27th.
Respectfully,
Mike Stern On behalf of the concerned coalition of El Paso & Douglas County residents impacted by this development

--

Mike Stern
Wakonda Hills
Monument, CO 80132

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Jessica Merriam

From: PLNWEB
Sent: Wednesday, August 12, 2026 7:28 AM
To: Jessica Merriam
Subject: FW: BUC-EE'S IS NOT A CONVENIENCE STORE THAT DOESN'T BELONG ON MONUMENT HILL
Attachments: Buc vs Convenience store .png

Gayle Jackson
Administrative Assistant
El Paso County | Planning and Community Development
2880 International Circle Suite 110
Colorado Springs, CO 80910
Phone: 719-520-6300
https://planningdevelopment.elpasoco.com/
www.epcdevplanreview.com

From: Mike Stern <mxstern@gmail.com>
Sent: Tuesday, August 11, 2026 8:40 PM
To: PLNWEB <PLNWEB@elpasoco.com>
Subject: Fwd: BUC-EE'S IS NOT A CONVENIENCE STORE THAT DOESN'T BELONG ON MONUMENT HILL

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Mark Safe | Report

El Paso County Digital, Strategy & Technology (DST)

Sent from Gmail Mobile

---------- Forwarded message ---------
From: **Mike Stern** <mxstern@gmail.com>
Date: Thu, Jun 25, 2026 at 20:52
Subject: BUC-EE'S IS NOT A CONVENIENCE STORE THAT DOESN'T BELONG ON MONUMENT HILL
To:

BUC-EE'S vs. CO

NOT A CONVENIENCE STORE. A

BUC-EE'S

AVERAGE BUC-EE'S
74,000 – 75,000 SQ FT

BUC-EE'S IS:

- ✓ A TRAVEL CENTER
- ✓ A TOURIST ATTRACTION
- ✓ A CLEAN RESTROOM PALACE
- ✓ A FOODIE DESTINATION
- ✓ A BRAND EXPERIENCE
- ✓ A CULTURE

BUC-EE'S ISN'T JUST A STOP. IT'S AN EVENT.

74,000 – 75,000 SQ FT	
200 – 1,000+ SPACES	
120 – 200+ PUMPS (DIESEL + GAS)	
30 – 100+ STALLS (SPOTLESS & MASSIVE)	
TEXAS-SIZED BBQ, BAKERY, SANDWICHES, FUDGE, NUTS, BEAVER NUGGETS, & MORE	
10,000+ UNIQUE PRODUCTS	
200 – 500+ EMPLOYEES	
DESTINATION (PEOPLE PLAN TRIPS AROUND IT)	

IT'S NOT A CONVENIENCE STOR

--
Mike Stern

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Jessica Merriam

From: PLNWEB
Sent: Wednesday, August 12, 2026 7:35 AM
To: Jessica Merriam
Subject: FW: Buc-ee's is doesn't fit...

Gayle Jackson
Administrative Assistant
El Paso County | Planning and Community Development
2880 International Circle Suite 110
Colorado Springs, CO 80910
Phone: 719-520-6300
https://planningdevelopment.elpasoco.com/
www.epcdevplanreview.com

From: Mike Stern <mxstern@gmail.com>
Sent: Tuesday, August 11, 2026 8:40 PM
To: PLNWEB <PLNWEB@elpasoco.com>
Subject: Fwd: Buc-ee's is doesn't fit...

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El Paso County Digital, Strategy & Technology (DST)

Sent from Gmail Mobile

---------- Forwarded message ---------
From: **Mike Stern** <mxstern@gmail.com>
Date: Sun, Jul 19, 2026 at 14:11
Subject: Buc-ee's is doesn't fit...
To: Cory Applegate <CoryApplegate@elpasoco.com>, Meggan Herington <megganherington@elpasoco.com>, Carrie Geitner <CarrieGeitner@elpasoco.com>, Lauren Nelson <LaurenNelson@elpasoco.com>, Kylie Bagley <kyliebagley@elpasoco.com>, Holly Williams <hollywilliams@elpasoco.com>, Bill Wysong <BillWysong@elpasoco.com>

Dear County Commissioners,

Buc-ee's is not a convenience store. By their own admission, a standard Circle K occupies 50,000–60,000 square feet, while a Buc-ee's footprint exceeds 600,000–700,000 square feet. These developments are not in the same category.

Do the right thing and deny the false classification of this project as a convenience store.

CONVENIENCE STORE

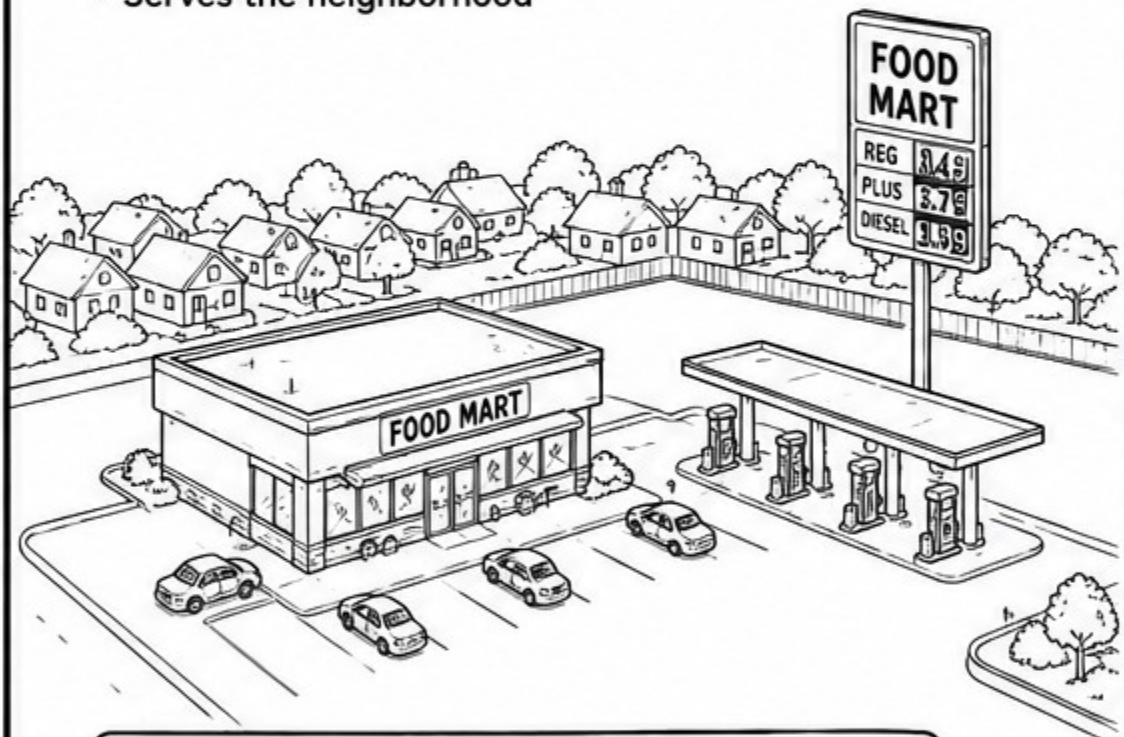
SIZE. SC

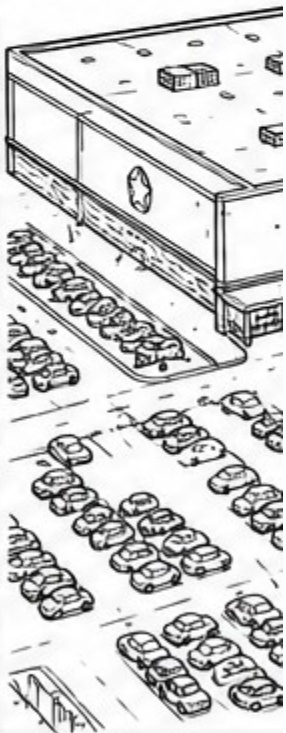
TYPICAL CONVENIENCE STORE

- Small footprint
- Limited fuel pumps
- Basic snacks & drinks
- Minimal parking
- Serves the neighborhood

BU

- Massive fo
- Dozens (s
- Thousands
- Huge park
- Destinatic





TYPICAL SIZE: 3,000 – 5,000 SQ FT
FUEL PUMPS: 4 – 8 | PARKING SPACES: 10 – 20

STORE SIZE	FUEL PUMPS	PARKING SPACES	PRODUCTS	ANNUAL VISITORS
3,000 – 5,000 SQ FT	4 – 8 pumps	10 – 20 spaces	1,000 – 3,000 items	Local Community

Mike Stern
18970 Spring Valley RD,
Monument, CO 80132
(1.3 miles from the blight)

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Jessica Merriam

From: PLNWEB
Sent: Thursday, August 13, 2026 7:46 AM
To: Jessica Merriam
Subject: FW: If Evidence Matters, Let the Public Present It - The Monument Independent

From: Mike Stern <mxstern@gmail.com>
Sent: Wednesday, August 12, 2026 5:42 PM
To: Carrie Geitner <CarrieGeitner@elpasoco.com>; Bill Wysong <BillWysong@elpasoco.com>; Lauren Nelson <LaurenNelson@elpasoco.com>; Cory Applegate <CoryApplegate@elpasoco.com>; Meggan Herington <MegganHerington@elpasoco.com>; Kylie Bagley <KylieBagley@elpasoco.com>; Holly Williams <HollyWilliams@elpasoco.com>; PLNWEB <PLNWEB@elpasoco.com>
Subject: If Evidence Matters, Let the Public Present It - The Monument Independent

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El Paso County Digital, Strategy & Technology (DST)

The question in the subject line says it all. IF evidence matters why are citizens being censored in their amount of time to speak ESPECIALLY since these are coordinated presentations to address the VERY QUESTIONS BEING ASKED?
https://monumentindependent.com/opinion/if-evidence-matters-let-the-public-present-it/
Mike Stern
Monument

Jessica Merriam

From: PLNWEB
Sent: Wednesday, August 12, 2026 7:05 AM
To: Jessica Merriam
Subject: FW: Monument Hill "Development"

Gayle Jackson
Administrative Assistant
El Paso County | Planning and Community Development
2880 International Circle Suite 110
Colorado Springs, CO 80910
Phone: 719-520-6300
https://planningdevelopment.elpasoco.com/
www.epcdevplanreview.com

From: Mike Stern <mxstern@gmail.com>
Sent: Tuesday, August 11, 2026 8:47 PM
To: PLNWEB <PLNWEB@elpasoco.com>
Subject: Fwd: Monument Hill "Development"

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Mark Safe Report

El Paso County Digital, Strategy & Technology (DST)

Sent from Gmail Mobile

---------- Forwarded message ---------
From: **Mike Stern** <mxstern@gmail.com>
Date: Thu, Mar 19, 2026 at 10:50
Subject: Monument Hill "Development"
To:

The residents of the Tri-Lakes area have reached a breaking point. Despite overwhelming and documented opposition, the El Paso County Board of Commissioners continues to facilitate a land-use process that effectively treats the community as an obstacle to be bypassed rather than a stakeholder to be heard.

By allowing developers like Vertex and corporations like Buc-ee's to exploit administrative loopholes—such as the recent Boundary Line Adjustment—the County is signaling that deep-pocketed developers dictate the future of Monument Hill, not the people who actually live there. Residents are rightfully furious that their voices are systematically marginalized by a process that grants the applicant extensive time and resources while limiting community input to mere three-minute snippets.

The consequences of this project—ranging from water depletion and traffic congestion to permanent environmental degradation—will be borne by those in the immediate vicinity, yet the current system ignores this reality. The community is tired of the charade. They are demanding structural reforms, including equal presentation time for citizen groups and the integration of prior records, to stop this "reset to zero" cycle that protects corporate interests at the expense of local sovereignty. The message to the Board is clear: citizens versus developers.

Theodore Roosevelt once said, 'The government is us; we are the government, you and I.'
A government that prioritizes the convenience of a corporation over the voice of its citizens has forgotten its primary duty. We do not exist to accommodate a developer's site plan; the developer exists to operate within the community we have built."

Thank you for your time and consideration,

Mike Stern Wakonda Hills, Monument, CO (one mile from the proposed site)
Ph: 360 689 9058

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Jessica Merriam

From: PLNWEB
Sent: Tuesday, August 11, 2026 12:30 PM
To: Jessica Merriam
Subject: FW: Possible typo in the written-evidence address on the Aug. 27 Buc-ee's hearing page

Gayle Jackson
Administrative Assistant
El Paso County | Planning and Community Development
2880 International Circle Suite 110
Colorado Springs, CO 80910
Phone: 719-520-6300
https://planningdevelopment.elpasoco.com/
www.epcdevplanreview.com

From: El Paso County Communications <EPCPIO@elpasoco.com>
Sent: Tuesday, August 11, 2026 11:03 AM
To: Michael Christensen <mchristensen@monumentindependent.com>; CARCTB <carctb@elpasoco.com>
Cc: El Paso County Communications <EPCPIO@elpasoco.com>; PLNWEB <PLNWEB@elpasoco.com>; Natalie Sosa <NatalieSosa@elpasoco.com>; Joshua Poland <JoshuaPoland@elpasoco.com>
Subject: RE: Possible typo in the written-evidence address on the Aug. 27 Buc-ee's hearing page

Michael,

Thank you for flagging this.

The correct email address for submitting written evidence for APP261 is PLNWEB@elpasoco.com.

The address previously listed on the Clerk to the Board's public hearing participation page contained a transposition error. It was a simple typo, and the page was corrected as soon as we became aware of it.

We also confirmed that no submissions were received at the incorrectly listed address, so there are no written comments that need to be recovered or added to the record as a result of the error.

We appreciate you bringing the discrepancy to our attention.

Regards,

Brandon O'Dell
Senior Communications & Public Relations Specialist
El Paso County Department of Communications
719.520.6356 (Office) | 719.318.4635 (Cell)
www.ElPasoCo.com

From: Michael Christensen <mchristensen@monumentindependent.com>
Sent: Monday, August 10, 2026 4:29 PM
To: CARCTB <carctb@elpasoco.com>
Cc: El Paso County Communications <EPCPIO@elpasoco.com>; PLNWEB <PLNWEB@elpasoco.com>
Subject: Possible typo in the written-evidence address on the Aug. 27 Buc-ee's hearing page

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Mark Safe Report

El Paso County Digital, Strategy & Technology (DST)

Hello,

I'm the editor of The Monument Independent, and I'm writing about a small thing on the Clerk to the Board's public-hearing participation page that could have outsized consequences before the Aug. 27 Buc-ee's appeal hearing.

Under "Submit Written Evidence," the page gives the address as:

PNLweb@ElPasoCo.com

The Planning and Community Development Department's address, used on the Buc-ee's update page and throughout files ADM264 and APP261, is:

PLNWEB@elpasoco.com

The L and N appear to be transposed. If PNLweb@ElPasoCo.com is not a live mailbox, written evidence

sent to it before the noon Wednesday, Aug. 26 deadline would bounce or vanish — and because this is a quasi-judicial hearing where the Board decides on the evidence in the record, anyone whose submission failed would effectively lose their chance to be heard. Speakers may be limited to a minute, so for most residents the written record is the meaningful channel.

Three questions, and I'd be glad to run the answers as an update to our story:

1. Which address should residents use for written evidence on APP261?
2. Is PNLweb@ElPasoCo.com a working mailbox, or should the page be corrected?
3. If anything has already been sent to the address as printed, will those submissions be captured and placed in the record?

The page in question:
https://clerkandrecorder.elpasoco.com/clerk-to-the-board/public-hearing-participation/

Our coverage, which currently gives readers both addresses and notes the discrepancy:
https://monumentindependent.com/news/bucees-appeal-hearing-date/

I'm on deadline in the sense that the Aug. 26 cutoff is what matters here — if this needs fixing, sooner is better for everyone. Happy to take a reply by email or phone.

Thank you for the work on that page, by the way. It is far more thorough than most hearing notices, which is why the one address stood out.

Michael Christensen
Editor, The Monument Independent
editor@monumentindependent.com

Jessica Merriam

From: PLNWEB
Sent: Friday, July 31, 2026 8:07 AM
To: Jessica Merriam
Subject: FW: Buc-cee's not welcome

Marcella Maes
Associate Planning Services Coordinator
E.P.C. Planning & Community Development
2880 International Circle
Colorado Springs, CO. 80910
719.520.6318
https://planningdevelopment.elpasoco.com/

-----Original Message-----
From: Nathan <nzautke@yahoo.com>
Sent: Thursday, July 30, 2026 4:22 PM
To: PLNWEB <PLNWEB@elpasoco.com>
Subject: Buc-cee's not welcome

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I have watched over the course of a couple years the constant debate over bringing this disaster of an idea into our small community of Monument.
I find it absolutely appalling that in their most recent efforts to sidestep due process, they tried to claim that their facilities are not a gas station. You're joking right? 120 gas pumps is just a side business??
It's sickening really.

Nathan A Zautke

Sent from my iPhone

Jessica Merriam

From: PLNWEB
Sent: Tuesday, August 4, 2026 3:40 PM
To: Jessica Merriam
Subject: FW: Date, Time, Venue and Rules for Buc-ee's Hearing

Gayle Jackson
Administrative Assistant
El Paso County | Planning and Community Development
2880 International Circle Suite 110
Colorado Springs, CO 80910
Phone: 719-520-6300
https://planningdevelopment.elpasoco.com/
www.epcdevplanreview.com

From: Nolene <nolenemetzger@aol.com>
Sent: Tuesday, August 4, 2026 11:27 AM
To: Carrie Geitner <CarrieGeitner@elpasoco.com>; Lauren Nelson <LaurenNelson@elpasoco.com>; Cory Applegate <CoryApplegate@elpasoco.com>; Holly Williams <HollyWilliams@elpasoco.com>; Bill Wysong <BillWysong@elpasoco.com>
Cc: Meggan Herington <MegganHerington@elpasoco.com>; PLNWEB <PLNWEB@elpasoco.com>; Kenny Hodges <KennyHodges@elpasoco.com>; Bret Waters <BretWaters@elpasoco.com>
Subject: Date, Time, Venue and Rules for Buc-ee's Hearing

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El Paso County Digital, Strategy & Technology (DST)

Good morning Commissioners,

I am inquiring about the date, time, venue and rules for the upcoming hearing for the proposed Buc-ee's.

When will this information be released to the public?

Thank you,
Nolene Metzger
Monument CO

Jessica Merriam

From: PLNWEB
Sent: Friday, July 31, 2026 2:57 PM
To: Jessica Merriam
Subject: FW: Buc-ee's proposal and appeal

From: Paulette Washko <paulettewashko@gmail.com>
Sent: Friday, July 31, 2026 1:54 PM
To: PLNWEB <PLNWEB@elpasoco.com>
Subject: Buc-ee's proposal and appeal

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Mark Safe | Report

El Paso County Digital, Strategy & Technology (DST)

Dear El Paso County Planning and Community Development Team,

I am writing as a Monument resident to express strong opposition to EPCO, LLC's request to classify a proposed Buc-ee's development at County Line Road and I-25 as a "Convenience Store" or as a use similar enough to be permitted within the C-1 zone district. In addition, I strongly oppose the construction of a Buc-ee's at this location under any classification, as the development itself is wholly incompatible with the character, environment, and infrastructure of this area.

As you are aware, Buc-ee's is a large-scale travel center with extremely high traffic volume, extensive fuel operations, and significant commercial intensity. It far exceeds the scope of a traditional convenience store as defined in the County's zoning code.

Below are key concerns that I urge the County to consider:

1. **Land Use Classification** Buc-ee's is a regional travel center, not a convenience store. Its typical footprint includes 100+ fuel pumps, oversized parking areas, and a retail building often exceeding 50,000–70,000 square feet. This scale is inconsistent with the C-1 zone district and would set a precedent for allowing highway-scale commercial development in an area not zoned for it.
2. **Traffic and Safety Impacts** Buc-ee's locations draw thousands of vehicles per day, including heavy truck traffic. County Line Road and the surrounding area are not designed for this volume. The resulting congestion, safety risks, and strain on local infrastructure would be substantial.
3. **Environmental and Wildlife Impacts** The proposed site is a beautiful stretch of Colorado landscape that serves as habitat for deer, elk, birds of prey, and other wildlife. Developing a massive commercial center here would permanently disrupt wildlife corridors and degrade the natural environment that residents deeply value.
4. **Water Usage Concerns** Buc-ee's facilities are known for extremely high water consumption due to restrooms, food service, and cleaning operations. Water is a critically limited resource in El Paso County. Approving a high-demand commercial user at this location would place unnecessary strain on local water systems and contradict regional conservation priorities.
5. **Visual and Scenic Degradation** The Palmer Lake–Monument corridor is one of the most scenic stretches along I-25, with unobstructed mountain views and open space. A Buc-ee's would introduce large buildings, bright lighting, and commercial signage that would permanently alter the visual character of the area.
6. **Community Character and Intent of Zoning** Residents of Monument, Palmer Lake, and Larkspur consistently value the rural-mountain character of this region. Allowing a Buc-ee's here would undermine the intent of the C-1 zoning district and the community's long-term vision for responsible, compatible development.

For these reasons, I respectfully and strongly request that the County determine that a Buc-ee's does **not** meet the definition of a "Convenience Store," nor is it similar enough to be considered a permitted use within the C-1 zone district. **I beg the County to protect this unique landscape, preserve wildlife habitat, and uphold the zoning standards that safeguard the character of our community.**

Thank you for your consideration and for your commitment to responsible land use planning in El Paso County.

Paulette Washko

Jessica Merriam

From: Rich Klinger <rich.klinger@gmail.com>
Sent: Sunday, August 9, 2026 11:02 AM
To: PLNWEB
Cc: PCD Hearings
Subject: File No. APP261 – Appeal of Buc-ee's Administrative Determination (ADM264)

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Mark Safe | Report

El Paso County Digital, Strategy & Technology (DST)

To Whom It May Concern,

Is Buc-ee's a "convenience store" per Land Development Code definitions?

Buc-ee's website itself answers that question, "Buc-ee's is a chain of travel centers known for clean bathrooms and many fueling positions." There are over 50 Buc-ee's locations with the vast majority having at least 40,000 square feet of retail space, which is the size of the average grocery store in Colorado. There aren't any convenience stores in Colorado that come close to that size. Buc-ee's is not comparable to any convenience store based on their size.

The LDC defines a C-1 convenience store in several terms. Who it serves is the neighborhood around it. The amount of traffic, noise, and lights is similar to other facilities near it. It is to be a general commercial purpose at a modest scale. Buc'ee's fails all of these definitions.

Their appeal to be classified as C-1 is an obvious attempt at side stepping a legitimate review for zoning and a full public hearing. Agreeing to this classification of C-1 would set a precedent for other retailers to get the same treatment and bypass steps necessary for the county to act in the best interest of the residents and other business owners.

I am a homeowner and live several miles from the proposed location at County Line Road and I-25.

Sincerely,

Richard Klinger
19170 Langtree Ct.
Monument, CO 80132

Jessica Merriam

From: Sch Na <scheri.nagaraj@gmail.com>
Sent: Saturday, August 8, 2026 3:24 PM
To: PLNWEB; PCD Hearings
Subject: Oppose buccees claim as a convenient store APP261

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Mark Safe | Report

El Paso County Digital, Strategy & Technology (DST)

I am writing to urge El Paso County to deny Buc-ee's request to classify its proposed Monument-area project as a "convenience store."

The proposed Buc-ee's is a travel center as described on their own website and is not appropriate for the location which is across the street from homes and conserved open space.

It will be the largest gas station in El Paso County, potentially all of Colorado, and should not be grouped as a convenience store. It is undeniable that the draw for Buccee's 10k plus cars per day is gasoline, with food and merchandise being secondary, thus not a convenience store.

Please deny the proposal as a convenience store because it does not adhere to the El Paso County master plan and to the property rights of those surrounding the proposed location.

Thank you,
Scheri Nagaraj

Jessica Merriam

From: Kylie Bagley
Sent: Monday, August 3, 2026 7:47 AM
To: Jessica Merriam
Subject: Fw: Require Buc-ee's to properly rezone

Kylie Bagley
Principal Planner
Planning and Community Development
719.520.6323
www.elpasoco.com

From: Ira & Shelia Cline <ira.shelia@gmail.com>
Sent: Sunday, August 2, 2026 8:41 AM
To: Holly Williams <HollyWilliams@elpasoco.com>; Bill Wysong <BillWysong@elpasoco.com>; Carrie Geitner <CarrieGeitner@elpasoco.com>; Lauren Nelson <LaurenNelson@elpasoco.com>; Cory Applegate <CoryApplegate@elpasoco.com>; Meggan Herington <MegganHerington@elpasoco.com>; Kylie Bagley <KylieBagley@elpasoco.com>
Cc: SPA-RD-CO@usace.army.mil <SPA-RD-CO@usace.army.mil>; steven.b.crosson@usace.army.mil <steven.b.crosson@usace.army.mil>; code.tanya@epa.gov <code.tanya@epa.gov>; r8eisc@epa.gov <r8eisc@epa.gov>; michaela.snow@state.co.us <michaela.snow@state.co.us>; cdphe.commentswqcd@state.co.us <cdphe.commentswqcd@state.co.us>; Jason.Ullmann@state.co.us <Jason.Ullmann@state.co.us>; Tracy.Kosloff@state.co.us <Tracy.Kosloff@state.co.us>; ColoradoES@fws.gov <ColoradoES@fws.gov>; mlakind@tomgov.org <mlakind@tomgov.org>; sking@tomgov.org <sking@tomgov.org>; sabbott@tomgov.org <sabbott@tomgov.org>; csmith@tomgov.org <csmith@tomgov.org>; lkronick@tomgov.org <lkronick@tomgov.org>; kkimple@tomgov.org <kkimple@tomgov.org>; mfiorito@tomgov.org <mfiorito@tomgov.org>; integritymatterscos@gmail.com <integritymatterscos@gmail.com>; contact@trilakespreservation.org <contact@trilakespreservation.org>; governorpolis@state.co.us <governorpolis@state.co.us>; natasha_hutson@bennet.senate.gov <natasha_hutson@bennet.senate.gov>; jess_cohen@hickenlooper.senate.gov <jess_cohen@hickenlooper.senate.gov>; eharris@palmer-lake.org <eharris@palmer-lake.org>; rmoseley@palmer-lake.org <rmoseley@palmer-lake.org>; jmarble@palmer-lake.orgm <jmarble@palmer-lake.orgm>; beeson@palmer-lake.org <beeson@palmer-lake.org>; ajurka@palmer-lake.org <ajurka@palmer-lake.org>; savannah.eller@gazette.com <savannah.eller@gazette.com>; Tony.Keith@koaa.com <Tony.Keith@koaa.com>; sam.page@krdo.com <sam.page@krdo.com>; Noah.Caplan@koaa.com <Noah.Caplan@koaa.com>; ASack@kxrm.com <ASack@kxrm.com>; Karin.Brulliard@washpost.com <Karin.Brulliard@washpost.com>; jim.carlton@wsj.com <jim.carlton@wsj.com>; jalvarado@denverpost.com <jalvarado@denverpost.com>; oliviaprentzel@coloradosun.com <oliviaprentzel@coloradosun.com>; achalfin@krcc.org <achalfin@krcc.org>; talkshow@aol.com <talkshow@aol.com>; EXTERNAL KKTV News <news@kktv.com>; news@7news.com <news@7news.com>; spencer.soicher@9news.com <spencer.soicher@9news.com>; news@cpr.org <news@cpr.org>; EXTERNAL Fox News <EXTERNALFoxNews@elpasoco.com>; EXTERNAL Newsroom Denver <newsroom@denverpost.com>; EXTERNAL KRCC News <news@krcc.org>; newsroom@coloradosun.com <newsroom@coloradosun.com>; EXTERNAL KOAA News <News@KOAA.com>; tips@kdvr.com <tips@kdvr.com>; tips@thefp.com <tips@thefp.com>; tips@cnn.com <tips@cnn.com>; newstips@9news.com <newstips@9news.com>; EXTERNAL News TipsDenver <newstips@thedenverchannel.com>; newstips@denver7.com <newstips@denver7.com>; news-tips@nytimes.com

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Subject: Require Buc-ee's to properly rezone

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Mark Safe Report El Paso County Digital, Strategy & Technology (DST)

Hello El Paso County Planning Department and County Commissioners,
My name is Shelia Cline and I'm writing today as a concerned long-time resident of Monument regarding the proposed Buc-ee's development near Monument and Palmer Lake. I strongly urge the Planning Department not to treat this proposal as a simple administrative approval under the obsolete C-1 zoning designation.
Please do not dismiss these concerns as just another round of public opposition. So many of us here, honestly the overwhelming majority of residents, feel that decisions of this magnitude should not move quietly through administrative channels based on outdated zoning definitions that were never intended for a project of this scale. We are asking not for special treatment, but for transparency, careful scrutiny, and a meaningful public process. Public input should matter before irreversible decisions are made.
This project is not comparable to the type of "convenience store" that existed when the C-1 zoning code was created. In 1991, convenience stores were small neighborhood-serving businesses such as 7-Eleven stores, typically around 5,000–6,000 square feet. C-1 zoning and convenience store uses were historically intended to serve local neighborhood and community needs through small-scale commercial services, retail, and offices.
By Buc-ee's own statements to the Palmer Lake Planning Commission in 2025, the company acknowledged that approximately "90–95% of store sales come from outside of the zip code." That statement alone demonstrates that this is not a neighborhood-serving convenience store, but a large regional commercial

destination designed to draw substantial outside traffic from well beyond the local community.
Additionally, within the C-1 designation, gas stations were historically permitted only as an accessory use alongside a convenience store, not as the defining feature of a massive regional travel center operation. Buc-ee's far exceeds the original scale, intent, and community-serving purpose contemplated under the obsolete C-1 zoning classification.
Several issues deserve careful scrutiny and a full public process:
• The current C-1 zoning classification is obsolete and has not been updated since 1991.
• Buc-ee's appears to more closely match the intent of C-3 or regional commercial zoning rather than neighborhood commercial zoning.
• A project of this scale should not move forward through administrative approval simply because the obsolete zoning code lacks a modern size limitation for convenience stores.
• Buc-ee's should not be allowed to avoid public hearings by using an outdated zoning technicality.
• The Town of Monument has already raised concerns regarding possible "segmentation" related to the Beacon Lite Road project and the use of dirt generated from county-funded road work.
• The proposed building and sign heights appear to exceed the 30-foot limits allowed under C-1 zoning. I request clarification regarding how these heights are being measured and whether retaining wall height is being included under applicable building code standards.
• The public deserves transparency regarding whether any future Planned Unit Development (PUD) process could be used to waive existing restrictions.
This project would have major regional impacts involving traffic, infrastructure, water use, visual character, noise, and public safety. Because of its scale and significance, I respectfully request that the Planning Department require a full public review process rather than allowing this proposal to proceed administratively.
Please do the right thing and listen to us, the residents of this area. Thank you for your time and consideration.
Sincerely,
Shelia J. Cline
19890 Lark Ln. Monument CO 80132

Jessica Merriam

From: PLNWEB
Sent: Monday, August 3, 2026 7:45 AM
To: Jessica Merriam
Subject: FW: Buc-ees development -against

From: Stephanie Lupo <salupo63@gmail.com>
Sent: Saturday, August 1, 2026 11:09 AM
To: PLNWEB <PLNWEB@elpasoco.com>
Subject: Buc-ees development -against

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Mark Safe | Report

El Paso County Digital, Strategy & Technology (DST)

My husband and I have lived in Monument for 9 years. We chose this community specifically for the small town, natural beauty and feeling of living in and with nature. Yet we felt secure enough knowing the interstate wasn't so far away that we couldn't seek out the daily needs of a city.

We have traveled the states by car and we have never stopped for fuel and felt we could do grocery shopping at a convenience store. We certainly did not believe we needed decor for our home that includes a beaver. Nor were we driving naked and required t-shirts or pants pajamas with said beaver. When stopping for FUEL we might grab a gum, candy or junk food for road travel but those are not considered GROCERIES.
The restrooms are always a plus inside a gas station but we have also been directed to port a potties outside at some facilities. As for sit down eating and not providing this does not make it a fast food place either... it is a fuel station/travel center just like any other GAS STATION. As it has been pointed out by this community we don't wake up in a panic wondering where o will be getting gas today. There are gas

stations across from Walmart, Safeway, 7-11, hwy 105, and Baptist alone has more fuel than Iran. And I have never seen it so crowded that cars are backing up on the Interstate waiting to get into the gas station. Literally food and groceries are available at these locations if groceries are fast food. But across the road is a “real” grocery store . And fast food places of plenty. Banks too! If you find yourself naked and afraid there is a Walmart and Kohls with a gas station right across from it along with food places . So in other words these weary travelers could find all there needs in a short distance from where the proposed conscience store would be located. Even hotels if need to lay their weary heads.
As for those who want the bbq and a little bit of Texas here they should go visit Texas. There is BBQ everywhere and I am originally from Chicago but I wouldn’t look for Chicago pizza at a gas station. Same as I didn’t move here from California to get beach front property and palm trees. I wouldn’t want a “Connivence Store” filled with nothing but Disney items (although my grandkids would love that) on the corner of County Line Road and I25 among the homes.
Please do not approve this monstrosity. Our land , water resources and nature will thank you!

Stephanie Lupo
1043 Greenland Forest Dr
Monument Co

Jessica Merriam

From: PLNWEB
Sent: Thursday, August 6, 2026 10:22 AM
To: Jessica Merriam
Subject: FW: ADM 2645 / 215507
Attachments: Bucees_Comment_Letter_ElPasoCounty.pdf

Gayle Jackson
Administrative Assistant
El Paso County | Planning and Community Development
2880 International Circle Suite 110
Colorado Springs, CO 80910
Phone: 719-520-6300
https://planningdevelopment.elpasoco.com/
www.epcdevplanreview.com

From: steve draper <ssdraper@mac.com>
Sent: Thursday, August 6, 2026 9:56 AM
To: PLNWEB <PLNWEB@elpasoco.com>
Subject: ADM 2645 / 215507

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Letter to the BOCC / please confirm entered into official record / not solely reference

Steve Draper
3125 Hamal Circle
Monument Colorado 80132
August 6, 2026

Board of County Commissioners
El Paso County, Colorado
c/o Planning and Community Development Department
2880 International Circle, Suite 110
Colorado Springs, CO 80910
Submitted via email: PLNWEB@elpasoco.com

RE: Appeal of Administrative Determination — Buc-ee's EPCO, LLC (ADM264 / Project 215507); Use Classification under the Land Development Code, C-1 Zoning District

****** Please confirm receipt and confirm that this submission has entered into the official record for the BOCC's consideration of the appeal - not solely for references purposes.**

Dear Chair and Members of the Board:
I own property near the subject parcel at the intersection of Beacon Lite Road and County Line Road, and I submit these comments for the official record of the above-referenced appeal. I understand this proceeding is quasi-judicial and limited to a single question: whether the proposed use is an allowed use in the C-1 zoning district, or is sufficiently similar to an allowed use to be treated as one. My comments are directed to that question and to the evidence in the applicant's own submittal.

Summary of Position

The proposed use does not meet the Land Development Code definition of a Convenience Store, and it is not sufficiently similar to any use allowed in C-1. The applicant's appeal rests on the argument that the definition contains no size limitation. That is correct but immaterial. The definition's operative limitation is not size — it is **purpose and market**. The applicant's own traffic evidence establishes that this facility is not designed to serve the neighborhood in which it would be located.

1. The Code Definition Is Market-Defining, Not Size-Defining

LDC Section 1.15 defines a Convenience Store as "[a]n establishment **for the purpose of offering for sale to the neighborhood in which it is located** such items as groceries, ready-to-eat food, over-the-counter drugs, and sundries. A convenience store may include retail sale of gasoline and other petroleum products."

The Director's own determination letter identifies this clause as the crux, observing that the definition "includes the phrase 'for the purpose of offering for sale to the neighborhood in which it is located', making it difficult to determine the use classification." That phrase is a purpose clause, and it is the only limiting language in the definition. The Board's inquiry is therefore not how large the establishment is, but *whom it is built to serve*. The applicant is correct that the Code sets no square-footage cap. The applicant does not, however, address the clause that actually governs.

On that question the record is not in dispute, because the answer comes from the applicant's side. The traffic impact study prepared for the Town of Palmer Lake assumed a trip distribution of **90 percent to and from Interstate 25** (45 percent north, 45 percent south), with only **3 percent** to or from the Palmer Lake community along County Line Road. A facility that draws nine of every ten trips from an interstate highway, and three of every hundred from the surrounding community, is not an establishment operated "for the purpose of offering for sale to the neighborhood in which it is located." It is an interstate travel center that happens to be sited in a neighborhood.

The physical program confirms the point. The proposal is an approximately 74,000 square foot building with 120 fueling positions, roughly 790 parking spaces, and **no on-site seating**. A neighborhood-serving establishment does not require 790 parking spaces. The absence of seating confirms the facility is designed for high-volume transient throughput rather than local patronage.

Finally on this point, the Board should be clear that there *is* a neighborhood here. The parcel sits at the corner of Beacon Lite Road and County Line Road. The County classifies Beacon Lite Road today as a *Local* road carrying 436 vehicles per day — a classification and a volume that describe a street serving abutting homes. Homes front Beacon Lite Road within [___ feet] of the proposed site, and the Tri-Lakes Church of Christ adjoins it. I can attest to both as a nearby property owner.

So the definition's reference to "the neighborhood in which it is located" is not hypothetical, and the record already shows how the proposal treats that neighborhood. The applicant's own traffic consultant proposes to convert the church's access to **right-in, right-out only**. The Town's independent reviewer flagged the result: the change "has the potential to cause operational problems when church lets out," because most vehicles "will likely be trying to turn left to reach County Line Rd but will be forced to turn right and head south down Beacon Lite Rd," with no convenient place to turn around. The reviewer recommended that the developer be required to give the church additional access so its congregation is not left making U-turns on a road absorbing more than twenty times its current traffic.

That is the opposite of neighborhood service. An establishment operated "for the purpose of offering for sale to the neighborhood in which it is located" does not begin by restricting the access of the neighbor at its own property line.

2. The Applicant's Own Representative Has Given the Board the Correct Test

On July 23, 2026, appearing before this Board on behalf of a different client, Craig Dossey of Vertex Consulting Services — the same firm representing the applicant in this matter — described for the Board what makes a commercial use incompatible with a residential area:

"It's not compatible if it's a ... Lowe's or a Home Depot because of the amount of traffic, the hours of operation ... but residential is ... compatible with the residential in the area."

BoCC Land Use Meeting, July 23, 2026, at 1:19:17 (County recording).

That is a sound test, and it tracks the Code's own similarity criteria closely. Mr. Dossey identified two factors: **the amount of traffic** a use generates, and **its hours of operation**. Applied to the use now before the Board, the test is not close.

Mr. Dossey's stated factors	**Home Depot / Lowe's — his example of an INCOMPATIBLE use**	**Walker Rd apartments — he argued COMPATIBLE**	**Buc-ee's — Vertex's own client**
Weekday vehicle trips	approx. 3,200	1,931	**22,150**
Multiple of the apartments he defended	1.7x	—	**11.5x**
Hours of operation	Closes nightly	Residential	**24 hours, 365 days**

Fueling positions	None	None	**120**

Sources: Walker Road trip figure — LSC Transportation Consultants, "Monument Academy South Residential Rezone," June 4, 2026. Buc-ee's trip figure — Kimley-Horn traffic study submitted by the applicant. Home improvement superstore figure is illustrative, calculated from the published ITE Trip Generation rate for Land Use 862 (30.74 weekday trips per 1,000 sq ft) applied to a typical 105,000 sq ft store.

The project Mr. Dossey defended as compatible generates 1,931 weekday trips. The proposal before the Board generates **22,150** — roughly eleven and a half times as many, on the figure produced by the applicant's own traffic consultant. A home improvement superstore of the kind he offered as his example of an *incompatible* use generates on the order of 3,200 weekday trips. The proposal generates approximately **seven times that**.

On his second criterion the contrast is starker. A Home Depot closes at night. This facility is proposed to operate **twenty-four hours a day, every day of the year**, with 120 fueling positions and approximately 790 parking spaces.

I raise this not to criticize Mr. Dossey. I raise it because I believe his statement of the standard was *correct*, and because the applicant's own representative has already told this Board how to evaluate precisely this question. Applying his test to his client's proposal, this is not a use compatible with a neighborhood. It is the high-volume, never-closing commercial use he identified as the paradigm of incompatibility — several times over.

3. The Similarity Test Expressly Turns on Traffic Characteristics

Where a use is not clearly defined, the County has stated that the reviewing authority may consider whether the *function, performance characteristics, and location requirements* of the proposed use are consistent with the purpose of the district, and whether the use is compatible with allowed uses and similar in characteristics such as **traffic**, parking, noise, glare, vibration, and dust. Traffic is thus not a collateral concern in this proceeding; it is an enumerated criterion of the similarity analysis.

The County has already assembled the comparative record on this point. Exhibit 1 to the Director's determination catalogues every convenience store and gas station approval in El Paso County — twenty-six in total. Measured against that record, the proposal is not an unusually large example of an allowed use. It is outside the range entirely:

Measure	Largest ever approved in El Paso County	Proposed Buc-ee's	Multiple
Convenience store floor area	5,550 sq ft (Maverick, 2017)	74,000 sq ft	**13.3x**
Fueling positions	18 (King Soopers, 2023)	120	**6.7x**
Approvals located in a C-1 district	0 of 26	—	**no precedent**

Source: Exhibit 1 to the Administrative Determination Letter, ADM264, July 1, 2026 (El Paso County Planning and Community Development).

The largest convenience store ever approved in this County occupies 5,550 square feet; the median is under 2,600. The proposal is **more than thirteen times** the largest and roughly twenty-nine times the median. The most fueling positions ever approved is eighteen; the proposal has **120**. A difference of this magnitude is not a difference of degree within a use category. It is evidence that the proposal belongs to a different category.

The Director also found, and Exhibit 1 confirms, that **not one of those twenty-six approvals is located in a C-1 district**. There is no precedent in this County for approving a convenience store in C-1, let alone one of this scale. The Board is not being asked to follow an established practice; it is being asked to create one.

Measured against that criterion, the proposed use is not similar to a convenience store. The independent traffic impact study commissioned by the Town of Palmer Lake — the more conservative of the two studies in the record — projects the following:

Roadway	Existing ADT	2028 Build ADT	Classification change
County Line Rd, east of Beacon Lite Rd	3,560	14,117	Minor Arterial to Principal Arterial
Beacon Lite Rd, north of south site access	436	9,667	Local to Minor Arterial

Source: Stolfus & Associates, Inc., Traffic Impact Study prepared for the Town of Palmer Lake, February 27, 2025, Table 5.

County Line Road roughly quadruples. Beacon Lite Road increases by a factor of approximately twenty-two. Both roadways change functional classification under El Paso County standards. **A use whose traffic generation forces the functional reclassification of two adjacent County roadways is not, as a matter of performance characteristics, similar to a convenience store.** And as Exhibit 1 establishes, there is no convenience store approval anywhere in this County against which such an impact could be called ordinary.

These figures are the conservative case. The traffic study prepared by Kimley-Horn for the applicant projects **22,150 weekday trips** — approximately double the 10,947 weekday daily trips estimated by the Town's independent consultant. Applying the 90 percent interstate distribution to the applicant's own trip figure yields on the order of 20,000 trips per day entering and exiting Interstate 25 at this single interchange. The Board should note that the applicant's own consultant produced the higher number.

A word is warranted about where that traffic actually lands, because the mainline figure invites a misreading. CDOT's published Annual Average Daily Traffic for Interstate 25 at this interchange is approximately **78,000 vehicles per day** (2024 publication, derived from a 2023 count). That figure would not change materially if this use were approved, because roughly 75 percent of the projected trips are pass-by trips — vehicles already traveling Interstate 25. The proposal does not meaningfully add vehicles to the interstate.

What it does is redirect them. Approximately 20,000 trips per day would be added to the Exit 163 ramps and to County Line Road, a County roadway that today carries **3,560 vehicles per day**. That is the comparison I respectfully ask the Board to hold in mind: not 20,000 additional vehicles measured against an interstate already carrying 78,000, but roughly 20,000 daily trips funneled off that interstate, through one interchange, and onto a county road carrying a small fraction of that volume. This is also why the pass-by share, which reduces a development's *capacity* impact on the regional network, does nothing to reduce its concentration of turning and merging movements at a single point.

4. The Gas Station Definition Warrants the Board's Attention

The Code separately defines a *Gas Station* as "[a] property where the retail sale of gasoline, diesel fuel, oil, or other fuel for vehicles and which **may include**, as an incidental use, the retail sale and installation of vehicle accessories, the making of minor repairs, and facilities for washing and servicing of not more than three vehicles..." Gas stations are not an allowed use in C-1.

The applicant argues the proposal is not a gas station because it will not offer vehicle repair or servicing. Respectfully, that reading appears to invert the text. The repair and servicing activities are introduced by "may include" and are framed as *incidental* — they are permissive, not required elements of the definition. A property whose defining activity is the retail sale of vehicle fuel at 120 fueling positions would appear to fall within the plain language of the Gas Station definition regardless of whether repairs are offered. I respectfully ask the Board to construe these two definitions together rather than in isolation.

I would add that the Code forecloses the most obvious alternative. C-1 permits a *Store*, but that definition expressly provides that "[t]he term shall not include adult uses or gasoline filling stations." Neither *Gas Station* nor *Truck Stop* appears among the allowed or special uses in C-1. If the proposal is not a Convenience Store, there is no other C-1 category that accommodates it.

5. Site Conditions Make the Intensity Difference Consequential

The location requirements of a use are a proper part of the similarity analysis. This interchange is not an ordinary one. It sits at the summit of the Palmer Divide at approximately 7,352 feet, the highest point on Interstate 25 between Denver and Colorado Springs, in a corridor CDOT identifies as prone to severe winter weather.

I analyzed CDOT's published Statewide Crash Data Listings for every crash recorded within one mile of the subject interchange over the five most recent complete years:

Measure	2021	2022	2023	2024	2025
Crashes within 1 mile	84	45	54	44	35
Of which: within a construction zone	50	8	0	0	0
People injured	42	21	19	15	27
People killed	0	0	0	0	2

Source: Colorado Department of Transportation, Statewide Crash Data Listings, 2021 through 2025 (codot.gov). All crashes located by latitude and longitude within a one-mile radius of the County Line Road interchange.

Across these five years there were **262 crashes, 124 people injured, and 2 people killed** within one mile of the proposed access point. I note for the Board's benefit that 58 of these crashes occurred inside an active construction zone during the I-25 Gap widening project, all of them in 2021 and 2022; setting those aside, the location still averages approximately 41 crashes per year. Two findings bear directly on the classification question:

First, **22 percent of these crashes occurred on icy, snowy, or slushy pavement.** By way of comparison, I ran the identical analysis around the existing Johnstown Buc-ee's at Interstate 25 Exit 252, and the corresponding figure there is **3 percent**. The Johnstown store sits on level plains at roughly 4,900 feet. It is not a meaningful physical analogue for this site, and the Board should be cautious about any inference drawn from it.

Second, the existing crash pattern here is dominated by same-direction sideswipes and rear-end collisions — precisely the conflict type produced by vehicles decelerating out of and accelerating back into 75 mile-per-hour mainline traffic. Because roughly 75 percent of the projected trips are pass-by trips, they do not add materially to regional vehicle miles traveled, but every one of them is an additional deceleration and merge at this interchange. Pass-by trips reduce the *capacity* impact of a development; they do not reduce its *conflict* impact.

Neither traffic study in the record applied a crash prediction model, and neither analyzed winter operating conditions. I raise this not to ask the Board to decide a safety question it has not been presented, but because the *function and location requirements* of a use are part of the similarity test, and the record before the Board is silent on both as they relate to this specific site.

6. A Convenience Store Does Not Change the Neighborhood It Serves

A final observation, and I think it is the plainest one. The Code's similarity criteria ask the Board to weigh not only traffic and parking generation but also **noise, glare, vibration, and dust**. The record contains no analysis of noise and none of lighting or glare; neither traffic study addressed them. But answering this does not require a study.

Today, Beacon Lite Road is a Local road carrying 436 vehicles per day, past homes and a church, on the unlit summit of the Palmer Divide. What is proposed is a 74,000 square foot building with 120 fueling positions under canopy lighting, approximately 790 parking spaces, and operation **twenty-four hours a day, every day of the year**. Whatever else may be said for or against it, it would change this place — its traffic, its light, and its sound — permanently and entirely.

That is the clearest way to see why this is not a convenience store. A convenience store is defined by its service to the neighborhood in which it sits, and **a use that serves a neighborhood does not remake it**. The definition presupposes an establishment that fits into an existing place. This proposal would replace the place it is meant to fit into. Those are not two versions of the same use. They are different things, and the Code gives them different names.

Requested Action

I respectfully request that the Board **deny the appeal** and uphold the determination of the Planning and Community Development Director. The proposed use does not satisfy the Convenience Store definition in LDC Section 1.15, because it is not established for the purpose of offering goods for sale to the neighborhood in which it is located. Nor is it sufficiently similar to any allowed C-1 use, because its traffic characteristics differ from a convenience store not in degree but in kind, to the point of compelling the reclassification of two County roadways.

If the Board is inclined to grant the appeal in any part, I respectfully request that it first direct staff to prepare a comparative analysis of trip generation and roadway classification impacts for the convenience stores previously approved in C-1 districts in El Paso County, so that the "sufficiently similar" finding rests on a documented record.

Thank you for your service and for your consideration of these comments.
Respectfully submitted,

Steve Draper
3125 Hamal Circle
Monument Colorado 80132
Property owner, 1.5 miles from the subject parcel

Sources relied upon: El Paso County Land Development Code Sections 1.15, 2.2.4(B)(8), 4.4.1 and 5.3.6; Administrative Determination Letter ADM264 dated July 1, 2026, together with Exhibit 1 (Data Table) and Exhibit 2 (C-1 Zone Uses Table); El Paso County Planning and Community Development, "Buc-ee's Update," updated July 14, 2026; Administrative Determination ADM264 and Appeal Project 215507, epcdevplanreview.com; Stolfus & Associates, Inc., Traffic Impact Study for the Town of Palmer Lake, February 27, 2025; Kimley-Horn traffic study submitted with the applicant's appeal; LSC Transportation Consultants, Monument Academy South Residential Rezone Traffic Impact Study, June 4, 2026; El Paso County BoCC Land Use Meeting recording of July 23, 2026; Colorado Department of Transportation Statewide Crash Data Listings for 2021 through 2025; and CDOT published Annual Average Daily Traffic, Highway Traffic (All Years) open data layer, 2024 publication.

Jessica Merriam

From: steve draper <ssdraper@mac.com>
Sent: Thursday, August 6, 2026 6:07 PM
To: PLNWEB
Cc: PCD Hearings
Subject: Video Submission for Official Record – Beacon Lite Road Travel Center Appeal (Buc-ee's). / ADM 2645 / 215507
Attachments: mark_13-55_rezone_to_CC.mp4; mark_2-55_travel_center.mp4; mark_1-00 _CDOT_road_meeting.mp4

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Please confirm receipt and confirm that this submission has entered into the official record for the BOCC's consideration of the appeal - not solely for reference purposes. Please also identify the case/file number under which this submission has been docketed so I can verify it appears in the hearing packet

I am adding these county-recorded videos for the BOCC's upcoming hearing: **Parcels:** 7102200014, 7102200015, 7102200016

Date of recording: 5/29/2024
Project Name: Beacon Lite Road Travel Center
Description: The proposed project includes a 73,372 SF travel center with **improvements to Beacon Lite Road and Palmer Divide Road**. Access to the site will be from Beacon Lite Road.
Location: SW corner of I-25 and Palmer Divide Road

Commissioners,

At mark 13:55, El Paso County planner Kylie Bagley clearly stated to the Buc-ee's representative Kyle Watson: "So you would need to rezone to one zoning district… So our C-1 zone, which is that large purple swath, is actually an obsolete zoning district, so we would just request that you rezone to CC to
match that northern parcel and carry that all the way through." ….. **Buc-ee's knew the exact zoning requirements and tried for a Palmer Lake PUD instead and upon that failure is trying for a determination instead - avoiding zoning. That choice bypasses the notice, hearings, and conditions a rezoning would have secured — Granting it would also make any 73,372 SF, 120-pump facility a convenience store by right.**

At mark 2:55 - Buc-ees representative Kyle Watson states "it's a little bit different than a typical gas station that why we call it a travel center " …. People would stay in the store 20 or 30 minutes shopping around so that's why you see the

four to five hundred parking spaces" …. "And they're mostly full which is wild but it is true" (no mention of convenience store through the entire recording) …. **Buc-ees on this very project states it's a travel center.**

I am waiting for CORA records about communications between the applicant and El Paso County Public Works and CDOT regarding road improvements. At mark 1:00 Watson comments and "And kinda just so you are aware we did have a prior meeting with Omar and CDOT to discuss the road improvements around the site" …. **An establishment offering goods for sale to the neighborhood in which it is located does not require prior consultation with the state highway department about the roads around it.**

I respectfully urge the Board to uphold the County's determination and find that a 73,372 SF travel center does not meet the definition of a convenience store. Thank you for your consideration.

Steve Draper / Monument resident

Jessica Merriam

From: PLNWEB
Sent: Tuesday, August 11, 2026 9:20 AM
To: Jessica Merriam
Subject: FW: Request for Clarity on Public Comment Procedures — August 27 Buc-ee's/ADM264 Appeal Hearing

Gayle Jackson
Administrative Assistant
El Paso County | Planning and Community Development
2880 International Circle Suite 110
Colorado Springs, CO 80910
Phone: 719-520-6300
https://planningdevelopment.elpasoco.com/
www.epcdevplanreview.com

-----Original Message-----
From: steve draper <ssdraper@mac.com>
Sent: Monday, August 10, 2026 8:01 PM
To: CARCTB <carctb@elpasoco.com>
Cc: PLNWEB <PLNWEB@elpasoco.com>
Subject: Request for Clarity on Public Comment Procedures — August 27 Buc-ee's/ADM264 Appeal Hearing

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Dear Clerk to the Board and Planning and Community Development staff, I am writing ahead of the August 27, 2026 hearing on Buc-ee's appeal of ADM264 (the C-1 classification determination under Project 215507) to request clarity on public comment procedures, and to raise a fairness concern.

At the July 23, 2026 quasi-judicial hearing, residents were informed shortly beforehand that individual speaking time would be reduced from the traditional three minutes to 90 seconds, and that residents would no longer be permitted to yield their time to a designated speaker. There are no published written procedures explaining how residents may organize testimony or submit presentations at these hearings.

Given that Buc-ee's, as the appellant, will be represented by counsel and technical experts able to present its case at length, I ask that the Board and staff:

1. Confirm in advance what speaking time limit will apply to public commenters at the August 27 hearing, and publish this before the hearing date.
2. Clarify whether residents will be permitted to yield time to designated speakers, consistent with past practice.
3. Confirm the process for submitting and organizing written evidence and exhibits ahead of the 12:00 p.m., August 26 deadline (PLNweb@ElPasoCo.com).

This is a significant land-use matter affecting many residents, and clear, published procedures — applied consistently to all parties — are essential to a fair hearing.

Thank you for your attention to this request.

Sincerely,
Steve Draper
Monument, Colorado

Sent from my iPhone

Jessica Merriam

From: PLNWEB
Sent: Thursday, August 13, 2026 7:46 AM
To: Jessica Merriam
Subject: FW: Public Comment — ADM264 Appeal / Project 215507 — Hearing August 27, 2026

-----Original Message-----
From: steve draper <ssdraper@mac.com>
Sent: Wednesday, August 12, 2026 6:45 PM
To: PLNWEB <PLNWEB@elpasoco.com>
Subject: Public Comment — ADM264 Appeal / Project 215507 — Hearing August 27, 2026

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To the Board of County Commissioners:

I am writing regarding the appeal of Determination ADM264, Project 215507, set for hearing August 27, 2026. I ask that this be entered into the official record.
The question before the Board under LDC 5.3.6.C.1 includes whether the proposed use is compatible with uses allowed in the C-1 district and similar in traffic and parking generation.

On July 23, 2026, at approximately 1:19:17 of the Board's Land Use Meeting, the appellant's own consultant — Craig Dossey, President of Vertex Consulting Services, appearing that day for a different client — offered this Board a standard for compatibility with residential areas. He identified a Lowe's or a Home Depot as incompatible, citing the amount of traffic and the hours of operation.

I ask the Board to apply that same standard here. The proposed use operates 24 hours a day. By the applicant's consultant's own criteria, it does not meet the test.

Respectfully submitted,
Steve Draper
Monument, Colorado

Sent from my iPhone

Jessica Merriam

From: PLNWEB
Sent: Monday, August 10, 2026 7:36 AM
To: Jessica Merriam
Subject: FW: File No. ADM264 – Buc-ee's Administrative Determination Appeal

---

From: Teri Fischer <mommafischy888@gmail.com>
Sent: Saturday, August 8, 2026 1:34 PM
To: PLNWEB <PLNWEB@elpasoco.com>
Subject: File No. ADM264 – Buc-ee's Administrative Determination Appeal

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Mark Safe | Report

El Paso County Digital, Strategy & Technology (DST)

1) Buc-ee's calls itself a "travel center," not a convenience store. Their own website and FAQ use that term. They shouldn't get to market themselves as a highway travel center and then ask the county to zone them as a small neighborhood convenience store.

2) It doesn't fit the purpose of the C-1 district. C-1 is for general commercial uses serving the surrounding area at a modest scale — not a big-box regional destination.

I am Teri Fischer and I live in Colorado Estates about 1/2 a mile from the Bucees sight. We are asking that you honor the zoning for this area and do not allow this to happen.

Thank you,
Teri Fischer

Jessica Merriam

From: terreswim77@gmail.com
Sent: Tuesday, August 11, 2026 3:07 PM
To: PLNWEB; PCD Hearings
Subject: File No. File No. APP261 – Appeal of Buc-ee's Administrative Determination

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El Paso County Digital, Strategy & Technology (DST)

Commissioners,

Understanding the recent action by Buc-ee's representation, I wanted to provide a comparison between a convenience store and a typical Buc-ee's project for your serious consideration.

The average convenience store is about 3,000 to 3,200 square feet according to the NACS, the National Association of Convenience Stores, the leading trade association for the convenience and fuel retailing industry

Annual sales for a convenience store: A useful benchmark is about $1.4 million in annual sales per convenience store, based on the U.S. industry total and the roughly 152,000 stores operating in the country. Also according to the NACS.

Convenience-store shoppers often skew toward working adults, commuters, and parents, especially in the 25-44 age range. NACS also notes that many convenience shoppers are people refueling, though family and senior traffic can be important depending on the store format and location.

A typical Buc-ee's travel center is about 50,000 to 75,000 square feet, with many locations clustering around 74,000 square feet.

Buc-ee's customer profile is mostly road-trippers, families, and travelers looking for a big, one-stop pit stop with food, fuel, and merchandise. The brand's appeal is built around a "destination" feel rather than just a quick convenience stop.

A typical Buc-ee's is often estimated at roughly $50 million to $100 million in annual revenue per store, with some sources putting average-store revenue higher or lower depending on how they model fuel and retail sales.

By definition, a typical destination travel center is a large-format highway stop designed to be a place people **intentionally visit**, not just a quick fuel stop. These sites usually have many pumps, expanded food service, larger parking areas, and more amenities than a standard convenience store. Pretty much describes a Buc-res, right?

Convenience store: quick stop, smaller format, consumables, often fuel.
Versus
Travel center: larger highway-oriented stop with expanded amenities for travelers and commercial drivers.

Buc-ee's self-defines as a large-format travel center focused on a clean, friendly, in-stock experience. They aren't a 7-11.

In plain terms, Buc-ee's presents itself as more than a gas station: it's a road-trip destination with fuel, food, and retail, built around convenience and cleanliness. They market themselves to destination visitors: "Plan the ultimate **Buc-ee's** road trip with our free interactive map. Find all 50+ **Buc-ee's**locations along your route, set detour limits, and never miss the brisket or beaver nuggets," is taken from their corporate website. THIS is not in alignment with the purpose of a convenience store.

In conclusion, these points show that Buc-ees is in no way, shape, or form a convenience store.

In response to massive opposition to this location, Buc-ee's operatives have been deceptively working every possible angle to force their monstrosity on communities that don't want it. Buc-ee's fad fame will fade. As paid public representatives, you are expected to act in the interest of your constituents. Even more, I call you to be stewards of the land and resources. Please do your job and protect our town and county by not allowing a cheap highway travel center to be considered a convenience store. It is anything BUT convenient when you measure the irredeemable cost to build it at the proposed location.

Thank you,
Terre Christensen
Monument, CO

Terre

"A smooth sea never made a skilled sailor."

Jessica Merriam

From: J D <JDug2022@outlook.com>
Sent: Saturday, August 8, 2026 2:28 PM
To: PLNWEB
Cc: PCD Hearings
Subject: INFO -- File No. ADM264 (Administrative Determination Appeal)

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El Paso County Digital, Strategy & Technology (DST)

Ma'am/sir -- A fellow resident told us our previous e-mail was not included as part of an official record. We are resubmitting to be included in the record for ADM264.

In response to Bucee's appeal to obtain a "Convenience Store" status: This entity is not a "Convenience Store" under the Land Development Code. Based on its interstate travelers' focus, square footage and more than one hundred gas pumps, Bucees defies the Code's "Convenience Store" classification.

A "Convenience Store" is "An establishment for the purpose of offering for sale to the neighborhood in which it is located..." By its own representative's and online public statements, Bucees caters to thousands of interstate travelers, not the surrounding neighborhood nor the El Paso County community as a whole. It is a travel center/destination location for cross-country/interstate travelers, which negates its claim to a "Convenience Store" classification. Please deny this appeal.

We live about a mile from County Line Road and I-25 and see the parcel frequently. Due to our perception of Bucees' consistent efforts to keep its progress on Monument Hill off the record, we further request El Paso County hold this company to a standard of full transparency and provide equal public involvement on all future activities.

Respectfully,
Jean and Terry Duggan

Jessica Merriam

From: vamonroe80 <vamonroe80@gmail.com>
Sent: Sunday, August 9, 2026 5:38 PM
To: PLNWEB
Cc: PCD Hearings
Subject: File #APP261 -Appeal of Buc-ees Administrative Determination

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Mark Safe Report

El Paso County Digital, Strategy & Technology (DST)

To Whom It May Concern:

My name is Virginia Monroe, and I have been a resident of Palmer Lake, CO since 2006, and was employed by LPSD #38 from 1989-2019. My home is in the center of town.

I implore you to consider carefully Buc-ees proposed moniker of a "neighborhood convenience store." A neighborhood convenience store is a typical 7-11, Circle K, etc. Most often, there are 5-8 parking spot for customers. Indoors, there are usually 4 to 6 aisles with basic grocery items, some helpful household items, and coffee /soft drink fountain. People who live nearby go in, grab a coffee, maybe a donut on their way to work, and get gas at one of the 4-8 gas pumps.

Buc-ees, a self described "travel center," has said they want 120 gas pumps. I have stopped at a Buc-ees one time. It was an enormous indoor, open space, mini-mall with several hundred parking spaces. By Buc-ees imparted information to residents last year, they said that only about 20% of customers would be from El Paso County. Their numbers indicated that 80% of customers would be from out of the area, with a large percentage being from out of state.

Buc-ees has no interest in serving a local neighborhood. Hence, it's NOT a "neighborhood convenience store." It is a "travel destination " and does NOT belong in an area zoned for small, local businesses.

Sincerely,
Virginia Monroe
82 Vale St.
Palmer Lake, CO

Sent from my T-Mobile Device

Jessica Merriam

From: PLNWEB
Sent: Monday, August 3, 2026 7:44 AM
To: Jessica Merriam
Subject: FW: Buc-ee's Appeal of Administrative Determination ADM264 — Please DENY the Appeal and Uphold the Director's July 1 Determination (C-1 Zone, I-25 & County Line Road / Beacon Lite Road)

From: Whitney Yeager <whitneyyeager@icloud.com>
Sent: Sunday, August 2, 2026 12:40 PM
To: PLNWEB <PLNWEB@elpasoco.com>
Subject: Buc-ee's Appeal of Administrative Determination ADM264 — Please DENY the Appeal and Uphold the Director's July 1 Determination (C-1 Zone, I-25 & County Line Road / Beacon Lite Road)

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El Paso County Digital, Strategy & Technology (DST)

RESIDENT COMMENTS AGAINST BUC-EE'S DEVELOPMENT APPEAL

The will and property rights of the residents in a community must take precedence over the moneyed power of a large corporation especially now when there are so many reasons to deny Buc-ee's development appeal.

In addition to the NO BUC-EES will of the community, the proposed site is completely wrong based on weather conditions, ingress and egress, and location and light pollution next to the Greenland Ranch Preserve open space.

The Palmer divide is the highest point on I 25 between the two Colorado State lines and has the worst wind and winter driving conditions on that interstate route:

1. This pass closes on a regular basis or requires chains during the winter storm events so snarled, unsafe driving conditions will become much worse from such a large establishment's traffic for the locals who commute to Denver for work on a daily basis.

2. Trash and debris scattered by wind onto adjoining properties will create an extra expense for clean-up for Douglas and El Paso County and local residents.

3. The continual round-the-clock flushing of hundreds of toilets from this establishment will have a terrible impact on the property values of so many adjoining properties who rely on drinking water wells, along with other area communities already on water restrictions in the worst drought on record as climate change and access to water continues to worsen.

4. To assume that this "travel center" is a convenience store when in fact, it is the size of a town's sports stadium or shopping center based on water usage, parking spaces and 24-7 hour traffic is completely erroneous and should not be approved.

5. For the above reasons and so many more, the economic viability of this project is doomed to failure and our community will end up with an ugly vacant property ripe for criminal activity because interstate 25 is known to be a drug corridor up from Mexico which has already caused the closure of two nearby rest areas.

DO NOT APPROVE BUC-EE'S DEVELOPMENT, MONUMENT SAYS NO!

Sincerely,

Whitney Yeager
Monument Resident
565 Heatherdowns
Monument, Co 80132

Jessica Merriam

From: PLNWEB
Sent: Friday, August 14, 2026 10:30 AM
To: Jessica Merriam
Subject: FW: Concern Regarding Precedent in APP261 — Buc-ee's Classification and Administrative Determination

From: Planner Concerned Citizen <planner.concerned.citizen@gmail.com>
Sent: Friday, August 14, 2026 9:41 AM
To: PLNWEB <PLNWEB@elpasoco.com>
Subject: Concern Regarding Precedent in APP261 — Buc-ee's Classification and Administrative Determination

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Mark Safe Report

El Paso County Digital, Strategy & Technology (DST)

Please accept this comment for the record regarding File APP261, the appeal of the Administrative Determination for the proposed Buc-ee's project at I-25 and County Line Road.

My concern is not about the applicant itself, but about the precedent that would be created if the Board of County Commissioners were to overrule the determination made by Development Services Director Meggan Herington, AICP, and reclassify Buc-ee's as a "convenience store" for purposes of the C-1 zone.

Director Herington is a highly qualified land-use professional, and her determination reflects both the intent of the zoning code and the functional characteristics of large-format commercial uses. Overruling her decision would not simply resolve a local appeal — it would establish a new interpretive standard for what qualifies as a convenience store not only in El Paso County, but across the country.

In addition, Buc-ee's is now operating as a quasi-public taxing authority in Ohio through a New Community Authority (NCA), imposing a 2% surcharge on all non-fuel purchases to fund infrastructure. This demonstrates that Buc-ee's is not a typical convenience store, nor a typical travel center. It is a large-format commercial use that adapts its identity depending on regulatory advantage: a convenience store when zoning is restrictive, a travel center when marketing is beneficial, and a taxing entity when infrastructure financing is needed. Redefining Buc-ee's as a convenience store in El Paso County would not only overrule the professional determination of Director Herington, but could also create a precedent that Buc-ee's may cite nationally to down-classify itself in future zoning, trademark, and infrastructure cases.

This is a procedural concern, not an emotional one. The County's land-use classifications carry weight, and redefining a large travel center as a convenience store may have unintended consequences beyond this single application.

Thank you for considering this comment.

Jessica Merriam

From: PLNWEB
Sent: Tuesday, August 11, 2026 9:22 AM
To: Jessica Merriam
Subject: FW: Submission of Planning Based Review for Buc-ee's EPCO, LLC Appeal
Attachments: Bucc-ees parcels.pdf

Gayle Jackson
Administrative Assistant
El Paso County | Planning and Community Development
2880 International Circle Suite 110
Colorado Springs, CO 80910
Phone: 719-520-6300
https://planningdevelopment.elpasoco.com/
www.epcdevplanreview.com

From: Planner Concerned Citizen <planner.concerned.citizen@gmail.com>
Sent: Monday, August 10, 2026 7:30 PM
To: PLNWEB <PLNWEB@elpasoco.com>
Subject: Re: Submission of Planning Based Review for Buc-ee's EPCO, LLC Appeal

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El Paso County Digital, Strategy & Technology (DST)

Subject: Clarification on Buc-ee's Parcel Numbers and Updated Exhibit for BOCC Appeal

Hello,

I'm sharing an updated exhibit regarding the Buc-ee's Determination of Use and the upcoming El Paso County Board of County Commissioners appeal scheduled for August 27. I want to clarify the source of my earlier confusion and highlight a significant procedural inconsistency in the County's record.

The original request for a Determination of Use, the County's denial of that request, and the subsequent Appeal were all submitted without any parcel numbers listed. Because none of these filings identified the parcels involved, County staff associated parcel numbers from earlier, unrelated applications rather than verifying them against the Boundary Line Adjustment (EXBL261).

As a result:

- The Determination of Use (ADM264) and
- The Appeal (APP261)

were indexed to parcels 7102200014 and 7102200015, even though the Boundary Line Adjustment involved parcels 7102200016 and 7102300010.

This mismatch is the reason my earlier document referenced the CC-zoned parcel (7102200014) — that parcel was included in the County's own Determination and Appeal listings. My confusion was based directly on the original documents published by El Paso County.

The updated exhibit I'm sharing shows:

- The parcels listed in each EDARP filing, with the exception of the parcel numbers for the newly combined parcels in the Boundary Line Adjustment
- The parcels included in the Boundary Line Adjustment
- The inconsistency between the application, determination, denial, and appeal

This is not an advocacy document; it is a factual clarification based entirely on the County's published records.

Given the upcoming appeal hearing and the complexity of this case, I hope this information is helpful to your review and reporting.

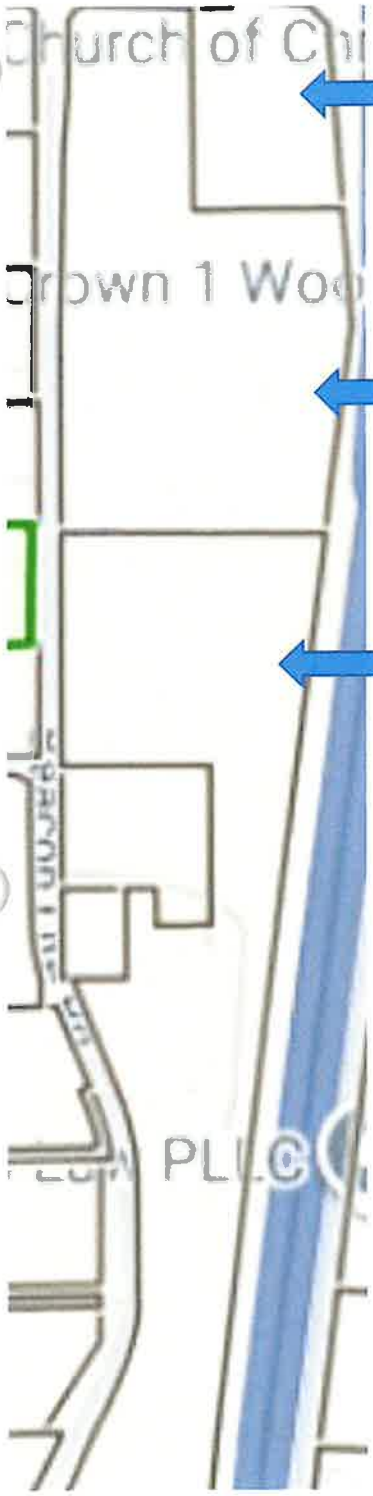
On Wed, Jul 15, 2026 at 10:15 AM Planner Concerned Citizen <planner.concerned.citizen@gmail.com> wrote:

> Hello,
>
> I am submitting a planning-based review of procedural and zoning issues related to the Buc-ee's EPCO, LLC appeal. This document focuses solely on El Paso County's administrative actions, including the Boundary Line Adjustment approval, zoning interpretation, and the designation request. It is written in a neutral, professional format grounded in adopted County documents, APA definitions, and ITE criteria
>
> Please include the attached document in the appropriate internal routing for staff review ahead of the scheduled public hearing.

Respectfully,

A concerned citizen and land use planner

BUCC-EE'S PARCELS - El Paso County



Appeal on Determination of Use

EDARP Public

Project Details

Search | All Active Projects

File Number	APP261
Project Name	Appeal Buc ee's ADM
Description	Appeal the Determination of Use File Number ADM264
Parcels	7102200014 7102200015
Applicant	Buc ee's EPCO, LLC consumerrequest@buc-ees.com (consumerrequest@buc-ees.com) (979) 238-6390
EA Number	EA2461
File Prefix	APP Appeal
Year	2026
Project Manager	Kylie Bagley
Status	Active
Created	7/2/2026 10:26:27 AM

https://epcdevplanreview.com/Public/ProjectDetails/215507

Determination of Use

EDARP Public

Project Details

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File Number	ADM264
Project Name	Buc-ee's ADM
Description	Determination of Use
Parcels	7102200014 7102200015
Applicant	Buc-ee's EPCO, LLC consumerrequest@buc-ees.com (consumerrequest@buc-ees.com) (979) 238-6390
EA Number	EA2461
File Prefix	ADM - Administrative Determination
Year	2026
Project Manager	Kylie Bagley
Status	Active
Created	6/18/2026 3:24:23 PM

https://epcdevplanreview.com/Public/ProjectDetails/215125

Administrative Boundary Line Adjustment

EDARP Public

Project Details

Search

File Number	EXBL261
Project Name	Interstate 25 Properties and Monument Ridge West Boundary Line Adjustment of Unplatted Parcels
Description	Moving the southern boundary line of parcel 7102200016 south
Parcels	7102200016 7102300010
Applicant	Vertex Consulting Services, LLC Nina Ruiz (nina.ruiz@vertexvs.com) (719) 733-8605 x9916
File Prefix	EXBL - Subdivision Exemption Boundary Line Adjustment
Year	2026
Project Manager	Kylie Bagley
Status	Closed
Created	2/4/2026 1:19:34 PM

https://epcdevplanreview.com/Public/ProjectDetails/212065