

Statement for Project File

The attached documents are **not part of the official record for Project APP261**. They have been included in the **project file for reference purposes only** and should not be considered as formal submissions or evidence within the project's official record.

From: [Lori Van Der Wege](#)
To: [Carrie Geitner](#); [Bill Wysong](#); [Cory Applegate](#); [Kenny Hodges](#); [Kylie Bagley](#); [mlakind@tomgov.org](#); [sking@tomgov.org](#); [sabbott@tomgov.org](#); [csmith@tomgov.org](#); [lkronick@tomgov.org](#); [kkimple@tomgov.org](#); [mfiorito@tomgov.org](#); [eharris@palmer-lake.org](#); [rmoseley@palmer-lake.org](#); [jmarble@palmer-lake.org](#); [mbeeson@palmer-lake.org](#); [ajurka@palmer-lake.org](#); [governorpoliis@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](#); [savannah.eller@gazette.com](#); [Tony.Keith@koaa.com](#); [Noah.Caplan@koaa.com](#); [EXTERNAL KOAA News](#); [asack@kxrm.com](#); [EXTERNAL Fox News](#); [EXTERNAL KKTV News](#); [news@krdo.com](#); [achalfin@krcc.org](#); [EXTERNAL KRCC News](#); [newstips@denver7.com](#); [newstips@9news.com](#); [tips@kdvr.com](#); [jalvarado@denverpost.com](#); [EXTERNAL Newsroom Denver](#); [oliviaprentzel@coloradosun.com](#); [newsroom@coloradosun.com](#); [Karin.Brulliard@washpost.com](#); [jim.carlton@wsj.com](#); [news-tips@nytimes.com](#); [tips@cnm.com](#); [tips@nbcuni.com](#); [news.tips@abc.com](#); [LBergman@newsnationnow.com](#); [tips@thefp.com](#); [Holly Williams](#)
Cc: [Lauren Nelson](#)
Subject: Buc-ee's Appeal of Administrative Determination AM264
Date: Tuesday, July 7, 2026 4:46:02 PM

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Report

El Paso County Digital, Strategy
& Technology (DST)

I am writing to ask that you 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. 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. 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. 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: 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 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, Lori VanDerWege 21080 Capella Dr. Monument, CO 80132, El Paso County.
Colorado Estates Lorivdw@gmail.com (719) 651-9292

Lori Van Der Wege,GRI
2006 Pikes Peak Association of Realtors, Realtor of the Year
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Pikes Peak Crossroads Realty
www.yourrockymountainhometeam.com

719.651.9292



From: [Bill Normile](#)
To: [Holly Williams](#); [Carrie Geitner](#); [Bill Wyson](#); [Cory Applegate](#); [Lauren Nelson](#); [Paula Linhares](#); [Meggan Herington](#)
Subject: Bucees again. Letter of protest from a County Resident
Date: Wednesday, July 8, 2026 7:55:08 AM

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Report

El Paso County Digital, Strategy
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Distinguished members of EPCO commissioners.

This email will be from my heart and not a prescribed format.

Ms. Linhares I have emailed you many times during this fiasco regarding our county and neighborhood in Northern EPCO.

This time I ask you to see this challenge by the Bucees team as an insult to Ms. Herington's decision that Bucees is not a convenience store. We pay and elect all of you and Ms. Herington to represent us we must trust your decisions. It seems that Bucees, from out of state, feels they are more knowledgeable about that decision than you.

If you, Ms. Herington after careful thought decides this does not fit into the convenience store guideline then what right do they have to challenge this decision.

County COMmissioners, Please respect this decision and do not cave to the demands of this out of state company to bully you.

If there is a location that will handle this operation in the County based on the rules set forth then godspeed to their building.

This location does not legally conform to a bucees location or any other entity that does not fit into the guidelines.

This seems rather simple. Doesn't it?

Thank you

Bill Normile

EPCO Resident

--

One person caring about another represents life's greatest value.

Jim Rohn

From: terreswim77@gmail.com
To: [Holly Williams](#); [Carrie Geitner](#); [Bill Wysong](#); [Cory Applegate](#); [Lauren Nelson](#)
Cc: [Meggan Herington](#); [Kenny Hodges](#); [Kylie Bagley](#); mlakind@tomgov.org; sking@tomgov.org; sabbott@tomgov.org; csmith@tomgov.org; lkronick@tomgov.org; kkimple@tomgov.org; mforito@tomgov.org; eharris@palmer-lake.org; rmoseley@palmer-lake.org; jmarble@palmer-lake.org; mbeeson@palmer-lake.org; ajurka@palmer-lake.org; governorpoli@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; savannah.eller@gazette.com; tony.keith@koaa.com; Noah.Caplan@koaa.com; [EXTERNAL KOAA News](#); ASack@kxrm.com; [EXTERNAL Fox News](#); [EXTERNAL KKTU News](#); news@krdo.com; achalfin@krcc.org; [EXTERNAL KRCC News](#); newstips@denver7.com; newstips@9news.com; tips@kdvr.com; jalvarado@denverpost.com; [EXTERNAL Newsroom Denver](#); oliviaprentzel@coloradosun.com; newsroom@coloradosun.com; Karin.Brulliard@washpost.com; jim.carlton@wsj.com; news-tips@nytimes.com; tips@cnn.com; tips@nbcuni.com; news.tips@abc.com; LBergman@newsnationnow.com; tips@thefp.com; talkshow@aol.com
Subject: Buc-ee's Appeal of Administrative Determination ADM264 - request to deny
Date: Wednesday, July 8, 2026 7:22:31 AM

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Report

El Paso County Digital, Strategy
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Commissioners,

The question before you is **Does the Buc-ee's proposal comply with the Land Development Code as written?**

The answer is no.

Buc-ee's asks the Board to classify a **74,000-square-foot travel center with 120 fuel positions and nearly 800 parking spaces** as a neighborhood convenience store. That stretches the ordinary meaning of "convenience store" beyond recognition.

The county's own approval history demonstrates why. Existing convenience stores in El Paso County are a fraction of this size, with far fewer fuel pumps and parking spaces. This proposal is not simply a larger version of an allowed use—it is a fundamentally different land use in both scale and intensity.

The C-1 district was intended for neighborhood-serving commercial uses. This project is

designed to attract travelers from across the region on Interstate 25, not residents of the surrounding community. Its primary purpose is serving highway traffic.

Location matters.

Monument Hill is characterized by rural residential neighborhoods, protected open space, and the Greenland wildlife corridor. The proposed site sits at the edge of a landscape where residents have deliberately chosen a different pattern of development than exists farther south along the interstate.

Approving this project as a “convenience store” would establish a precedent with no meaningful limiting principle. If this proposal qualifies, what would not? At what point does a convenience store become a regional travel center? The Land Development Code provides no indication that the Board should erase those distinctions.

If the existing code does not clearly authorize a project of this magnitude, the proper course is not to redefine the use. The proper course is the public legislative process—a rezoning, Planned Unit Development, or other discretionary review—where the impacts can be fully evaluated and the public has meaningful participation.

No one is suggesting Buc-ee’s should never build in El Paso County. The question is whether this project belongs on this site under this zoning.

The Planning Director correctly concluded that the administrative process could not resolve that question. The appropriate response is not to force a classification that the code does not support, but to require the applicant to pursue the review process intended for projects of this size and regional impact.

For these reasons, I respectfully ask the Board to deny the appeal and require any future application to proceed through the appropriate discretionary land-use process.

Sincerely,

Terre Christensen
Monument

From: [Julie Lawton](#)
To: [Holly Williams](#); [Carrie Geitner](#); [Bill Wysong](#); [Cory Applegate](#); [Lauren Nelson](#)
Cc: [Meggan Herington](#); [Kenny Hodges](#); [Kylie Bagley](#); [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](#)
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: Wednesday, July 8, 2026 7:19:45 AM

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Report

El Paso County Digital, Strategy
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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
Julie Lawton
1265 Fallen Tree Road
Monument, CO 80132

From: [Anamaria Morlin](#)
To: [Holly Williams](#); [Carrie Geitner](#); [Bill Wysong](#); [Cory Applegate](#); [Lauren Nelson](#)
Cc: [Meggan Herington](#); [Kenny Hodges](#); [Kylie Bagley](#); [mlakind@tomgov.org](#); [sking@tomgov.org](#); [sabbott@tomgov.org](#); [csmith@tomgov.org](#); [lkronick@tomgov.org](#); [kkimple@tomgov.org](#); [mfiorito@tomgov.org](#); [eharris@palmer-lake.org](#); [rmoseley@palmer-lake.org](#); [jmarble@palmer-lake.org](#); [mbeeson@palmer-lake.org](#); [ajurka@palmer-lake.org](#); [governorpoli@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](#); [savannah.eller@gazette.com](#); [Tony.Keith@koaa.com](#); [Noah.Caplan@koaa.com](#); [EXTERNAL KOAA News](#); [ASack@kxrm.com](#); [EXTERNAL Fox News](#); [EXTERNAL KKTU News](#); [news@krdo.com](#); [achalfin@krcc.org](#); [EXTERNAL KRCC News](#); [newstips@denver7.com](#); [newstips@9news.com](#); [tips@kdvr.com](#); [jalvarado@denverpost.com](#); [EXTERNAL Newsroom Denver](#); [oliviaprentzel@coloradosun.com](#); [newsroom@coloradosun.com](#); [Karin.Brulliard@washpost.com](#); [jim.carlton@wsj.com](#); [news-tips@nytimes.com](#); [tips@cnn.com](#); [tips@nbcuni.com](#); [news.tips@abc.com](#); [LBergman@newsnationnow.com](#); [tips@thefp.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)
Date: Tuesday, July 7, 2026 8:37:33 PM

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Report

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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.

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

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
Anamaria Morlin
16311 Blue Yonder View
Monument, Co 80132
El Paso County

From: [Greg D. Cooke](#)
To: [Holly Williams](#); [Carrie Geitner](#); [Bill Wysong](#); [Cory Applegate](#); [Lauren Nelson](#)
Cc: [Meggan Herington](#); [Kenny Hodges](#); [Kylie Bagley](#); [mlakind@tomgov.org](#); [sking@tomgov.org](#); [sabbott@tomgov.org](#); [csmith@tomgov.org](#); [lkronick@tomgov.org](#); [kkimple@tomgov.org](#); [mfiorito@tomgov.org](#); [eharris@palmer-lake.org](#); [rmoseley@palmer-lake.org](#); [jmarble@palmer-lake.org](#); [mbeeson@palmer-lake.org](#); [ajurka@palmer-lake.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](#); [savannah.eller@gazette.com](#); [Tony.Keith@koaa.com](#); [Noah.Caplan@koaa.com](#); [EXTERNAL KOAA News](#); [ASack@kxrm.com](#); [EXTERNAL Fox News](#); [EXTERNAL KKTU News](#); [news@krdo.com](#); [achalfin@krcc.org](#); [EXTERNAL KRCC News](#); [newstips@denver7.com](#); [newstips@9news.com](#); [tips@kdvr.com](#); [jalvarado@denverpost.com](#); [EXTERNAL Newsroom Denver](#); [oliviaprentzel@coloradosun.com](#); [newsroom@coloradosun.com](#); [Karin.Brulliard@washpost.com](#); [jim.carlton@wsj.com](#); [news-tips@nytimes.com](#); [tips@cn.com](#); [tips@nbcuni.com](#); [news.tips@abc.com](#); [LBergman@newsnationnow.com](#); [tips@thefp.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)
Date: Tuesday, July 7, 2026 8:20:56 PM

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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:

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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. Please deny the appeal.

Respectfully,

Greg D. Cooke
1255 Lone Scout Lookout

Monument, CO 80132
El Paso County

Greg.cooke@comcast.net
719.332.1845 c

From: [Landon Reiley](#)
To: [Holly Williams](#); [Carrie Geitner](#); [Bill Wysong](#); [Cory Applegate](#); [Lauren Nelson](#)
Cc: [Meggan Herington](#); [Kenny Hodges](#); [Kylie Bagley](#); [mlakind@tomgov.org](#); [sking@tomgov.org](#); [sabbott@tomgov.org](#); [csmith@tomgov.org](#); [lkronick@tomgov.org](#); [kkimple@tomgov.org](#); [mfiorito@tomgov.org](#); [eharris@palmer-lake.org](#); [rmoseley@palmer-lake.org](#); [jmarble@palmer-lake.org](#); [mbeeson@palmer-lake.org](#); [ajurka@palmer-lake.org](#); [governorpoli@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](#); [savannah.eller@gazette.com](#); [Tony.Keith@koaa.com](#); [Noah.Caplan@koaa.com](#); [EXTERNAL KOAA News](#); [ASack@kxrm.com](#); [EXTERNAL Fox News](#); [EXTERNAL KKTU News](#); [news@krdo.com](#); [achalfin@krcc.org](#); [EXTERNAL KRCC News](#); [newstips@denver7.com](#); [newstips@9news.com](#); [tips@kdvr.com](#); [jalvarado@denverpost.com](#); [EXTERNAL Newsroom Denver](#); [oliviaprentzel@coloradosun.com](#); [newsroom@coloradosun.com](#); [Karin.Brulliard@washpost.com](#); [jim.carlton@wsj.com](#); [news-tips@nytimes.com](#); [tips@cnn.com](#); [tips@nbcuni.com](#); [news.tips@abc.com](#); [LBergman@newsnationnow.com](#); [tips@thefp.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)
Date: Tuesday, July 7, 2026 5:03:33 PM

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Mark Safe

Report

El Paso County Digital, Strategy
& Technology (DST)

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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.

<!--[if !supportLineBreakNewLine]-->
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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

From: [Kirk Lipscomb](#)
To: [Holly Williams](#); [Carrie Geitner](#); [Bill Wysong](#); [Cory Applegate](#); [Lauren Nelson](#)
Cc: [Meggan Herington](#); [Kenny Hodges](#); [Kylie Bagley](#); [mlakind@tomgov.org](#); [sking@tomgov.org](#); [sabbott@tomgov.org](#); [csmith@tomgov.org](#); [lkronick@tomgov.org](#); [kkimple@tomgov.org](#); [mfiorito@tomgov.org](#); [eharris@palmer-lake.org](#); [rmoseley@palmer-lake.org](#); [jmarble@palmer-lake.org](#); [mbeeson@palmer-lake.org](#); [ajurka@palmer-lake.org](#); [governorpoli@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](#); [savannah.eller@gazette.com](#); [Tony.Keith@koaa.com](#); [Noah.Caplan@koaa.com](#); [EXTERNAL KOAA News](#); [ASack@kxrm.com](#); [EXTERNAL Fox News](#); [EXTERNAL KKTv News](#); [news@krdo.com](#); [achalfin@krcc.org](#); [EXTERNAL KRCC News](#); [newstips@denver7.com](#); [newstips@9news.com](#); [tips@kdvr.com](#); [jalvarado@denverpost.com](#); [EXTERNAL Newsroom Denver](#); [oliviaprentzel@coloradosun.com](#); [newsroom@coloradosun.com](#); [Karin.Brulliard@washpost.com](#); [jim.carlton@wsj.com](#); [news-tips@nytimes.com](#); [tips@cnn.com](#); [tips@nbcuni.com](#); [news.tips@abc.com](#); [LBergman@newsnationnow.com](#); [tips@thefp.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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Report

El Paso County Digital, Strategy
& Technology (DST)

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1.

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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:

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

From: [Jonathan Flanner](#)
To: [Holly Williams](#); [Carrie Geitner](#); [Bill Wysong](#); [Cory Applegate](#); [Lauren Nelson](#)
Cc: [Meggan Herington](#); [Kenny Hodges](#); [Kylie Bagley](#); [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](#)
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: Wednesday, July 8, 2026 8:28:06 AM

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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
Jonathan Flanner
1160 Piney Hill Pt
Monument, CO 80132

From: [Hannah Shea](#)
To: [Holly Williams](#); [Carrie Geitner](#); [Bill Wysong](#); [Cory Applegate](#); [Lauren Nelson](#)
Cc: [Meggan Herington](#); [Kenny Hodges](#); [Kylie Bagley](#); [mlakind@tomgov.org](#); [sking@tomgov.org](#); [sabbott@tomgov.org](#); [csmith@tomgov.org](#); [lkronick@tomgov.org](#); [kkimple@tomgov.org](#); [mfiorito@tomgov.org](#); [eharris@palmer-lake.org](#); [rmoseley@palmer-lake.org](#); [jmarble@palmer-lake.org](#); [mbeeson@palmer-lake.org](#); [ajurka@palmer-lake.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](#); [savannah.eller@gazette.com](#); [Tony.Keith@koaa.com](#); [Noah.Caplan@koaa.com](#); [EXTERNAL KOAA News](#); [ASack@kxrm.com](#); [EXTERNAL Fox News](#); [EXTERNAL KKTU News](#); [news@krdo.com](#); [achalfin@krcc.org](#); [EXTERNAL KRCC News](#); [newstips@denver7.com](#); [newstips@9news.com](#); [tips@kdvr.com](#); [jalvarado@denverpost.com](#); [EXTERNAL Newsroom Denver](#); [oliviaprentzel@coloradosun.com](#); [newsroom@coloradosun.com](#); [Karin.Brulliard@washpost.com](#); [jim.carlton@wsj.com](#); [news-tips@nytimes.com](#); [tips@cnn.com](#); [tips@nbcuni.com](#); [news.tips@abc.com](#); [LBergman@newsnationnow.com](#); [tips@thefp.com](#); [talkshow@aol.com](#)
Subject: Buc-ee's is NOT a convenience store!!
Date: Tuesday, July 7, 2026 5:03:00 PM

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Report

El Paso County Digital, Strategy
& Technology (DST)

Dear Commissioners:

The question before you is not whether Buc-ee's is popular, whether it creates jobs, or whether some residents may welcome it. The question is whether the El Paso County Land Development Code permits a 31-acre interstate travel center with 120 fueling positions to operate in the obsolete C-1 zoning district.

On July 1, 2026, the Planning and Community Development Director reached that conclusion and declined to classify the proposed development as a permitted "Convenience Store." That determination was correct, and it should be upheld. This appeal asks the Board to do something much larger than approve a single project. It asks you to redefine the meaning of multiple provisions of the Land Development Code in order to fit a prohibited use into a zoning district where it does not belong. The Code expressly allows gas stations in CC, CR, CS, C-2, and M zoning districts. It does not allow them in C-1. That omission matters. The County's Code is explicit that when a use is listed in some districts and omitted from others, the omission is intentional and operates as an exclusion. If the Board overturns the Director's determination and allows this project anyway, the practical effect will be to erase the distinction between permitted and prohibited uses in C-1 zoning.

If a 120-position fuel facility is not a gas station, then what is?

The applicant argues that Buc-ee's cannot be a gas station because it does not perform oil changes, vehicle repairs, or car washes. But the Code never requires those activities. They are optional incidental uses, not defining characteristics.

The applicant further attempts to insert requirements into the Code that simply do not exist, including assertions regarding "primary orientation" toward fueling and restrictions on retail activity that appear nowhere in the adopted language. The Board should interpret the Code that was written, not the Code the applicant wishes had been written.

The facts are straightforward. Buc-ee's proposes to sell gasoline and diesel fuel to motorists from 120 fueling positions at an interstate interchange. The County has a name for that use: a gas station.

The appeal's attempt to characterize the project as a convenience store fares no better.

Convenience stores serve neighborhoods. Buc-ee's serves destinations.

The County's Code requires a convenience store to serve "the neighborhood in which it is located." The proposed facility is designed, marketed, and operated as a regional draw for interstate travelers. Buc-ee's itself describes its stores as destinations. The company's own representatives have compared new locations to tourist attractions. Hotels fill during grand openings. Customers travel from multiple states to visit. Buc-ee's own projections in other jurisdictions show that the overwhelming majority of customers travel substantial distances to reach its stores. That is not a neighborhood-serving use by any reasonable interpretation of the term.

The alternative "similar use" argument fails for an even simpler reason: the County cannot use a similar-use determination to override an express prohibition in the Code. Gas stations are not an undefined or unforeseen use. They are specifically identified, specifically regulated, and specifically excluded from C-1 zoning. A similar-use analysis cannot be used to transform an excluded use into an allowed one. If it could, no exclusion in the Code would have any meaning.

Perhaps the most important issue before the Board is fairness. Every other applicant in El Paso County is expected to follow the development process established by the Land Development Code. When projects require rezoning, applicants seek rezoning. When projects require public hearings, applicants participate in public hearings. When projects have significant impacts on traffic, water, infrastructure, and surrounding land uses, those impacts are evaluated through the public process established by the County. Buc-ee's should not be held to a different standard. The proper avenue for a regional travel center of this size is rezoning to an appropriate district such as C-2, or review through a special use or planned development process with full notice and public hearings. Those processes exist to answer the very questions this appeal attempts to avoid:

- Is the project compatible with surrounding land uses?
- Is it consistent with the Master Plan?
- Are traffic impacts acceptable?
- Is there sufficient long-term water supply?
- What are the cumulative impacts on the surrounding community?

Those are policy questions that belong in public hearings—not in an administrative reinterpretation of an obsolete zoning designation.

Finally, the Board should consider the precedent it sets today. If this appeal is granted, future applicants will rightly ask why they should pursue rezoning or special use approval when prohibited uses can instead be reclassified through creative interpretation and administrative appeal. The County's zoning system depends upon consistency, predictability, and equal application of the rules. Those principles are larger than any one applicant.

For these reasons, I respectfully request that the Board:

- Deny Buc-ee's appeal and uphold the Director's July 1, 2026 determination;
- Confirm that a 120-position interstate fuel facility constitutes a gas station use not permitted within C-1 zoning;
- Reject the use of "similar use" provisions to circumvent explicit restrictions within the Code; and
- Require the applicant to pursue the same public process required of every other large commercial development in El Paso County.

The issue before you is not whether Buc-ee's deserves approval.

The issue is whether the County's Code means what it says.

If it does, this appeal must be denied.

Respectfully,

Hannah Foy
El Paso County Unincorporated Resident
Monument, Colorado

From: [Ron Baumert](#)
To: [Holly Williams](#); [Carrie Geitner](#); [Bill Wysong](#); [Cory Applegate](#); [Lauren Nelson](#)
Cc: [Meggan Herington](#); [Kenny Hodges](#); [Kylie Bagley](#); [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](#)
Subject: Deny Buc-ee's appeal
Date: Wednesday, July 8, 2026 2:21:46 AM

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Report

El Paso County Digital, Strategy
& Technology (DST)

Dear Commissioners,

I urge you to deny Buc-ee's appeal and uphold the Planning and Community Development Director's July 1, 2026 determination.

This appeal comes down to one simple question: **Is Buc-ee's a convenience store serving the surrounding neighborhood, or is it a massive interstate travel center?**

The answer is obvious.

Buc-ee's is a 30+ acre, 74,000-square-foot destination travel center with approximately 120 fueling positions. The company itself markets these facilities as destinations, not neighborhood convenience stores. At its recent Goodyear, Arizona opening, Buc-ee's described the store as "a destination," comparing it to Disney World. Hotels sold out, and customers traveled from multiple states to visit. Buc-ee's has also stated that approximately 88% of its customers travel more than 20 miles to reach its stores.

That is not a neighborhood convenience store by any reasonable interpretation of the Land Development Code.

The Code requires a convenience store to serve "the neighborhood in which it is located." It

also treats gas stations and convenience stores as separate land uses and intentionally allows gas stations in several commercial districts—but not in C-1. A facility with 120 fueling positions is plainly a gas station and an interstate travel center, regardless of whether it also sells sandwiches, souvenirs, or groceries.

Frankly, this should never have been a close call. But for some reason, the Director was unable to determine that Buc-ee's is not a convenience under LDC. The evidence overwhelmingly demonstrates that Buc-ee's is not the type of neighborhood-serving use contemplated by the C-1 district.

This is not a vote on Buc-ee's as a company. It is a vote on whether the County will apply its own Land Development Code as written. If Buc-ee's wishes to build in El Paso County, it should pursue the zoning district intended for large-scale commercial and travel-oriented uses—not attempt to fit a regional destination into a zoning category designed for neighborhood convenience stores.

For these reasons, I respectfully ask you to deny the appeal by Buc-ee's; it does NOT belong at their proposed location.

- - -

Ron Baumert
rbaumert@gmail.com
Monument CO

From: [Joan Mac](#)
To: [Holly Williams](#); [Carrie Geitner](#); [Bill Wysong](#); [Cory Applegate](#); [Lauren Nelson](#)
Cc: [Meggan Herington](#); [Kenny Hodges](#); [Kylie Bagley](#); [mlakind@tomgov.org](#); [sking@tomgov.org](#); [sabbott@tomgov.org](#); [csmith@tomgov.org](#); [lkronick@tomgov.org](#); [kkimple@tomgov.org](#); [mfiorito@tomgov.org](#); [eharris@palmer-lake.org](#); [rmoseley@palmer-lake.org](#); [jmarble@palmer-lake.org](#); [mbeeson@palmer-lake.org](#); [ajurka@palmer-lake.org](#); [governorpoli@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](#); [savannah.eller@gazette.com](#); [Tony.Keith@koaa.com](#); [Noah.Caplan@koaa.com](#); [EXTERNAL KOAA News](#); [ASack@kxrm.com](#); [EXTERNAL Fox News](#); [EXTERNAL KKTU News](#); [news@krdo.com](#); [achalfin@krcc.org](#); [EXTERNAL KRCC News](#); [newstips@denver7.com](#); [newstips@9news.com](#); [tips@kdvr.com](#); [jalvarado@denverpost.com](#); [EXTERNAL Newsroom Denver](#); [oliviaprentzel@coloradosun.com](#); [newsroom@coloradosun.com](#); [Karin.Brulliard@washpost.com](#); [jim.carlton@wsj.com](#); [news-tips@nytimes.com](#); [tips@cnn.com](#); [tips@nbcuni.com](#); [news.tips@abc.com](#); [LBergman@newsnationnow.com](#); [tips@thefp.com](#); [talkshow@aol.com](#)
Subject: e: 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: Tuesday, July 7, 2026 6:11:59 PM

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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.

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.

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:

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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:

- 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

- 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,

Joan MacDuff

1870 Bel Lago View

Monument, CO

From: [Kendall Powers](#)
To: [Holly Williams](#); [Carrie Geitner](#); [Bill Wyson](#); [Cory Applegate](#); [Lauren Nelson](#)
Subject: e: 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: Tuesday, July 7, 2026 6:56:42 PM

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Report

El Paso County Digital, Strategy
& Technology (DST)

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.

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.

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:

- 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
- 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
Kendall and Robert Powers
16357 Treetop Glory Court
Monument, Co 80132
Sanctuary Pointe
El Paso County

From: [Julie Lawton](#)
To: [Holly Williams](#); [Carrie Geitner](#); [Bill Wysong](#); [Cory Applegate](#); [Lauren Nelson](#)
Cc: [Meggan Herington](#); [Kenny Hodges](#); [Kylie Bagley](#); [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](#)
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)
Date: Wednesday, July 8, 2026 9:07:09 AM

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El Paso County Digital, Strategy
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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:

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
Steve Lawton
1265 Fallen Tree Road
Monument, CO 80132

From: [Sean Petty](#)
To: [Meggan Herington](#); [Holly Williams](#); [Carrie Geitner](#); [Bill Wysong](#); [Cory Applegate](#); [Lauren Nelson](#); [Kenny Hodges](#); [Kylie Bagley](#)
Cc: [mlakind@tomgov.org](#); [sking@tomgov.org](#); [sabbott@tomgov.org](#); [csmith@tomgov.org](#); [lkronick@tomgov.org](#); [kkimple@tomgov.org](#); [mfiorito@tomgov.org](#); [eharris@palmer-lake.org](#); [rmoseley@palmer-lake.org](#); [jmarble@palmer-lake.org](#); [mbeeson@palmer-lake.org](#); [ajurka@palmer-lake.org](#); [governorpoli@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](#); [savannah.eller@gazette.com](#); [Tony.Keith@koaa.com](#); [Noah.Caplan@koaa.com](#); [EXTERNAL KOAA News](#); [sam.page@krdo.com](#); [ASack@kxrm.com](#); [EXTERNAL Fox News](#); [EXTERNAL KKTU News](#); [achalfin@krcc.org](#); [EXTERNAL KRCC News](#); [newstips@denver7.com](#); [newstips@9news.com](#); [tips@kdvr.com](#); [jalvarado@denverpost.com](#); [EXTERNAL Newsroom Denver](#); [oliviaprentzel@coloradosun.com](#); [newsroom@coloradosun.com](#); [Karin.Brulliard@washpost.com](#); [jim.carlton@wsj.com](#); [news-tips@nytimes.com](#); [tips@cnn.com](#); [tips@nbcuni.com](#); [news.tips@abc.com](#); [LBergman@newsnationnow.com](#); [tips@thefp.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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Report

El Paso County Digital, Strategy
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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.

The application tries to escape this prohibition by **misreading the Gas Station definition — three ways, all on page 5**. 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 application 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." Buc-ee's represents that the store will serve the surrounding neighborhood (pages 2 and 4). 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) — 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 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). 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,

Sean Petty
1490 Old Antlers Way
Monument, CO 80132
Woodmoor neighborhood
El Paso County

From: [Paul Lee](#)
To: [Holly Williams](#); [Carrie Geitner](#); [Bill Wysong](#); [Cory Applegate](#); [Lauren Nelson](#)
Cc: [Meggan Herington](#); [Kenny Hodges](#); [Kylie Bagley](#); [mlakind@tomgov.org](#); [sking@tomgov.org](#); [sabbott@tomgov.org](#); [csmith@tomgov.org](#); [lkronick@tomgov.org](#); [kkimple@tomgov.org](#); [mfiorito@tomgov.org](#); [eharris@palmer-lake.org](#); [rmoseley@palmer-lake.org](#); [jmarble@palmer-lake.org](#); [mbeeson@palmer-lake.org](#); [ajurka@palmer-lake.org](#); [governorpoli@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](#); [savannah.eller@gazette.com](#); [Tony.Keith@koaa.com](#); [Noah.Caplan@koaa.com](#); [EXTERNAL KOAA News](#); [ASack@kxrm.com](#); [EXTERNAL Fox News](#); [EXTERNAL KKTU News](#); [news@krdo.com](#); [achalfin@krcc.org](#); [EXTERNAL KRCC News](#); [newstips@denver7.com](#); [newstips@9news.com](#); [tips@kdvr.com](#); [jalvarado@denverpost.com](#); [EXTERNAL Newsroom Denver](#); [oliviaprentzel@coloradosun.com](#); [newsroom@coloradosun.com](#); [Karin.Brulliard@washpost.com](#); [jim.carlton@wsj.com](#); [news-tips@nytimes.com](#); [tips@cnn.com](#); [tips@nbcuni.com](#); [news.tips@abc.com](#); [LBergman@newsnationnow.com](#); [tips@thefp.com](#); [talkshow@aol.com](#)
Subject: Public Comment on APP261 / ADM264 — Request to Deny Buc-ee's Appeal
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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

From: [TPI Secretary](#)
To: [Meggan Herington](#)
Cc: [Holly Williams](#); [Carrie Geitner](#); [Bill Wyson](#); [Cory Applegate](#); [Lauren Nelson](#); [Kenny Hodges](#); [Kylie Bagley](#); [integritymatterscos@gmail.com](#); [Shawn Sawyer](#); [Mary Scott](#); [Matt Beverly](#); [Angela Fike](#)
Subject: Public Comment Records for ADM-264
Date: Tuesday, July 7, 2026 9:08:20 PM

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Report

El Paso County Digital, Strategy
& Technology (DST)

Dear Director Herington,

In response to Buc-ee's request for an administrative determination, Tri-Lakes Preservation (TPI) and Integrity Matters were copied on nearly 200 emails submitted by members of the public expressing their views on the application. However, the unofficial record available through EDARP for ADM-264 appears to contain less than half of these the number of public comments that we have been copied on. Notably, even the formal comment letter submitted by the Tri-Lakes Preservation Board does not appear to be included in the publicly available record.

Multiple community members have contacted us directly to report that they submitted comments to the County and received acknowledgement responses from Ms. Linhares and/or Commissioner Williams, yet their submissions do not appear among the documents currently available through EDARP under ADM-264.

Additionally, there appear to be communications within the ADM-264 EDARP record that relate to the separate Boundary Line Adjustment application (EXBL261) rather than the administrative use determination itself. This raises further questions regarding how documents are being categorized and maintained within the public record.

These circumstances raise important questions regarding the completeness and accuracy of the record:

- Why is there a discrepancy between the number of comments submitted and the number

appearing in the EDARP file?

- Are there categories of communications that are intentionally excluded from the publicly available record?
- If comments were received by County staff or elected officials but are not visible in EDARP, where are those communications being maintained?
- Why do documents related to other applications, such as the Boundary Line Adjustment, appear to be included within the ADM-264 file while comments specifically addressing ADM-264 appear to be absent?
- What process exists to ensure that all public comments received regarding this application become part of the official record?

These questions are particularly important now that Buc-ee's has appealed the administrative determination to the Board of County Commissioners and members of the public continue to submit comments, which should officially become a part of the record, in anticipation of future proceedings.

Public confidence in the process depends on confidence in the record. Community members deserve assurance that comments submitted to County staff, Planning and Community Development, and members of the Board are being properly preserved, accounted for, and made available as part of the administrative record regardless of whether those comments support or oppose the application.

Accordingly, I respectfully request clarification regarding the County's procedures for collecting, maintaining, and publishing public comments associated with ADM-264 and the pending appeal, including how the public can verify that their submissions have been received and included in the record.

Thank you for your time and attention to this matter.

Very Respectfully,

Grace Foy



Tri-Lakes Preservation, Inc. (TPI)

From: [Ann Stanley](#)
To: [Carrie Geitner](#); [Bill Wysong](#); [Cory Applegate](#); [Lauren Nelson](#); [Holly Williams](#)
Cc: [Kenny Hodges](#); [Kylie Bagley](#); [mlakind@tomgov.org](#); [sking@tomgov.org](#); [sabbott@tomgov.org](#); [csmith@tomgov.org](#); [lkronick@tomgov.org](#); [kkimple@tomgov.org](#); [mfiorito@tomgov.org](#); [eharris@palmer-lake.org](#); [moseley@palmer-lake.org](#); [jmarble@palmer-lake.org](#); [mbeeson@palmer-lake.org](#); [ajurka@palmer-lake.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](#); [savannah.eller@gazette.com](#); [Tony.Keith@koaa.com](#); [Noah.Caplan@koaa.com](#); [EXTERNAL KOAA News](#); [ASack@kxrm.com](#); [EXTERNAL Fox News](#); [EXTERNAL KKTV News](#); [news@krdo.com](#); [achalfin@krcc.org](#); [EXTERNAL KRCC News](#); [newstips@denver7.com](#); [newstips@9news.com](#); [tips@kdvr.com](#); [jalvarado@denverpost.com](#); [EXTERNAL Newsroom Denver](#); [oliviaprentzel@coloradosun.com](#); [newsroom@coloradosun.com](#); [Karin.Brulliard@washpost.com](#); [jim.carlton@wsj.com](#); [news-tips@nytimes.com](#); [tips@cnn.com](#); [tips@nbcuni.com](#); [news.tips@abc.com](#); [LBergman@newsnationnow.com](#); [tips@thefp.com](#); [talkshow@aol.com](#); [Meggan Herington](#)
Subject: Re Buc-ee's appeal
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Report

El Paso County Digital, Strategy
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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.

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.

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.

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:

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

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

Ann Stanley

130 Wuthering Heights Drive

Colorado Springs, CO 8921

From: [Karrie Rexford](#)
To: [Holly Williams](#); [Carrie Geitner](#); [Bill Wyson](#); [Cory Applegate](#); [Lauren Nelson](#)
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)
Date: Wednesday, July 8, 2026 12:18:09 AM

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Report

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& Technology (DST)

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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.**

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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.

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).

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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

Katherine Rexford
19150 Sixpenny Lane
Monument, CO 80132
Sent from my iPhone

From: [Kimi Auty](#)
To: [Holly Williams](#); [Carrie Geitner](#); [Bill Wysong](#); [Cory Applegate](#); [Lauren Nelson](#); [Kimberly Auty](#)
Cc: [Meggan Herington](#); [Kenny Hodges](#); [Kylie Bagley](#); [mlakind@tomgov.org](#); [sking@tomgov.org](#); [sabbott@tomgov.org](#); [csmith@tomgov.org](#); [lkronick@tomgov.org](#); [kkimple@tomgov.org](#); [mfiorito@tomgov.org](#); [eharris@palmer-lake.org](#); [rmoseley@palmer-lake.org](#); [jmarble@palmer-lake.org](#); [mbeeson@palmer-lake.org](#); [ajurka@palmer-lake.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](#); [savannah.eller@gazette.com](#); [Tony.Keith@koaa.com](#); [Noah.Caplan@koaa.com](#); [EXTERNAL KOAA News](#); [ASack@kxrm.com](#); [EXTERNAL Fox News](#); [EXTERNAL KKTU News](#); [news@krdo.com](#); [achalfin@krcc.org](#); [EXTERNAL KRCC News](#); [newstips@denver7.com](#); [newstips@9news.com](#); [tips@kdvr.com](#); [jalvarado@denverpost.com](#); [EXTERNAL Newsroom Denver](#); [oliviaprentzel@coloradosun.com](#); [newsroom@coloradosun.com](#); [Karin.Brulliard@washpost.com](#); [jim.carlton@wsj.com](#); [news-tips@nytimes.com](#); [tips@cnn.com](#); [tips@nbcuni.com](#); [news.tips@abc.com](#); [LBergman@newsnationnow.com](#); [tips@thefp.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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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:

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
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

From: [Ginger Daughtry](#)
To: [Carrie Geitner](#); [Bill Wysong](#); [Cory Applegate](#); [Holly Williams](#); [Meggan Herington](#); [Lauren Nelson](#); [Kenny Hodges](#)
Cc: [Kylie Bagley](#); [mlakind@tomgov.org](#); [sking@tomgov.org](#); [sabbott@tomgov.org](#); [csmith@tomgov.org](#); [lkronick@tomgov.org](#); [kkimple@tomgov.org](#); [mfiorito@tomgov.org](#); [eharris@palmer-lake.org](#); [rmoseley@palmer-lake.org](#); [jmarble@palmer-lake.org](#); [mbeeson@palmer-lake.org](#); [ajurka@palmer-lake.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](#); [savannah.eller@gazette.com](#); [Tony.Keith@koa.com](#); [Noah.Caplan@koa.com](#); [EXTERNAL KOAA News](#); [ASack@kxrm.com](#); [EXTERNAL Fox News](#); [EXTERNAL KKTV News](#); [news@krdo.com](#); [achalfin@krcc.org](#); [EXTERNAL KRCC News](#); [newstips@denver7.com](#); [newstips@9news.com](#); [tips@kdvr.com](#); [jalvarado@denverpost.com](#); [EXTERNAL Newsroom Denver](#); [oliviaprentzel@coloradosun.com](#); [newsroom@coloradosun.com](#); [Karin.Brulliard@washpost.com](#); [jim.carlton@wsj.com](#); [news-tips@nytimes.com](#); [tips@cnn.com](#); [tips@nbcuni.com](#); [news.tips@abc.com](#); [LBergman@newsnationnow.com](#); [tips@thefp.com](#); [talkshow@aol.com](#); [Cmegganherington@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)
Date: Tuesday, July 7, 2026 7:27:45 PM

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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.

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.

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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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:

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Recognize that a 120-position fuel facility **is** a gas station, which the Code excludes from C-1;
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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,
Ginger Daughtry
181 Saber Creek Dr
Monument, CO 80132
El Paso County

From: [Sherry and Bob MacDonald](#)
To: [Carrie Geitner](#); [Bill Wysong](#); [Cory Applegate](#); [Lauren Nelson](#); [Holly Williams](#)
Cc: [Kenny Hodges](#); [Kylie Bagley](#); [mlakind@tomgov.org](#); [sking@tomgov.org](#); [sabbott@tomgov.org](#); [csmith@tomgov.org](#); [lkronick@tomgov.org](#); [Kenneth Kimple](#); [mfiorito@tomgov.org](#); [eharris@palmer-lake.org](#); [rmoseley@palmer-lake.org](#); [jmarble@palmer-lake.org](#); [mbeeson@palmer-lake.org](#); [ajurka@palmer-lake.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](#); [savannah.eller@gazette.com](#); [Tony.Keith@koaa.com](#); [Noah.Caplan@koaa.com](#); [EXTERNAL KOAA News](#); [ASack@kxrm.com](#); [EXTERNAL Fox News](#); [EXTERNAL KKTV News](#); [news@krdo.com](#); [achalfin@krcc.org](#); [EXTERNAL KRCC News](#); [newstips@denver7.com](#); [newstips@9news.com](#); [tips@kdvr.com](#); [jalvarado@denverpost.com](#); [EXTERNAL Newsroom Denver](#); [oliviaprentzel@coloradosun.com](#); [newsroom@coloradosun.com](#); [Karin.Brulliard@washpost.com](#); [jim.carlton@wsj.com](#); [news-tips@nytimes.com](#); [tips@cnn.com](#); [tips@nbcuni.com](#); [news.tips@abc.com](#); [LBergman@newsnationnow.com](#); [tips@thefp.com](#); [talkshow@aol.com](#); [Meggan Herington](#)
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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1.

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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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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.

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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;
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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

From: mtnbkr64@ircbiz.com
To: [Holly Williams](#); [Carrie Geitner](#); [Bill Wysong](#); [Cory Applegate](#); [Lauren Nelson](#)
Cc: [Meggan Herington](#); [Kenny Hodges](#); [Kylie Bagley](#); mlakind@tomgov.org; sking@tomgov.org; sabbott@tomgov.org; csmith@tomgov.org; lkronick@tomgov.org; kkimple@tomgov.org; mforito@tomgov.org; eharris@palmer-lake.org; rmoseley@palmer-lake.org; jmarble@palmer-lake.org; mbeeson@palmer-lake.org; ajurka@palmer-lake.org; governorpoli@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; savannah.eller@gazette.com; Tony.Keith@koaa.com; Noah.Caplan@koaa.com; EXTERNAL KOAA News; ASack@kxrm.com; EXTERNAL Fox News; EXTERNAL KKTU News; news@krdo.com; achalfin@krcc.org; EXTERNAL KRCC News; newstips@denver7.com; newstips@9news.com; tips@kdvr.com; jalvarado@denverpost.com; EXTERNAL Newsroom Denver; oliviaprentzel@coloradosun.com; newsroom@coloradosun.com; Karin.Brulliard@washpost.com; jim.carlton@wsj.com; news-tips@nytimes.com; tips@cnn.com; tips@nbcuni.com; news.tips@abc.com; LBergman@newsnationnow.com; tips@thefp.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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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:

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- 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
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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
John F. Stahl
565 Heatherdowns
Monument, Co 80132

Woodmoor
El Paso County

From: [Whitney Yeager](#)
To: [Holly Williams](#); [Carrie Geitner](#); [Bill Wysong](#); [Cory Applegate](#); [Lauren Nelson](#)
Cc: [Meggan Herington](#); [Kenny Hodges](#); [Kylie Bagley](#); [mlakind@tomgov.org](#); [sking@tomgov.org](#); [sabbott@tomgov.org](#); [csmith@tomgov.org](#); [lkronick@tomgov.org](#); [kkimple@tomgov.org](#); [mfiorito@tomgov.org](#); [eharris@palmer-lake.org](#); [rmoseley@palmer-lake.org](#); [jmarble@palmer-lake.org](#); [mbeeson@palmer-lake.org](#); [ajurka@palmer-lake.org](#); [governorpoli@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](#); [savannah.eller@gazette.com](#); [Tony.Keith@koaa.com](#); [Noah.Caplan@koaa.com](#); [EXTERNAL KOAA News](#); [ASack@kxrm.com](#); [EXTERNAL Fox News](#); [EXTERNAL KKTU News](#); [news@krdo.com](#); [achalfin@krcc.org](#); [EXTERNAL KRCC News](#); [newstips@denver7.com](#); [newstips@9news.com](#); [tips@kdvr.com](#); [jalvarado@denverpost.com](#); [EXTERNAL Newsroom Denver](#); [oliviaprentzel@coloradosun.com](#); [newsroom@coloradosun.com](#); [Karin.Brilliard@washpost.com](#); [jim.carlton@wsj.com](#); [news-tips@nytimes.com](#); [tips@cnn.com](#); [tips@nbcuni.com](#); [news.tips@abc.com](#); [LBergman@newsnationnow.com](#); [tips@thefp.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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Report

El Paso County Digital, Strategy
& Technology (DST)

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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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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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Respectfully,
Whitney Yeager
565 Heatherdowns
Monument, Co 80132
Woodmoor
El Paso County
Sent from my iPhone

From: terreswim77@gmail.com
To: [Holly Williams](#); [Carrie Geitner](#); [Bill Wysong](#); [Cory Applegate](#); [Lauren Nelson](#)
Cc: [Meggan Herington](#); [Kenny Hodges](#); [Kylie Bagley](#); mlakind@tomgov.org; sking@tomgov.org; sabbott@tomgov.org; csmith@tomgov.org; lkronick@tomgov.org; kkimple@tomgov.org; mforito@tomgov.org; eharris@palmer-lake.org; rmoseley@palmer-lake.org; jmarble@palmer-lake.org; mbeeson@palmer-lake.org; ajurka@palmer-lake.org; governorpoli@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; savannah.eller@gazette.com; Tony.Keith@koaa.com; Noah.Caplan@koaa.com; [EXTERNAL KOAA News](#); ASack@kxrm.com; [EXTERNAL Fox News](#); [EXTERNAL KKTU News](#); news@krdo.com; achalfin@krcc.org; [EXTERNAL KRCC News](#); newstips@denver7.com; newstips@9news.com; tips@kdvr.com; jalvarado@denverpost.com; [EXTERNAL Newsroom Denver](#); oliviaprentzel@coloradosun.com; newsroom@coloradosun.com; Karin.Brulliard@washpost.com; jim.carlton@wsj.com; news-tips@nytimes.com; tips@cnn.com; tips@nbcuni.com; news.tips@abc.com; LBergman@newsnationnow.com; tips@thefp.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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Report

El Paso County Digital, Strategy
& Technology (DST)

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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,
Terre Christensen

"A smooth sea never made a skilled sailor."

From: [mesalasko731](#)
To: [Holly Williams](#); [Carrie Geitner](#); [Bill Wysong](#); [Cory Applegate](#); [Lauren Nelson](#)
Cc: [Meggan Herington](#); [Kenny Hodges](#); [Kylie Bagley](#); [mlakind@tomgov.org](#); [sking@tomgov.org](#); [sabbott@tomgov.org](#); [csmith@tomgov.org](#); [lkronick@tomgov.org](#); [kkimple@tomgov.org](#); [mfiorito@tomgov.org](#); [eharris@palmer-lake.org](#); [rmoseley@palmer-lake.org](#); [jmarble@palmer-lake.org](#); [mbeeson@palmer-lake.org](#); [ajurka@palmer-lake.org](#); [governorpoli@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](#); [savannah.eller@gazette.com](#); [Tony.Keith@koaa.com](#); [Noah.Caplan@koaa.com](#); [EXTERNAL KOAA News](#); [ASack@kxrm.com](#); [EXTERNAL Fox News](#); [EXTERNAL KKTU News](#); [news@krdo.com](#); [achalfin@krcc.org](#); [EXTERNAL KRCC News](#); [newstips@denver7.com](#); [newstips@9news.com](#); [tips@kdvr.com](#); [jalvarado@denverpost.com](#); [EXTERNAL Newsroom Denver](#); [oliviaprentzel@coloradosun.com](#); [newsroom@coloradosun.com](#); [Karin.Brulliard@washpost.com](#); [jim.carlton@wsj.com](#); [news-tips@nytimes.com](#); [tips@cnn.com](#); [tips@nbcuni.com](#); [news.tips@abc.com](#); [LBergman@newsnationnow.com](#); [tips@thefp.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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Report

El Paso County Digital, Strategy
& Technology (DST)

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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.

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,

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

From: [Gabrielle Steckman](#)
To: [Holly Williams](#); [Carrie Geitner](#); [Bill Wysong](#); [Cory Applegate](#); [Lauren Nelson](#)
Cc: [Meggan Herington](#); [Kenny Hodges](#); [Kylie Bagley](#); [mlakind@tomgov.org](#); [sking@tomgov.org](#); [sabbott@tomgov.org](#); [csmith@tomgov.org](#); [lkronick@tomgov.org](#); [kkimple@tomgov.org](#); [mfiorito@tomgov.org](#); [governorpoli@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](#)
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)
Date: Wednesday, July 8, 2026 8:48:14 AM

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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,
Gabrielle Steckman
19945 Riverglen Lane
Monument, CO 80132
Phone: 719-963-6129

From: [Abigail Knight](#)
To: [Holly Williams](#); [Carrie Geitner](#); [Bill Wysong](#); [Cory Applegate](#); [Lauren Nelson](#)
Cc: [Meggan Herington](#); [Kenny Hodges](#); [Kylie Bagley](#); [mlakind@tomgov.org](#); [sking@tomgov.org](#); [sabbott@tomgov.org](#); [csmith@tomgov.org](#); [lkronick@tomgov.org](#); [kkimple@tomgov.org](#); [mfiorito@tomgov.org](#); [eharris@palmer-lake.org](#); [rmoseley@palmer-lake.org](#); [jmarble@palmer-lake.org](#); [mbeeson@palmer-lake.org](#); [ajurka@palmer-lake.org](#); [governorpoli@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](#); [savannah.eller@gazette.com](#); [Tony.Keith@koaa.com](#); [Noah.Caplan@koaa.com](#); [EXTERNAL KOAA News](#); [ASack@kxrm.com](#); [EXTERNAL Fox News](#); [EXTERNAL KKTU News](#); [news@krdo.com](#); [achalfin@krcc.org](#); [EXTERNAL KRCC News](#); [newstips@denver7.com](#); [newstips@9news.com](#); [tips@kdvr.com](#); [jalvarado@denverpost.com](#); [EXTERNAL Newsroom Denver](#); [oliviaprentzel@coloradosun.com](#); [newsroom@coloradosun.com](#); [Karin.Brulliard@washpost.com](#); [jim.carlton@wsj.com](#); [news-tips@nytimes.com](#); [tips@cnn.com](#); [tips@nbcuni.com](#); [news.tips@abc.com](#); [LBergman@newsnationnow.com](#); [tips@thefp.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
Date: Tuesday, July 7, 2026 4:58:34 PM

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Report

El Paso County Digital, Strategy
& Technology (DST)

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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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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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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:

- 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
- 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>;

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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.

The application tries to escape this prohibition by **misreading the Gas Station definition — three ways, all on page 5**. 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 application 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) — 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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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:

Decline to issue any administrative determination on the paper record;

Refer this matter to the Board of County Commissioners for a full, noticed public hearing;

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

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

From: [Karen McVay](#)
To: [TPI Secretary](#)
Cc: [Meggan Herington](#); [Holly Williams](#); [Carrie Geitner](#); [Bill Wysong](#); [Cory Applegate](#); [Lauren Nelson](#); [Kenny Hodges](#); [Kylie Bagley](#); integritymatterscos@gmail.com; [Shawn Sawyer](#); [Mary Scott](#); [Matt Beverly](#); [Angela Fike](#)
Subject: Re: Public Comment Records for ADM-264
Date: Tuesday, July 7, 2026 10:41:04 PM

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Report

El Paso County Digital, Strategy
& Technology (DST)

Excellent letter, Grace!

Did Lubi send you my follow up letter asking about the "store" definition in the C-1 zoning regs?

Thank you, thank you!
Karen

On Tue, Jul 7, 2026, 9:08 PM TPI Secretary <secretary@trilakespreservation.org> wrote:

Dear Director Herington,

In response to Buc-ee's request for an administrative determination, Tri-Lakes Preservation (TPI) and Integrity Matters were copied on nearly 200 emails submitted by members of the public expressing their views on the application. However, the unofficial record available through EDARP for ADM-264 appears to contain less than half of these the number of public comments that we have been copied on. Notably, even the formal comment letter submitted by the Tri-Lakes Preservation Board does not appear to be included in the publicly available record.

Multiple community members have contacted us directly to report that they submitted comments to the County and received acknowledgement responses from Ms. Linhares and/or Commissioner Williams, yet their submissions do not appear among the documents currently available through EDARP under ADM-264.

Additionally, there appear to be communications within the ADM-264 EDARP record that relate to the separate Boundary Line Adjustment application (EXBL261) rather than the administrative use determination itself. This raises further questions regarding how documents are being categorized and maintained within the public record.

These circumstances raise important questions regarding the completeness and accuracy of the record:

- Why is there a discrepancy between the number of comments submitted and the number appearing in the EDARP file?
- Are there categories of communications that are intentionally excluded from the publicly available record?
- If comments were received by County staff or elected officials but are not visible in EDARP, where are those communications being maintained?
- Why do documents related to other applications, such as the Boundary Line Adjustment, appear to be included within the ADM-264 file while comments specifically addressing ADM-264 appear to be absent?
- What process exists to ensure that all public comments received regarding this application become part of the official record?

These questions are particularly important now that Buc-ee's has appealed the administrative determination to the Board of County Commissioners and members of the public continue to submit comments, which should officially become a part of the record, in anticipation of future proceedings.

Public confidence in the process depends on confidence in the record. Community members deserve assurance that comments submitted to County staff, Planning and Community Development, and members of the Board are being properly preserved, accounted for, and made available as part of the administrative record regardless of whether those comments support or oppose the application.

Accordingly, I respectfully request clarification regarding the County's procedures for collecting, maintaining, and publishing public comments associated with ADM-264 and the pending appeal, including how the public can verify that their submissions have been received and included in the record.

Thank you for your time and attention to this matter.

Very Respectfully,

Grace Foy



Tri-Lakes Preservation, Inc. (TPI)

From: [Scott Towne](#)
To: [Holly Williams](#); [Carrie Geitner](#); [Bill Wysong](#); [Cory Applegate](#); [Lauren Nelson](#)
Cc: [EXTERNAL Fox News](#); [Meggan Herington](#); [Kenny Hodges](#); [Kylie Bagley](#); [mlakind@tomgov.org](#); [sking@tomgov.org](#); [sabbott@tomgov.org](#); [csmith@tomgov.org](#); [lkronick@tomgov.org](#); [kkimple@tomgov.org](#); [mfiorito@tomgov.org](#); [eharris@palmer-lake.org](#); [rmoseley@palmer-lake.org](#); [jmarble@palmer-lake.org](#); [mbeeson@palmer-lake.org](#); [ajurka@palmer-lake.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](#); [Tri-Lakes Preservation, Inc.](#); [savannah.eller@gazette.com](#); [Tony.Keith@koaa.com](#); [Noah.Caplan@koaa.com](#); [EXTERNAL KOAA News](#); [ASack@kxrm.com](#); [EXTERNAL KKTU News](#); [news@krdo.com](#); [achalfin@krcc.org](#); [EXTERNAL KRCC News](#); [newstips@denver7.com](#); [newstips@9news.com](#); [tips@kdvr.com](#); [jalvarado@denverpost.com](#); [EXTERNAL Newsroom Denver](#); [oliviaprentzel@coloradosun.com](#); [newsroom@coloradosun.com](#); [Karin.Brulliard@washpost.com](#); [jim.carlton@wsj.com](#); [news-tips@nytimes.com](#); [tips@cnn.com](#); [tips@nbcuni.com](#); [news.tips@abc.com](#); [LBergman@newsnationnow.com](#); [tips@thefp.com](#)
Subject: Request to deny Buc-ee's re Determination ADM264
Date: Tuesday, July 7, 2026 6:05:07 PM

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

JS Towne

From: [teresa dempsey](#)
To: [Carrie Geitner](#); [Bill Wysong](#); [Cory Applegate](#); [Lauren Nelson](#); [Holly Williams](#)
Cc: [Meggan Herington](#); [Kenny Hodges](#); [Kylie Bagley](#); [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](#)
Subject: Uphold the directors July 1 determination and deny Buc-ee's appeal
Date: Wednesday, July 8, 2026 5:01:37 AM

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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.

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.

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.

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:

- 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
- 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

From: [Grace Foy](#)
To: [Holly Williams](#); [Carrie Geitner](#); [Bill Wysong](#); [Cory Applegate](#); [Lauren Nelson](#)
Cc: [Meggan Herington](#); [Kenny Hodges](#); [Kylie Bagley](#); [mlakind@tomgov.org](#); [sking@tomgov.org](#); [sabbott@tomgov.org](#); [csmith@tomgov.org](#); [lkronick@tomgov.org](#); [kkimple@tomgov.org](#); [mfiorito@tomgov.org](#); [eharris@palmer-lake.org](#); [rmoseley@palmer-lake.org](#); [jmarble@palmer-lake.org](#); [mbeeson@palmer-lake.org](#); [Atis Jurka](#); [governorpoli@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](#); [contact@trilakespreservation.org](#); [Savannah Eller](#); [Tony.Keith@koa.com](#); [Noah.Caplan@koa.com](#); [EXTERNAL KOAA News](#); [Austin Sack](#); [EXTERNAL Fox News](#); [EXTERNAL KKTV News](#); [news@krdo.com](#); [Andrea Chalfin](#); [EXTERNAL KRCC News](#); [newstips@denver7.com](#); [newstips@9news.com](#); [tips@kdvr.com](#); [jalvarado@denverpost.com](#); [EXTERNAL Newsroom Denver](#); [Olivia Prentzel](#); [newsroom@coloradosun.com](#); [Karin.Brulliard@washpost.com](#); [jim.carlton@wsj.com](#); [news-tips@nytimes.com](#); [tips@cnn.com](#); [tips@nbcuni.com](#); [news.tips@abc.com](#); [LBergman@newsnationnow.com](#); [tips@thefp.com](#); [talkshow@aol.com](#)
Subject: Use common sense - Buc-ee's is not a "convenience store"!
Date: Tuesday, July 7, 2026 4:45:47 PM

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Report

El Paso County Digital, Strategy
& Technology (DST)

Dear Commissioners:

On July 1, 2026, the Planning and Community Development Director correctly determined that the proposed Buc-ee's interstate travel center could not be classified as a permitted "Convenience Store" within the C-1 zoning district under the El Paso County Land Development Code. Buc-ee's now asks the Board to overturn that decision and create an exception the Code itself does not allow.

This appeal is not a referendum on Buc-ee's as a company, nor is it about whether a travel center might be appropriate somewhere else in El Paso County. The issue before you is far simpler: **Does the Land Development Code permit a 120-fueling-position interstate travel center in C-1 zoning? The answer is no.**

The Code expressly allows gas stations in CC, CR, CS, C-2, and M zoning districts. It does not allow them in C-1. The Code further states that when a use is listed in some districts and omitted from others, that omission is intentional and constitutes an exclusion. Buc-ee's proposes a facility containing 60 fuel dispensers serving 120 fueling positions. If a development of this size and purpose is not a gas station, then the term has effectively lost all meaning. The appeal attempts to avoid this conclusion by arguing that Buc-ee's does not offer

oil changes, vehicle repairs, accessory installation, or car washes. But the Code never requires those services to qualify as a gas station. It merely identifies them as possible incidental uses. Their absence is irrelevant.

Likewise, the appeal introduces limitations that do not exist in the Code, including claims that a gas station must be "primarily oriented" toward fueling vehicles or that retail sales are limited to vehicle accessories. Neither statement appears in the Code's definition. What does appear in the Code is straightforward: the retail sale of gasoline and diesel fuel to motor vehicles. Buc-ee's proposes exactly that—on a scale unprecedented in the region.

The appeal's alternative argument—that Buc-ee's is really a neighborhood convenience store—is equally unpersuasive. The Code defines a convenience store as an establishment serving "the neighborhood in which it is located." The Code further defines a neighborhood as a primarily residential area. Buc-ee's is not proposing a neighborhood market. It is proposing a regional interstate destination designed to attract travelers from across Colorado and neighboring states. The company openly markets its facilities as destinations rather than local retail stores. At the opening of Buc-ee's nearly identical Goodyear, Arizona location, company representatives compared the experience to visiting Disney World. Nearby hotels sold out for opening weekend. Customers traveled from multiple states to attend. In Springfield, Missouri, Buc-ee's projected approximately six million annual visitors, with 88 percent traveling more than twenty miles to reach the store. A business attracting millions of visitors and drawing customers from hundreds of miles away is not serving the surrounding neighborhood by any ordinary understanding of the term, nor by the definition adopted in the County's Code.

The appeal's final fallback position—that Buc-ee's should be considered a "similar use"—fails for the same reason. The similar-use provisions exist to address uses the Code has not contemplated or listed. Gas stations are not an unlisted use. They are expressly listed and expressly excluded from C-1 zoning. The Board cannot use the similar-use process to accomplish indirectly what the Code prohibits directly.

To do so would not interpret the Code; it would rewrite it.

The implications of this decision extend well beyond a single project.

If a 31-acre development containing a 74,000-square-foot building, 120 fueling positions, electric vehicle charging stations, and more than 800 parking spaces can be classified as a neighborhood convenience store, then there is effectively no limiting principle left in the C-1 district. The Board's decision will establish precedent for every future applicant seeking to fit a prohibited use into an obsolete zoning category through creative labeling rather than compliance with the Code. That is not what zoning laws are for.

The proper avenue for a project of this scale is the same process required of every other applicant seeking approval for a large regional commercial development: rezoning, special-use review, or a planned development process, each accompanied by public notice, public hearings, and public accountability. That process exists for a reason. Rezoning would require analysis of compatibility with surrounding uses, consistency with the Master Plan, infrastructure demands, traffic impacts, water availability, and community character. Those are precisely the questions Buc-ee's seeks to avoid by obtaining an administrative use classification instead.

Finally, the record itself raises substantial concerns. The application repeatedly misstates provisions of the Code, relies on inconsistent calculations, and contains factual assertions that deserve scrutiny through a public process rather than acceptance on paper. The Director recognized these problems and reached the correct conclusion.

I respectfully ask the Board to:

- Deny Buc-ee's appeal and uphold the Director's July 1, 2026 determination;
- Recognize that a 120-position fuel facility constitutes a gas station use prohibited in C-1 zoning;
- Reject attempts to use the similar-use provisions to circumvent explicit restrictions contained in the Code; and
- Require the applicant to pursue the appropriate public process, including rezoning, special-use review, or planned development review with full notice and public hearings.

The question before the Board is ultimately larger than Buc-ee's. **It is whether the County's Land Development Code means what it says, and whether those rules apply equally to every applicant. If the answer is yes, this appeal must be denied.**

Sincerely,

Grace Foy

El Paso County Unincorporated Resident
Monument, CO

From: [Lori Van Der Wege](#)
To: [Carrie Geitner](#); [Bill Wysong](#); [Cory Applegate](#); [Kenny Hodges](#); [Kylie Bagley](#); [mlakind@tomgov.org](#); [sking@tomgov.org](#); [sabbott@tomgov.org](#); [csmith@tomgov.org](#); [lkronick@tomgov.org](#); [kkimple@tomgov.org](#); [mfiorito@tomgov.org](#); [eharris@palmer-lake.org](#); [rmoseley@palmer-lake.org](#); [jmarble@palmer-lake.org](#); [mbeeson@palmer-lake.org](#); [ajurka@palmer-lake.org](#); [governorpoli@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](#); [savannah.eller@gazette.com](#); [Tony.Keith@koaa.com](#); [Noah.Caplan@koaa.com](#); [EXTERNAL KOAA News](#); [asack@kxrm.com](#); [EXTERNAL Fox News](#); [EXTERNAL KKTV News](#); [news@krdo.com](#); [achalfin@krcc.org](#); [EXTERNAL KRCC News](#); [newstips@denver7.com](#); [newstips@9news.com](#); [tips@kdvr.com](#); [jalvarado@denverpost.com](#); [EXTERNAL Newsroom Denver](#); [oliviaprentzel@coloradosun.com](#); [newsroom@coloradosun.com](#); [Karin.Brulliard@washpost.com](#); [jim.carlton@wsj.com](#); [news-tips@nytimes.com](#); [tips@cnn.com](#); [tips@nbcuni.com](#); [news.tips@abc.com](#); [LBergman@newsnationnow.com](#); [tips@thefp.com](#); [Holly Williams](#)
Cc: [Lauren Nelson](#)
Subject: Buc-ee's Appeal of Administrative Determination AM264
Date: Tuesday, July 7, 2026 4:46:02 PM

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Report

El Paso County Digital, Strategy
& Technology (DST)

I am writing to ask that you 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. 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. 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. 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: 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 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, Lori VanDerWege 21080 Capella Dr. Monument, CO 80132, El Paso County.
Colorado Estates Lorivdw@gmail.com (719) 651-9292

Lori Van Der Wege,GRI
2006 Pikes Peak Association of Realtors, Realtor of the Year
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Pikes Peak Crossroads Realty
www.yourrockymountainhometeam.com

719.651.9292



From: [Bill Normile](#)
To: [Holly Williams](#); [Carrie Geitner](#); [Bill Wyson](#); [Cory Applegate](#); [Lauren Nelson](#); [Paula Linhares](#); [Meggan Herington](#)
Subject: Bucees again. Letter of protest from a County Resident
Date: Wednesday, July 8, 2026 7:55:08 AM

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Report

El Paso County Digital, Strategy
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Distinguished members of EPCO commissioners.

This email will be from my heart and not a prescribed format.

Ms. Linhares I have emailed you many times during this fiasco regarding our county and neighborhood in Northern EPCO.

This time I ask you to see this challenge by the Bucees team as an insult to Ms. Herington's decision that Bucees is not a convenience store. We pay and elect all of you and Ms. Herington to represent us we must trust your decisions. It seems that Bucees, from out of state, feels they are more knowledgeable about that decision than you.

If you, Ms. Herington after careful thought decides this does not fit into the convenience store guideline then what right do they have to challenge this decision.

County COMmissioners, Please respect this decision and do not cave to the demands of this out of state company to bully you.

If there is a location that will handle this operation in the County based on the rules set forth then godspeed to their building.

This location does not legally conform to a bucees location or any other entity that does not fit into the guidelines.

This seems rather simple. Doesn't it?

Thank you

Bill Normile

EPCO Resident

--

One person caring about another represents life's greatest value.

Jim Rohn

From: terreswim77@gmail.com
To: [Holly Williams](#); [Carrie Geitner](#); [Bill Wysong](#); [Cory Applegate](#); [Lauren Nelson](#)
Cc: [Meggan Herington](#); [Kenny Hodges](#); [Kylie Bagley](#); mlakind@tomgov.org; sking@tomgov.org; sabbott@tomgov.org; csmith@tomgov.org; lkronick@tomgov.org; kkimple@tomgov.org; mforito@tomgov.org; eharris@palmer-lake.org; rmoseley@palmer-lake.org; jmarble@palmer-lake.org; mbeeson@palmer-lake.org; ajurka@palmer-lake.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; savannah.eller@gazette.com; tony.keith@koaa.com; Noah.Caplan@koaa.com; [EXTERNAL KOAA News](#); ASack@kxrm.com; [EXTERNAL Fox News](#); [EXTERNAL KKTU News](#); news@krdo.com; achalfin@krcc.org; [EXTERNAL KRCC News](#); newstips@denver7.com; newstips@9news.com; tips@kdvr.com; jalvarado@denverpost.com; [EXTERNAL Newsroom Denver](#); oliviaprentzel@coloradosun.com; newsroom@coloradosun.com; Karin.Brulliard@washpost.com; jim.carlton@wsj.com; news-tips@nytimes.com; tips@cnn.com; tips@nbcuni.com; news.tips@abc.com; LBergman@newsnationnow.com; tips@thefp.com; talkshow@aol.com
Subject: Buc-ee's Appeal of Administrative Determination ADM264 - request to deny
Date: Wednesday, July 8, 2026 7:22:31 AM

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Report

El Paso County Digital, Strategy
& Technology (DST)

Commissioners,

The question before you is **Does the Buc-ee's proposal comply with the Land Development Code as written?**

The answer is no.

Buc-ee's asks the Board to classify a **74,000-square-foot travel center with 120 fuel positions and nearly 800 parking spaces** as a neighborhood convenience store. That stretches the ordinary meaning of "convenience store" beyond recognition.

The county's own approval history demonstrates why. Existing convenience stores in El Paso County are a fraction of this size, with far fewer fuel pumps and parking spaces. This proposal is not simply a larger version of an allowed use—it is a fundamentally different land use in both scale and intensity.

The C-1 district was intended for neighborhood-serving commercial uses. This project is

designed to attract travelers from across the region on Interstate 25, not residents of the surrounding community. Its primary purpose is serving highway traffic.

Location matters.

Monument Hill is characterized by rural residential neighborhoods, protected open space, and the Greenland wildlife corridor. The proposed site sits at the edge of a landscape where residents have deliberately chosen a different pattern of development than exists farther south along the interstate.

Approving this project as a “convenience store” would establish a precedent with no meaningful limiting principle. If this proposal qualifies, what would not? At what point does a convenience store become a regional travel center? The Land Development Code provides no indication that the Board should erase those distinctions.

If the existing code does not clearly authorize a project of this magnitude, the proper course is not to redefine the use. The proper course is the public legislative process—a rezoning, Planned Unit Development, or other discretionary review—where the impacts can be fully evaluated and the public has meaningful participation.

No one is suggesting Buc-ee’s should never build in El Paso County. The question is whether this project belongs on this site under this zoning.

The Planning Director correctly concluded that the administrative process could not resolve that question. The appropriate response is not to force a classification that the code does not support, but to require the applicant to pursue the review process intended for projects of this size and regional impact.

For these reasons, I respectfully ask the Board to deny the appeal and require any future application to proceed through the appropriate discretionary land-use process.

Sincerely,

Terre Christensen
Monument

From: [Julie Lawton](#)
To: [Holly Williams](#); [Carrie Geitner](#); [Bill Wysong](#); [Cory Applegate](#); [Lauren Nelson](#)
Cc: [Meggan Herington](#); [Kenny Hodges](#); [Kylie Bagley](#); [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](#)
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: Wednesday, July 8, 2026 7:19:45 AM

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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
Julie Lawton
1265 Fallen Tree Road
Monument, CO 80132

From: [Anamaria Morlin](#)
To: [Holly Williams](#); [Carrie Geitner](#); [Bill Wysong](#); [Cory Applegate](#); [Lauren Nelson](#)
Cc: [Meggan Herington](#); [Kenny Hodges](#); [Kylie Bagley](#); [mlakind@tomgov.org](#); [sking@tomgov.org](#); [sabbott@tomgov.org](#); [csmith@tomgov.org](#); [lkronick@tomgov.org](#); [kkimple@tomgov.org](#); [mfiorito@tomgov.org](#); [eharris@palmer-lake.org](#); [rmoseley@palmer-lake.org](#); [jmarble@palmer-lake.org](#); [mbeeson@palmer-lake.org](#); [ajurka@palmer-lake.org](#); [governorpoli@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](#); [savannah.eller@gazette.com](#); [Tony.Keith@koaa.com](#); [Noah.Caplan@koaa.com](#); [EXTERNAL KOAA News](#); [ASack@kxrm.com](#); [EXTERNAL Fox News](#); [EXTERNAL KKTv News](#); [news@krdo.com](#); [achalfin@krcc.org](#); [EXTERNAL KRCC News](#); [newstips@denver7.com](#); [newstips@9news.com](#); [tips@kdvr.com](#); [jalvarado@denverpost.com](#); [EXTERNAL Newsroom Denver](#); [oliviaprentzel@coloradosun.com](#); [newsroom@coloradosun.com](#); [Karin.Brulliard@washpost.com](#); [jim.carlton@wsj.com](#); [news-tips@nytimes.com](#); [tips@cnn.com](#); [tips@nbcuni.com](#); [news.tips@abc.com](#); [LBergman@newsnationnow.com](#); [tips@thefp.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)
Date: Tuesday, July 7, 2026 8:37:33 PM

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Report

El Paso County Digital, Strategy
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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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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:

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

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
Anamaria Morlin
16311 Blue Yonder View
Monument, Co 80132
El Paso County

From: [Greg D. Cooke](#)
To: [Holly Williams](#); [Carrie Geitner](#); [Bill Wysong](#); [Cory Applegate](#); [Lauren Nelson](#)
Cc: [Meggan Herington](#); [Kenny Hodges](#); [Kylie Bagley](#); [mlakind@tomgov.org](#); [sking@tomgov.org](#); [sabbott@tomgov.org](#); [csmith@tomgov.org](#); [lkronick@tomgov.org](#); [kkimple@tomgov.org](#); [mfiorito@tomgov.org](#); [eharris@palmer-lake.org](#); [rmoseley@palmer-lake.org](#); [jmarble@palmer-lake.org](#); [mbeeson@palmer-lake.org](#); [ajurka@palmer-lake.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](#); [savannah.eller@gazette.com](#); [Tony.Keith@koaa.com](#); [Noah.Caplan@koaa.com](#); [EXTERNAL KOAA News](#); [ASack@kxrm.com](#); [EXTERNAL Fox News](#); [EXTERNAL KKTU News](#); [news@krdo.com](#); [achalfin@krcc.org](#); [EXTERNAL KRCC News](#); [newstips@denver7.com](#); [newstips@9news.com](#); [tips@kdvr.com](#); [jalvarado@denverpost.com](#); [EXTERNAL Newsroom Denver](#); [oliviaprentzel@coloradosun.com](#); [newsroom@coloradosun.com](#); [Karin.Brulliard@washpost.com](#); [jim.carlton@wsj.com](#); [news-tips@nytimes.com](#); [tips@cnbc.com](#); [tips@nbcuni.com](#); [news.tips@abc.com](#); [LBergman@newsnationnow.com](#); [tips@thefp.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)
Date: Tuesday, July 7, 2026 8:20:56 PM

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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,

Greg D. Cooke
1255 Lone Scout Lookout

Monument, CO 80132
El Paso County

Greg.cooke@comcast.net
719.332.1845 c

From: [Landon Reiley](#)
To: [Holly Williams](#); [Carrie Geitner](#); [Bill Wysong](#); [Cory Applegate](#); [Lauren Nelson](#)
Cc: [Meggan Herington](#); [Kenny Hodges](#); [Kylie Bagley](#); [mlakind@tomgov.org](#); [sking@tomgov.org](#); [sabbott@tomgov.org](#); [csmith@tomgov.org](#); [lkronick@tomgov.org](#); [kkimple@tomgov.org](#); [mfiorito@tomgov.org](#); [eharris@palmer-lake.org](#); [rmoseley@palmer-lake.org](#); [jmarble@palmer-lake.org](#); [mbeeson@palmer-lake.org](#); [ajurka@palmer-lake.org](#); [governorpoli@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](#); [savannah.eller@gazette.com](#); [Tony.Keith@koaa.com](#); [Noah.Caplan@koaa.com](#); [EXTERNAL KOAA News](#); [ASack@kxrm.com](#); [EXTERNAL Fox News](#); [EXTERNAL KKTv News](#); [news@krdo.com](#); [achalfin@krcc.org](#); [EXTERNAL KRCC News](#); [newstips@denver7.com](#); [newstips@9news.com](#); [tips@kdvr.com](#); [jalvarado@denverpost.com](#); [EXTERNAL Newsroom Denver](#); [oliviaprentzel@coloradosun.com](#); [newsroom@coloradosun.com](#); [Karin.Brulliard@washpost.com](#); [jim.carlton@wsj.com](#); [news-tips@nytimes.com](#); [tips@cnn.com](#); [tips@nbcuni.com](#); [news.tips@abc.com](#); [LBergman@newsnationnow.com](#); [tips@thefp.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)
Date: Tuesday, July 7, 2026 5:03:33 PM

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Report

El Paso County Digital, Strategy
& Technology (DST)

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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.

<!--[if !supportLineBreakNewLine]-->
<!--[endif]-->

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<!--[if !supportLineBreakNewLine]-->
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I respectfully request that the Board:

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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

From: [Kirk Lipscomb](#)
To: [Holly Williams](#); [Carrie Geitner](#); [Bill Wysong](#); [Cory Applegate](#); [Lauren Nelson](#)
Cc: [Meggan Herington](#); [Kenny Hodges](#); [Kylie Bagley](#); [mlakind@tomgov.org](#); [sking@tomgov.org](#); [sabbott@tomgov.org](#); [csmith@tomgov.org](#); [lkronick@tomgov.org](#); [kkimple@tomgov.org](#); [mfiorito@tomgov.org](#); [eharris@palmer-lake.org](#); [rmoseley@palmer-lake.org](#); [jmarble@palmer-lake.org](#); [mbeeson@palmer-lake.org](#); [ajurka@palmer-lake.org](#); [governorpoli@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](#); [savannah.eller@gazette.com](#); [Tony.Keith@koaa.com](#); [Noah.Caplan@koaa.com](#); [EXTERNAL KOAA News](#); [ASack@kxrm.com](#); [EXTERNAL Fox News](#); [EXTERNAL KKTv News](#); [news@krdo.com](#); [achalfin@krcc.org](#); [EXTERNAL KRCC News](#); [newstips@denver7.com](#); [newstips@9news.com](#); [tips@kdvr.com](#); [jalvarado@denverpost.com](#); [EXTERNAL Newsroom Denver](#); [oliviaprentzel@coloradosun.com](#); [newsroom@coloradosun.com](#); [Karin.Brulliard@washpost.com](#); [jim.carlton@wsj.com](#); [news-tips@nytimes.com](#); [tips@cnn.com](#); [tips@nbcuni.com](#); [news.tips@abc.com](#); [LBergman@newsnationnow.com](#); [tips@thefp.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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Report

El Paso County Digital, Strategy
& Technology (DST)

Dear Commissioners:

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1.

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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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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:

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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.

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,

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

From: [Jonathan Flanner](#)
To: [Holly Williams](#); [Carrie Geitner](#); [Bill Wysong](#); [Cory Applegate](#); [Lauren Nelson](#)
Cc: [Meggan Herington](#); [Kenny Hodges](#); [Kylie Bagley](#); [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](#)
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: Wednesday, July 8, 2026 8:28:06 AM

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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
Jonathan Flanner
1160 Piney Hill Pt
Monument, CO 80132

From: [Hannah Shea](#)
To: [Holly Williams](#); [Carrie Geitner](#); [Bill Wysong](#); [Cory Applegate](#); [Lauren Nelson](#)
Cc: [Meggan Herington](#); [Kenny Hodges](#); [Kylie Bagley](#); [mlakind@tomgov.org](#); [sking@tomgov.org](#); [sabbott@tomgov.org](#); [csmith@tomgov.org](#); [lkronick@tomgov.org](#); [kkimple@tomgov.org](#); [mfiorito@tomgov.org](#); [eharris@palmer-lake.org](#); [rmoseley@palmer-lake.org](#); [jmarble@palmer-lake.org](#); [mbeeson@palmer-lake.org](#); [ajurka@palmer-lake.org](#); [governorpoli@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](#); [savannah.eller@gazette.com](#); [Tony.Keith@koaa.com](#); [Noah.Caplan@koaa.com](#); [EXTERNAL KOAA News](#); [ASack@kxrm.com](#); [EXTERNAL Fox News](#); [EXTERNAL KKTU News](#); [news@krdo.com](#); [achalfin@krcc.org](#); [EXTERNAL KRCC News](#); [newstips@denver7.com](#); [newstips@9news.com](#); [tips@kdvr.com](#); [jalvarado@denverpost.com](#); [EXTERNAL Newsroom Denver](#); [oliviaprentzel@coloradosun.com](#); [newsroom@coloradosun.com](#); [Karin.Brulliard@washpost.com](#); [jim.carlton@wsj.com](#); [news-tips@nytimes.com](#); [tips@cnn.com](#); [tips@nbcuni.com](#); [news.tips@abc.com](#); [LBergman@newsnationnow.com](#); [tips@thefp.com](#); [talkshow@aol.com](#)
Subject: Buc-ee's is NOT a convenience store!!
Date: Tuesday, July 7, 2026 5:03:00 PM

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Report

El Paso County Digital, Strategy
& Technology (DST)

Dear Commissioners:

The question before you is not whether Buc-ee's is popular, whether it creates jobs, or whether some residents may welcome it. The question is whether the El Paso County Land Development Code permits a 31-acre interstate travel center with 120 fueling positions to operate in the obsolete C-1 zoning district.

On July 1, 2026, the Planning and Community Development Director reached that conclusion and declined to classify the proposed development as a permitted "Convenience Store." That determination was correct, and it should be upheld. This appeal asks the Board to do something much larger than approve a single project. It asks you to redefine the meaning of multiple provisions of the Land Development Code in order to fit a prohibited use into a zoning district where it does not belong. The Code expressly allows gas stations in CC, CR, CS, C-2, and M zoning districts. It does not allow them in C-1. That omission matters. The County's Code is explicit that when a use is listed in some districts and omitted from others, the omission is intentional and operates as an exclusion. If the Board overturns the Director's determination and allows this project anyway, the practical effect will be to erase the distinction between permitted and prohibited uses in C-1 zoning.

If a 120-position fuel facility is not a gas station, then what is?

The applicant argues that Buc-ee's cannot be a gas station because it does not perform oil changes, vehicle repairs, or car washes. But the Code never requires those activities. They are optional incidental uses, not defining characteristics.

The applicant further attempts to insert requirements into the Code that simply do not exist, including assertions regarding "primary orientation" toward fueling and restrictions on retail activity that appear nowhere in the adopted language. The Board should interpret the Code that was written, not the Code the applicant wishes had been written.

The facts are straightforward. Buc-ee's proposes to sell gasoline and diesel fuel to motorists from 120 fueling positions at an interstate interchange. The County has a name for that use: a gas station.

The appeal's attempt to characterize the project as a convenience store fares no better.

Convenience stores serve neighborhoods. Buc-ee's serves destinations.

The County's Code requires a convenience store to serve "the neighborhood in which it is located." The proposed facility is designed, marketed, and operated as a regional draw for interstate travelers. Buc-ee's itself describes its stores as destinations. The company's own representatives have compared new locations to tourist attractions. Hotels fill during grand openings. Customers travel from multiple states to visit. Buc-ee's own projections in other jurisdictions show that the overwhelming majority of customers travel substantial distances to reach its stores. That is not a neighborhood-serving use by any reasonable interpretation of the term.

The alternative "similar use" argument fails for an even simpler reason: the County cannot use a similar-use determination to override an express prohibition in the Code. Gas stations are not an undefined or unforeseen use. They are specifically identified, specifically regulated, and specifically excluded from C-1 zoning. A similar-use analysis cannot be used to transform an excluded use into an allowed one. If it could, no exclusion in the Code would have any meaning.

Perhaps the most important issue before the Board is fairness. Every other applicant in El Paso County is expected to follow the development process established by the Land Development Code. When projects require rezoning, applicants seek rezoning. When projects require public hearings, applicants participate in public hearings. When projects have significant impacts on traffic, water, infrastructure, and surrounding land uses, those impacts are evaluated through the public process established by the County. Buc-ee's should not be held to a different standard. The proper avenue for a regional travel center of this size is rezoning to an appropriate district such as C-2, or review through a special use or planned development process with full notice and public hearings. Those processes exist to answer the very questions this appeal attempts to avoid:

- Is the project compatible with surrounding land uses?
- Is it consistent with the Master Plan?
- Are traffic impacts acceptable?
- Is there sufficient long-term water supply?
- What are the cumulative impacts on the surrounding community?

Those are policy questions that belong in public hearings—not in an administrative reinterpretation of an obsolete zoning designation.

Finally, the Board should consider the precedent it sets today. If this appeal is granted, future applicants will rightly ask why they should pursue rezoning or special use approval when prohibited uses can instead be reclassified through creative interpretation and administrative appeal. The County's zoning system depends upon consistency, predictability, and equal application of the rules. Those principles are larger than any one applicant.

For these reasons, I respectfully request that the Board:

- Deny Buc-ee's appeal and uphold the Director's July 1, 2026 determination;
- Confirm that a 120-position interstate fuel facility constitutes a gas station use not permitted within C-1 zoning;
- Reject the use of "similar use" provisions to circumvent explicit restrictions within the Code; and
- Require the applicant to pursue the same public process required of every other large commercial development in El Paso County.

The issue before you is not whether Buc-ee's deserves approval.

The issue is whether the County's Code means what it says.

If it does, this appeal must be denied.

Respectfully,

Hannah Foy
El Paso County Unincorporated Resident
Monument, Colorado

From: [Ron Baumert](#)
To: [Holly Williams](#); [Carrie Geitner](#); [Bill Wysong](#); [Cory Applegate](#); [Lauren Nelson](#)
Cc: [Meggan Herington](#); [Kenny Hodges](#); [Kylie Bagley](#); [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](#)
Subject: Deny Buc-ee's appeal
Date: Wednesday, July 8, 2026 2:21:46 AM

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Report

El Paso County Digital, Strategy
& Technology (DST)

Dear Commissioners,

I urge you to deny Buc-ee's appeal and uphold the Planning and Community Development Director's July 1, 2026 determination.

This appeal comes down to one simple question: **Is Buc-ee's a convenience store serving the surrounding neighborhood, or is it a massive interstate travel center?**

The answer is obvious.

Buc-ee's is a 30+ acre, 74,000-square-foot destination travel center with approximately 120 fueling positions. The company itself markets these facilities as destinations, not neighborhood convenience stores. At its recent Goodyear, Arizona opening, Buc-ee's described the store as "a destination," comparing it to Disney World. Hotels sold out, and customers traveled from multiple states to visit. Buc-ee's has also stated that approximately 88% of its customers travel more than 20 miles to reach its stores.

That is not a neighborhood convenience store by any reasonable interpretation of the Land Development Code.

The Code requires a convenience store to serve "the neighborhood in which it is located." It

also treats gas stations and convenience stores as separate land uses and intentionally allows gas stations in several commercial districts—but not in C-1. A facility with 120 fueling positions is plainly a gas station and an interstate travel center, regardless of whether it also sells sandwiches, souvenirs, or groceries.

Frankly, this should never have been a close call. But for some reason, the Director was unable to determine that Buc-ee's is not a convenience under LDC. The evidence overwhelmingly demonstrates that Buc-ee's is not the type of neighborhood-serving use contemplated by the C-1 district.

This is not a vote on Buc-ee's as a company. It is a vote on whether the County will apply its own Land Development Code as written. If Buc-ee's wishes to build in El Paso County, it should pursue the zoning district intended for large-scale commercial and travel-oriented uses—not attempt to fit a regional destination into a zoning category designed for neighborhood convenience stores.

For these reasons, I respectfully ask you to deny the appeal by Buc-ee's; it does NOT belong at their proposed location.

- - -

Ron Baumert
rbaumert@gmail.com
Monument CO

From: [Joan Mac](#)
To: [Holly Williams](#); [Carrie Geitner](#); [Bill Wysong](#); [Cory Applegate](#); [Lauren Nelson](#)
Cc: [Meggan Herington](#); [Kenny Hodges](#); [Kylie Bagley](#); [mlakind@tomgov.org](#); [sking@tomgov.org](#); [sabbott@tomgov.org](#); [csmith@tomgov.org](#); [lkronick@tomgov.org](#); [kkimple@tomgov.org](#); [mfiorito@tomgov.org](#); [eharris@palmer-lake.org](#); [rmoseley@palmer-lake.org](#); [jmarble@palmer-lake.org](#); [mbeeson@palmer-lake.org](#); [ajurka@palmer-lake.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](#); [savannah.eller@gazette.com](#); [Tony.Keith@koaa.com](#); [Noah.Caplan@koaa.com](#); [EXTERNAL KOAA News](#); [ASack@kxrm.com](#); [EXTERNAL Fox News](#); [EXTERNAL KKTU News](#); [news@krdo.com](#); [achalfin@krcc.org](#); [EXTERNAL KRCC News](#); [newstips@denver7.com](#); [newstips@9news.com](#); [tips@kdvr.com](#); [jalvarado@denverpost.com](#); [EXTERNAL Newsroom Denver](#); [oliviaprentzel@coloradosun.com](#); [newsroom@coloradosun.com](#); [Karin.Brulliard@washpost.com](#); [jim.carlton@wsj.com](#); [news-tips@nytimes.com](#); [tips@cnn.com](#); [tips@nbcuni.com](#); [news.tips@abc.com](#); [LBergman@newsnationnow.com](#); [tips@thefp.com](#); [talkshow@aol.com](#)
Subject: e: 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: Tuesday, July 7, 2026 6:11:59 PM

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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.

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.

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.

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:

- 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

- 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,

Joan MacDuff

1870 Bel Lago View

Monument, CO

From: [Kendall Powers](#)
To: [Holly Williams](#); [Carrie Geitner](#); [Bill Wyson](#); [Cory Applegate](#); [Lauren Nelson](#)
Subject: e: 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: Tuesday, July 7, 2026 6:56:42 PM

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Report

El Paso County Digital, Strategy
& Technology (DST)

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.

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.

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:

- 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
- 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
Kendall and Robert Powers
16357 Treetop Glory Court
Monument, Co 80132
Sanctuary Pointe
El Paso County

From: [Julie Lawton](#)
To: [Holly Williams](#); [Carrie Geitner](#); [Bill Wysong](#); [Cory Applegate](#); [Lauren Nelson](#)
Cc: [Meggan Herington](#); [Kenny Hodges](#); [Kylie Bagley](#); [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](#)
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)
Date: Wednesday, July 8, 2026 9:07:09 AM

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El Paso County Digital, Strategy
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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:

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
Steve Lawton
1265 Fallen Tree Road
Monument, CO 80132

From: [Sean Petty](#)
To: [Meggan Herington](#); [Holly Williams](#); [Carrie Geitner](#); [Bill Wysong](#); [Cory Applegate](#); [Lauren Nelson](#); [Kenny Hodges](#); [Kylie Bagley](#)
Cc: [mlakind@tomgov.org](#); [sking@tomgov.org](#); [sabbott@tomgov.org](#); [csmith@tomgov.org](#); [lkronick@tomgov.org](#); [kkimple@tomgov.org](#); [mfiorito@tomgov.org](#); [eharris@palmer-lake.org](#); [rmoseley@palmer-lake.org](#); [jmarble@palmer-lake.org](#); [mbeeson@palmer-lake.org](#); [ajurka@palmer-lake.org](#); [governorpoli@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](#); [savannah.eller@gazette.com](#); [Tony.Keith@koaa.com](#); [Noah.Caplan@koaa.com](#); [EXTERNAL KOAA News](#); [sam.page@krdo.com](#); [ASack@kxrm.com](#); [EXTERNAL Fox News](#); [EXTERNAL KKTU News](#); [achalfin@krcc.org](#); [EXTERNAL KRCC News](#); [newstips@denver7.com](#); [newstips@9news.com](#); [tips@kdvr.com](#); [jalvarado@denverpost.com](#); [EXTERNAL Newsroom Denver](#); [oliviaprentzel@coloradosun.com](#); [newsroom@coloradosun.com](#); [Karin.Brulliard@washpost.com](#); [jim.carlton@wsj.com](#); [news-tips@nytimes.com](#); [tips@cnn.com](#); [tips@nbcuni.com](#); [news.tips@abc.com](#); [LBergman@newsnationnow.com](#); [tips@thefp.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
Date: Tuesday, July 7, 2026 10:49:16 AM

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Report

El Paso County Digital, Strategy
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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.

The application tries to escape this prohibition by **misreading the Gas Station definition — three ways, all on page 5**. 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 application 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." Buc-ee's represents that the store will serve the surrounding neighborhood (pages 2 and 4). 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) — 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 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). 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,

Sean Petty
1490 Old Antlers Way
Monument, CO 80132
Woodmoor neighborhood
El Paso County

From: [Paul Lee](#)
To: [Holly Williams](#); [Carrie Geitner](#); [Bill Wysong](#); [Cory Applegate](#); [Lauren Nelson](#)
Cc: [Meggan Herington](#); [Kenny Hodges](#); [Kylie Bagley](#); [mlakind@tomgov.org](#); [sking@tomgov.org](#); [sabbott@tomgov.org](#); [csmith@tomgov.org](#); [lkronick@tomgov.org](#); [kkimple@tomgov.org](#); [mfiorito@tomgov.org](#); [eharris@palmer-lake.org](#); [rmoseley@palmer-lake.org](#); [jmarble@palmer-lake.org](#); [mbeeson@palmer-lake.org](#); [ajurka@palmer-lake.org](#); [governorpoli@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](#); [savannah.eller@gazette.com](#); [Tony.Keith@koaa.com](#); [Noah.Caplan@koaa.com](#); [EXTERNAL KOAA News](#); [ASack@kxrm.com](#); [EXTERNAL Fox News](#); [EXTERNAL KKTU News](#); [news@krdo.com](#); [achalfin@krcc.org](#); [EXTERNAL KRCC News](#); [newstips@denver7.com](#); [newstips@9news.com](#); [tips@kdvr.com](#); [jalvarado@denverpost.com](#); [EXTERNAL Newsroom Denver](#); [oliviaprentzel@coloradosun.com](#); [newsroom@coloradosun.com](#); [Karin.Brulliard@washpost.com](#); [jim.carlton@wsj.com](#); [news-tips@nytimes.com](#); [tips@cnn.com](#); [tips@nbcuni.com](#); [news.tips@abc.com](#); [LBergman@newsnationnow.com](#); [tips@thefp.com](#); [talkshow@aol.com](#)
Subject: Public Comment on APP261 / ADM264 — Request to Deny Buc-ee's Appeal
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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

From: [TPI Secretary](#)
To: [Meggan Herington](#)
Cc: [Holly Williams](#); [Carrie Geitner](#); [Bill Wyson](#); [Cory Applegate](#); [Lauren Nelson](#); [Kenny Hodges](#); [Kylie Bagley](#); [integritymatterscos@gmail.com](#); [Shawn Sawyer](#); [Mary Scott](#); [Matt Beverly](#); [Angela Fike](#)
Subject: Public Comment Records for ADM-264
Date: Tuesday, July 7, 2026 9:08:20 PM

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Report

El Paso County Digital, Strategy
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Dear Director Herington,

In response to Buc-ee's request for an administrative determination, Tri-Lakes Preservation (TPI) and Integrity Matters were copied on nearly 200 emails submitted by members of the public expressing their views on the application. However, the unofficial record available through EDARP for ADM-264 appears to contain less than half of these the number of public comments that we have been copied on. Notably, even the formal comment letter submitted by the Tri-Lakes Preservation Board does not appear to be included in the publicly available record.

Multiple community members have contacted us directly to report that they submitted comments to the County and received acknowledgement responses from Ms. Linhares and/or Commissioner Williams, yet their submissions do not appear among the documents currently available through EDARP under ADM-264.

Additionally, there appear to be communications within the ADM-264 EDARP record that relate to the separate Boundary Line Adjustment application (EXBL261) rather than the administrative use determination itself. This raises further questions regarding how documents are being categorized and maintained within the public record.

These circumstances raise important questions regarding the completeness and accuracy of the record:

- Why is there a discrepancy between the number of comments submitted and the number

appearing in the EDARP file?

- Are there categories of communications that are intentionally excluded from the publicly available record?
- If comments were received by County staff or elected officials but are not visible in EDARP, where are those communications being maintained?
- Why do documents related to other applications, such as the Boundary Line Adjustment, appear to be included within the ADM-264 file while comments specifically addressing ADM-264 appear to be absent?
- What process exists to ensure that all public comments received regarding this application become part of the official record?

These questions are particularly important now that Buc-ee's has appealed the administrative determination to the Board of County Commissioners and members of the public continue to submit comments, which should officially become a part of the record, in anticipation of future proceedings.

Public confidence in the process depends on confidence in the record. Community members deserve assurance that comments submitted to County staff, Planning and Community Development, and members of the Board are being properly preserved, accounted for, and made available as part of the administrative record regardless of whether those comments support or oppose the application.

Accordingly, I respectfully request clarification regarding the County's procedures for collecting, maintaining, and publishing public comments associated with ADM-264 and the pending appeal, including how the public can verify that their submissions have been received and included in the record.

Thank you for your time and attention to this matter.

Very Respectfully,

Grace Foy



Tri-Lakes Preservation, Inc. (TPI)

From: [Ann Stanley](#)
To: [Carrie Geitner](#); [Bill Wysong](#); [Cory Applegate](#); [Lauren Nelson](#); [Holly Williams](#)
Cc: [Kenny Hodges](#); [Kylie Bagley](#); [mlakind@tomgov.org](#); [sking@tomgov.org](#); [sabbott@tomgov.org](#); [csmith@tomgov.org](#); [lkronick@tomgov.org](#); [kkimple@tomgov.org](#); [mfiorito@tomgov.org](#); [eharris@palmer-lake.org](#); [moseley@palmer-lake.org](#); [jmarble@palmer-lake.org](#); [mbeeson@palmer-lake.org](#); [ajurka@palmer-lake.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](#); [savannah.eller@gazette.com](#); [Tony.Keith@koaa.com](#); [Noah.Caplan@koaa.com](#); [EXTERNAL KOAA News](#); [ASack@kxrm.com](#); [EXTERNAL Fox News](#); [EXTERNAL KKTV News](#); [news@krdo.com](#); [achalfin@krcc.org](#); [EXTERNAL KRCC News](#); [newstips@denver7.com](#); [newstips@9news.com](#); [tips@kdvr.com](#); [jalvarado@denverpost.com](#); [EXTERNAL Newsroom Denver](#); [oliviaprentzel@coloradosun.com](#); [newsroom@coloradosun.com](#); [Karin.Brulliard@washpost.com](#); [jim.carlton@wsj.com](#); [news-tips@nytimes.com](#); [tips@cnn.com](#); [tips@nbcuni.com](#); [news.tips@abc.com](#); [LBergman@newsnationnow.com](#); [tips@thefp.com](#); [talkshow@aol.com](#); [Meggan Herington](#)
Subject: Re Buc-ee's appeal
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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.

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.

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.

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:

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

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

Ann Stanley

130 Wuthering Heights Drive

Colorado Springs, CO 8921

From: [Karrie Rexford](#)
To: [Holly Williams](#); [Carrie Geitner](#); [Bill Wyson](#); [Cory Applegate](#); [Lauren Nelson](#)
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)
Date: Wednesday, July 8, 2026 12:18:09 AM

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Report

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& Technology (DST)

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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.**

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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.

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).

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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

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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

Katherine Rexford
19150 Sixpenny Lane
Monument, CO 80132
Sent from my iPhone

From: [Kimi Auty](#)
To: [Holly Williams](#); [Carrie Geitner](#); [Bill Wysong](#); [Cory Applegate](#); [Lauren Nelson](#); [Kimberly Auty](#)
Cc: [Meggan Herington](#); [Kenny Hodges](#); [Kylie Bagley](#); [mlakind@tomgov.org](#); [sking@tomgov.org](#); [sabbott@tomgov.org](#); [csmith@tomgov.org](#); [lkronick@tomgov.org](#); [kkimple@tomgov.org](#); [mfiorito@tomgov.org](#); [eharris@palmer-lake.org](#); [rmoseley@palmer-lake.org](#); [jmarble@palmer-lake.org](#); [mbeeson@palmer-lake.org](#); [ajurka@palmer-lake.org](#); [governorpoli@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](#); [savannah.eller@gazette.com](#); [Tony.Keith@koaa.com](#); [Noah.Caplan@koaa.com](#); [EXTERNAL KOAA News](#); [ASack@kxrm.com](#); [EXTERNAL Fox News](#); [EXTERNAL KKTU News](#); [news@krdo.com](#); [achalfin@krcc.org](#); [EXTERNAL KRCC News](#); [newstips@denver7.com](#); [newstips@9news.com](#); [tips@kdvr.com](#); [jalvarado@denverpost.com](#); [EXTERNAL Newsroom Denver](#); [oliviaprentzel@coloradosun.com](#); [newsroom@coloradosun.com](#); [Karin.Brulliard@washpost.com](#); [jim.carlton@wsj.com](#); [news-tips@nytimes.com](#); [tips@cnn.com](#); [tips@nbcuni.com](#); [news.tips@abc.com](#); [LBergman@newsnationnow.com](#); [tips@thefp.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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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:

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
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

From: [Ginger Daughtry](#)
To: [Carrie Geitner](#); [Bill Wysong](#); [Cory Applegate](#); [Holly Williams](#); [Meggan Herington](#); [Lauren Nelson](#); [Kenny Hodges](#)
Cc: [Kylie Bagley](#); [mlakind@tomgov.org](#); [sking@tomgov.org](#); [sabbott@tomgov.org](#); [csmith@tomgov.org](#); [lkronick@tomgov.org](#); [kkimple@tomgov.org](#); [mfiorito@tomgov.org](#); [eharris@palmer-lake.org](#); [rmoseley@palmer-lake.org](#); [jmarble@palmer-lake.org](#); [mbeeson@palmer-lake.org](#); [ajurka@palmer-lake.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](#); [savannah.eller@gazette.com](#); [Tony.Keith@koa.com](#); [Noah.Caplan@koa.com](#); [EXTERNAL KOAA News](#); [ASack@kxrm.com](#); [EXTERNAL Fox News](#); [EXTERNAL KKTV News](#); [news@krdo.com](#); [achalfin@krcc.org](#); [EXTERNAL KRCC News](#); [newstips@denver7.com](#); [newstips@9news.com](#); [tips@kdvr.com](#); [jalvarado@denverpost.com](#); [EXTERNAL Newsroom Denver](#); [oliviaprentzel@coloradosun.com](#); [newsroom@coloradosun.com](#); [Karin.Brulliard@washpost.com](#); [jim.carlton@wsj.com](#); [news-tips@nytimes.com](#); [tips@cnn.com](#); [tips@nbcuni.com](#); [news.tips@abc.com](#); [LBergman@newsnationnow.com](#); [tips@thefp.com](#); [talkshow@aol.com](#); [Cmegganherington@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)
Date: Tuesday, July 7, 2026 7:27:45 PM

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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.

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.

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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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:

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Recognize that a 120-position fuel facility **is** a gas station, which the Code excludes from C-1;
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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,
Ginger Daughtry
181 Saber Creek Dr
Monument, CO 80132
El Paso County

From: [Sherry and Bob MacDonald](#)
To: [Carrie Geitner](#); [Bill Wysong](#); [Cory Applegate](#); [Lauren Nelson](#); [Holly Williams](#)
Cc: [Kenny Hodges](#); [Kylie Bagley](#); [mlakind@tomgov.org](#); [sking@tomgov.org](#); [sabbott@tomgov.org](#); [csmith@tomgov.org](#); [lkronick@tomgov.org](#); [Kenneth Kimple](#); [mfiorito@tomgov.org](#); [eharris@palmer-lake.org](#); [rmoseley@palmer-lake.org](#); [jmarble@palmer-lake.org](#); [mbeeson@palmer-lake.org](#); [ajurka@palmer-lake.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](#); [savannah.eller@gazette.com](#); [Tony.Keith@koaa.com](#); [Noah.Caplan@koaa.com](#); [EXTERNAL KOAA News](#); [ASack@kxrm.com](#); [EXTERNAL Fox News](#); [EXTERNAL KKTV News](#); [news@krdo.com](#); [achalfin@krcc.org](#); [EXTERNAL KRCC News](#); [newstips@denver7.com](#); [newstips@9news.com](#); [tips@kdvr.com](#); [jalvarado@denverpost.com](#); [EXTERNAL Newsroom Denver](#); [oliviaprentzel@coloradosun.com](#); [newsroom@coloradosun.com](#); [Karin.Brulliard@washpost.com](#); [jim.carlton@wsj.com](#); [news-tips@nytimes.com](#); [tips@cnn.com](#); [tips@nbcuni.com](#); [news.tips@abc.com](#); [LBergman@newsnationnow.com](#); [tips@thefp.com](#); [talkshow@aol.com](#); [Meggan Herington](#)
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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1.

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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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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.

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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;
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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

From: mtnbkr64@ircbiz.com
To: [Holly Williams](#); [Carrie Geitner](#); [Bill Wysong](#); [Cory Applegate](#); [Lauren Nelson](#)
Cc: [Meggan Herington](#); [Kenny Hodges](#); [Kylie Bagley](#); mlakind@tomgov.org; sking@tomgov.org; sabbott@tomgov.org; csmith@tomgov.org; lkronick@tomgov.org; kkimple@tomgov.org; mforito@tomgov.org; eharris@palmer-lake.org; rmoseley@palmer-lake.org; jmarble@palmer-lake.org; mbeeson@palmer-lake.org; ajurka@palmer-lake.org; governorpoli@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; savannah.eller@gazette.com; Tony.Keith@koaa.com; Noah.Caplan@koaa.com; EXTERNAL KOAA News; ASack@kxrm.com; EXTERNAL Fox News; EXTERNAL KKTU News; news@krdo.com; achalfin@krcc.org; EXTERNAL KRCC News; newstips@denver7.com; newstips@9news.com; tips@kdvr.com; jalvarado@denverpost.com; EXTERNAL Newsroom Denver; oliviaprentzel@coloradosun.com; newsroom@coloradosun.com; Karin.Brulliard@washpost.com; jim.carlton@wsj.com; news-tips@nytimes.com; tips@cnn.com; tips@nbcuni.com; news.tips@abc.com; LBergman@newsnationnow.com; tips@thefp.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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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
- 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

From: [Whitney Yeager](#)
To: [Holly Williams](#); [Carrie Geitner](#); [Bill Wysong](#); [Cory Applegate](#); [Lauren Nelson](#)
Cc: [Meggan Herington](#); [Kenny Hodges](#); [Kylie Bagley](#); [mlakind@tomgov.org](#); [sking@tomgov.org](#); [sabbott@tomgov.org](#); [csmith@tomgov.org](#); [lkronick@tomgov.org](#); [kkimple@tomgov.org](#); [mfiorito@tomgov.org](#); [eharris@palmer-lake.org](#); [rmoseley@palmer-lake.org](#); [jmarble@palmer-lake.org](#); [mbeeson@palmer-lake.org](#); [ajurka@palmer-lake.org](#); [governorpoli@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](#); [savannah.eller@gazette.com](#); [Tony.Keith@koaa.com](#); [Noah.Caplan@koaa.com](#); [EXTERNAL KOAA News](#); [ASack@kxrm.com](#); [EXTERNAL Fox News](#); [EXTERNAL KKTU News](#); [news@krdo.com](#); [achalfin@krcc.org](#); [EXTERNAL KRCC News](#); [newstips@denver7.com](#); [newstips@9news.com](#); [tips@kdvr.com](#); [jalvarado@denverpost.com](#); [EXTERNAL Newsroom Denver](#); [oliviaprentzel@coloradosun.com](#); [newsroom@coloradosun.com](#); [Karin.Brulliard@washpost.com](#); [jim.carlton@wsj.com](#); [news-tips@nytimes.com](#); [tips@cnn.com](#); [tips@nbcuni.com](#); [news.tips@abc.com](#); [LBergman@newsnationnow.com](#); [tips@thefp.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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Report

El Paso County Digital, Strategy
& Technology (DST)

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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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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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Respectfully,
Whitney Yeager
565 Heatherdowns
Monument, Co 80132
Woodmoor
El Paso County
Sent from my iPhone

From: terreswim77@gmail.com
To: [Holly Williams](#); [Carrie Geitner](#); [Bill Wysong](#); [Cory Applegate](#); [Lauren Nelson](#)
Cc: [Meggan Herington](#); [Kenny Hodges](#); [Kylie Bagley](#); mlakind@tomgov.org; sking@tomgov.org; sabbott@tomgov.org; csmith@tomgov.org; lkronick@tomgov.org; kkimple@tomgov.org; mforito@tomgov.org; eharris@palmer-lake.org; rmoseley@palmer-lake.org; jmarble@palmer-lake.org; mbeeson@palmer-lake.org; ajurka@palmer-lake.org; governorpoli@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; savannah.eller@gazette.com; Tony.Keith@koaa.com; Noah.Caplan@koaa.com; [EXTERNAL KOAA News](#); ASack@kxrm.com; [EXTERNAL Fox News](#); [EXTERNAL KKTU News](#); news@krdo.com; achalfin@krcc.org; [EXTERNAL KRCC News](#); newstips@denver7.com; newstips@9news.com; tips@kdvr.com; jalvarado@denverpost.com; [EXTERNAL Newsroom Denver](#); oliviaprentzel@coloradosun.com; newsroom@coloradosun.com; Karin.Brulliard@washpost.com; jim.carlton@wsj.com; news-tips@nytimes.com; tips@cnn.com; tips@nbcuni.com; news.tips@abc.com; LBergman@newsnationnow.com; tips@thefp.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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Report

El Paso County Digital, Strategy
& Technology (DST)

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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,
Terre Christensen

"A smooth sea never made a skilled sailor."

From: [mesalasko731](#)
To: [Holly Williams](#); [Carrie Geitner](#); [Bill Wysong](#); [Cory Applegate](#); [Lauren Nelson](#)
Cc: [Meggan Herington](#); [Kenny Hodges](#); [Kylie Bagley](#); [mlakind@tomgov.org](#); [sking@tomgov.org](#); [sabbott@tomgov.org](#); [csmith@tomgov.org](#); [lkronick@tomgov.org](#); [kkimple@tomgov.org](#); [mfiorito@tomgov.org](#); [eharris@palmer-lake.org](#); [rmoseley@palmer-lake.org](#); [jmarble@palmer-lake.org](#); [mbeeson@palmer-lake.org](#); [ajurka@palmer-lake.org](#); [governorpoli@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](#); [savannah.eller@gazette.com](#); [Tony.Keith@koaa.com](#); [Noah.Caplan@koaa.com](#); [EXTERNAL KOAA News](#); [ASack@kxrm.com](#); [EXTERNAL Fox News](#); [EXTERNAL KKTU News](#); [news@krdo.com](#); [achalfin@krcc.org](#); [EXTERNAL KRCC News](#); [newstips@denver7.com](#); [newstips@9news.com](#); [tips@kdvr.com](#); [jalvarado@denverpost.com](#); [EXTERNAL Newsroom Denver](#); [oliviaprentzel@coloradosun.com](#); [newsroom@coloradosun.com](#); [Karin.Brulliard@washpost.com](#); [jim.carlton@wsj.com](#); [news-tips@nytimes.com](#); [tips@cnn.com](#); [tips@nbcuni.com](#); [news.tips@abc.com](#); [LBergman@newsnationnow.com](#); [tips@thefp.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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Report

El Paso County Digital, Strategy
& Technology (DST)

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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.

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,

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

From: [Gabrielle Steckman](#)
To: [Holly Williams](#); [Carrie Geitner](#); [Bill Wysong](#); [Cory Applegate](#); [Lauren Nelson](#)
Cc: [Meggan Herington](#); [Kenny Hodges](#); [Kylie Bagley](#); [mlakind@tomgov.org](#); [sking@tomgov.org](#); [sabbott@tomgov.org](#); [csmith@tomgov.org](#); [lkronick@tomgov.org](#); [kkimple@tomgov.org](#); [mfiorito@tomgov.org](#); [governorpoli@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](#)
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)
Date: Wednesday, July 8, 2026 8:48:14 AM

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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,
Gabrielle Steckman
19945 Riverglen Lane
Monument, CO 80132
Phone: 719-963-6129

From: [Abigail Knight](#)
To: [Holly Williams](#); [Carrie Geitner](#); [Bill Wysong](#); [Cory Applegate](#); [Lauren Nelson](#)
Cc: [Meggan Herington](#); [Kenny Hodges](#); [Kylie Bagley](#); [mlakind@tomgov.org](#); [sking@tomgov.org](#); [sabbott@tomgov.org](#); [csmith@tomgov.org](#); [lkronick@tomgov.org](#); [kkimple@tomgov.org](#); [mfiorito@tomgov.org](#); [eharris@palmer-lake.org](#); [rmoseley@palmer-lake.org](#); [jmarble@palmer-lake.org](#); [mbeeson@palmer-lake.org](#); [ajurka@palmer-lake.org](#); [governorpoli@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](#); [savannah.eller@gazette.com](#); [Tony.Keith@koaa.com](#); [Noah.Caplan@koaa.com](#); [EXTERNAL KOAA News](#); [ASack@kxrm.com](#); [EXTERNAL Fox News](#); [EXTERNAL KKTU News](#); [news@krdo.com](#); [achalfin@krcc.org](#); [EXTERNAL KRCC News](#); [newstips@denver7.com](#); [newstips@9news.com](#); [tips@kdvr.com](#); [jalvarado@denverpost.com](#); [EXTERNAL Newsroom Denver](#); [oliviaprentzel@coloradosun.com](#); [newsroom@coloradosun.com](#); [Karin.Brulliard@washpost.com](#); [jim.carlton@wsj.com](#); [news-tips@nytimes.com](#); [tips@cnn.com](#); [tips@nbcuni.com](#); [news.tips@abc.com](#); [LBergman@newsnationnow.com](#); [tips@thefp.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
Date: Tuesday, July 7, 2026 4:58:34 PM

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Report

El Paso County Digital, Strategy
& Technology (DST)

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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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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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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:

- 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
- 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@koa.com <Tony.Keith@koa.com>; Noah.Caplan@koa.com <Noah.Caplan@koa.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>;

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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.

The application tries to escape this prohibition by **misreading the Gas Station definition — three ways, all on page 5**. 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 application 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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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:

Decline to issue any administrative determination on the paper record;

Refer this matter to the Board of County Commissioners for a full, noticed public hearing;

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

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

From: [Karen McVay](#)
To: [TPI Secretary](#)
Cc: [Meggan Herington](#); [Holly Williams](#); [Carrie Geitner](#); [Bill Wysong](#); [Cory Applegate](#); [Lauren Nelson](#); [Kenny Hodges](#); [Kylie Bagley](#); integritymatterscos@gmail.com; [Shawn Sawyer](#); [Mary Scott](#); [Matt Beverly](#); [Angela Fike](#)
Subject: Re: Public Comment Records for ADM-264
Date: Tuesday, July 7, 2026 10:41:04 PM

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Report

El Paso County Digital, Strategy
& Technology (DST)

Excellent letter, Grace!

Did Lubi send you my follow up letter asking about the "store" definition in the C-1 zoning regs?

Thank you, thank you!
Karen

On Tue, Jul 7, 2026, 9:08 PM TPI Secretary <secretary@trilakespreservation.org> wrote:

Dear Director Herington,

In response to Buc-ee's request for an administrative determination, Tri-Lakes Preservation (TPI) and Integrity Matters were copied on nearly 200 emails submitted by members of the public expressing their views on the application. However, the unofficial record available through EDARP for ADM-264 appears to contain less than half of these the number of public comments that we have been copied on. Notably, even the formal comment letter submitted by the Tri-Lakes Preservation Board does not appear to be included in the publicly available record.

Multiple community members have contacted us directly to report that they submitted comments to the County and received acknowledgement responses from Ms. Linhares and/or Commissioner Williams, yet their submissions do not appear among the documents currently available through EDARP under ADM-264.

Additionally, there appear to be communications within the ADM-264 EDARP record that relate to the separate Boundary Line Adjustment application (EXBL261) rather than the administrative use determination itself. This raises further questions regarding how documents are being categorized and maintained within the public record.

These circumstances raise important questions regarding the completeness and accuracy of the record:

- Why is there a discrepancy between the number of comments submitted and the number appearing in the EDARP file?
- Are there categories of communications that are intentionally excluded from the publicly available record?
- If comments were received by County staff or elected officials but are not visible in EDARP, where are those communications being maintained?
- Why do documents related to other applications, such as the Boundary Line Adjustment, appear to be included within the ADM-264 file while comments specifically addressing ADM-264 appear to be absent?
- What process exists to ensure that all public comments received regarding this application become part of the official record?

These questions are particularly important now that Buc-ee's has appealed the administrative determination to the Board of County Commissioners and members of the public continue to submit comments, which should officially become a part of the record, in anticipation of future proceedings.

Public confidence in the process depends on confidence in the record. Community members deserve assurance that comments submitted to County staff, Planning and Community Development, and members of the Board are being properly preserved, accounted for, and made available as part of the administrative record regardless of whether those comments support or oppose the application.

Accordingly, I respectfully request clarification regarding the County's procedures for collecting, maintaining, and publishing public comments associated with ADM-264 and the pending appeal, including how the public can verify that their submissions have been received and included in the record.

Thank you for your time and attention to this matter.

Very Respectfully,

Grace Foy



Tri-Lakes Preservation, Inc. (TPI)

From: [Scott Towne](#)
To: [Holly Williams](#); [Carrie Geitner](#); [Bill Wysong](#); [Cory Applegate](#); [Lauren Nelson](#)
Cc: [EXTERNAL Fox News](#); [Meggan Herington](#); [Kenny Hodges](#); [Kylie Bagley](#); [mlakind@tomgov.org](#); [sking@tomgov.org](#); [sabbott@tomgov.org](#); [csmith@tomgov.org](#); [lkronick@tomgov.org](#); [kkimple@tomgov.org](#); [mfiorito@tomgov.org](#); [eharris@palmer-lake.org](#); [rmoseley@palmer-lake.org](#); [jmarble@palmer-lake.org](#); [mbeeson@palmer-lake.org](#); [ajurka@palmer-lake.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](#); [Tri-Lakes Preservation, Inc.](#); [savannah.eller@gazette.com](#); [Tony.Keith@koaa.com](#); [Noah.Caplan@koaa.com](#); [EXTERNAL KOAA News](#); [ASack@kxrm.com](#); [EXTERNAL KKTU News](#); [news@krdo.com](#); [achalfin@krcc.org](#); [EXTERNAL KRCC News](#); [newstips@denver7.com](#); [newstips@9news.com](#); [tips@kdvr.com](#); [jalvarado@denverpost.com](#); [EXTERNAL Newsroom Denver](#); [oliviaprentzel@coloradosun.com](#); [newsroom@coloradosun.com](#); [Karin.Brulliard@washpost.com](#); [jim.carlton@wsj.com](#); [news-tips@nytimes.com](#); [tips@cnn.com](#); [tips@nbcuni.com](#); [news.tips@abc.com](#); [LBergman@newsnationnow.com](#); [tips@thefp.com](#)
Subject: Request to deny Buc-ee's re Determination ADM264
Date: Tuesday, July 7, 2026 6:05:07 PM

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

JS Towne

From: [teresa dempsey](#)
To: [Carrie Geitner](#); [Bill Wysong](#); [Cory Applegate](#); [Lauren Nelson](#); [Holly Williams](#)
Cc: [Meggan Herington](#); [Kenny Hodges](#); [Kylie Bagley](#); [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](#)
Subject: Uphold the directors July 1 determination and deny Buc-ee's appeal
Date: Wednesday, July 8, 2026 5:01:37 AM

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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.

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.

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.

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:

- 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
- 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

From: [Grace Foy](#)
To: [Holly Williams](#); [Carrie Geitner](#); [Bill Wysong](#); [Cory Applegate](#); [Lauren Nelson](#)
Cc: [Meggan Herington](#); [Kenny Hodges](#); [Kylie Bagley](#); [mlakind@tomgov.org](#); [sking@tomgov.org](#); [sabbott@tomgov.org](#); [csmith@tomgov.org](#); [lkronick@tomgov.org](#); [kkimple@tomgov.org](#); [mfiorito@tomgov.org](#); [eharris@palmer-lake.org](#); [rmoseley@palmer-lake.org](#); [jmarble@palmer-lake.org](#); [mbeeson@palmer-lake.org](#); [Atis Jurka](#); [governorpoli@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](#); [contact@trilakespreservation.org](#); [Savannah Eller](#); [Tony.Keith@koa.com](#); [Noah.Caplan@koa.com](#); [EXTERNAL KOAA News](#); [Austin Sack](#); [EXTERNAL Fox News](#); [EXTERNAL KKTV News](#); [news@krdo.com](#); [Andrea Chalfin](#); [EXTERNAL KRCC News](#); [newstips@denver7.com](#); [newstips@9news.com](#); [tips@kdvr.com](#); [jalvarado@denverpost.com](#); [EXTERNAL Newsroom Denver](#); [Olivia Prentzel](#); [newsroom@coloradosun.com](#); [Karin.Brulliard@washpost.com](#); [jim.carlton@wsj.com](#); [news-tips@nytimes.com](#); [tips@cnn.com](#); [tips@nbcuni.com](#); [news.tips@abc.com](#); [LBergman@newsnationnow.com](#); [tips@thefp.com](#); [talkshow@aol.com](#)
Subject: Use common sense - Buc-ee's is not a "convenience store"!
Date: Tuesday, July 7, 2026 4:45:47 PM

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Report

El Paso County Digital, Strategy
& Technology (DST)

Dear Commissioners:

On July 1, 2026, the Planning and Community Development Director correctly determined that the proposed Buc-ee's interstate travel center could not be classified as a permitted "Convenience Store" within the C-1 zoning district under the El Paso County Land Development Code. Buc-ee's now asks the Board to overturn that decision and create an exception the Code itself does not allow.

This appeal is not a referendum on Buc-ee's as a company, nor is it about whether a travel center might be appropriate somewhere else in El Paso County. The issue before you is far simpler: **Does the Land Development Code permit a 120-fueling-position interstate travel center in C-1 zoning? The answer is no.**

The Code expressly allows gas stations in CC, CR, CS, C-2, and M zoning districts. It does not allow them in C-1. The Code further states that when a use is listed in some districts and omitted from others, that omission is intentional and constitutes an exclusion. Buc-ee's proposes a facility containing 60 fuel dispensers serving 120 fueling positions. If a development of this size and purpose is not a gas station, then the term has effectively lost all meaning. The appeal attempts to avoid this conclusion by arguing that Buc-ee's does not offer

oil changes, vehicle repairs, accessory installation, or car washes. But the Code never requires those services to qualify as a gas station. It merely identifies them as possible incidental uses. Their absence is irrelevant.

Likewise, the appeal introduces limitations that do not exist in the Code, including claims that a gas station must be "primarily oriented" toward fueling vehicles or that retail sales are limited to vehicle accessories. Neither statement appears in the Code's definition. What does appear in the Code is straightforward: the retail sale of gasoline and diesel fuel to motor vehicles. Buc-ee's proposes exactly that—on a scale unprecedented in the region.

The appeal's alternative argument—that Buc-ee's is really a neighborhood convenience store—is equally unpersuasive. The Code defines a convenience store as an establishment serving "the neighborhood in which it is located." The Code further defines a neighborhood as a primarily residential area. Buc-ee's is not proposing a neighborhood market. It is proposing a regional interstate destination designed to attract travelers from across Colorado and neighboring states. The company openly markets its facilities as destinations rather than local retail stores. At the opening of Buc-ee's nearly identical Goodyear, Arizona location, company representatives compared the experience to visiting Disney World. Nearby hotels sold out for opening weekend. Customers traveled from multiple states to attend. In Springfield, Missouri, Buc-ee's projected approximately six million annual visitors, with 88 percent traveling more than twenty miles to reach the store. A business attracting millions of visitors and drawing customers from hundreds of miles away is not serving the surrounding neighborhood by any ordinary understanding of the term, nor by the definition adopted in the County's Code.

The appeal's final fallback position—that Buc-ee's should be considered a "similar use"—fails for the same reason. The similar-use provisions exist to address uses the Code has not contemplated or listed. Gas stations are not an unlisted use. They are expressly listed and expressly excluded from C-1 zoning. The Board cannot use the similar-use process to accomplish indirectly what the Code prohibits directly.

To do so would not interpret the Code; it would rewrite it.

The implications of this decision extend well beyond a single project.

If a 31-acre development containing a 74,000-square-foot building, 120 fueling positions, electric vehicle charging stations, and more than 800 parking spaces can be classified as a neighborhood convenience store, then there is effectively no limiting principle left in the C-1 district. The Board's decision will establish precedent for every future applicant seeking to fit a prohibited use into an obsolete zoning category through creative labeling rather than compliance with the Code. That is not what zoning laws are for.

The proper avenue for a project of this scale is the same process required of every other applicant seeking approval for a large regional commercial development: rezoning, special-use review, or a planned development process, each accompanied by public notice, public hearings, and public accountability. That process exists for a reason. Rezoning would require analysis of compatibility with surrounding uses, consistency with the Master Plan, infrastructure demands, traffic impacts, water availability, and community character. Those are precisely the questions Buc-ee's seeks to avoid by obtaining an administrative use classification instead.

Finally, the record itself raises substantial concerns. The application repeatedly misstates provisions of the Code, relies on inconsistent calculations, and contains factual assertions that deserve scrutiny through a public process rather than acceptance on paper. The Director recognized these problems and reached the correct conclusion.

I respectfully ask the Board to:

- Deny Buc-ee's appeal and uphold the Director's July 1, 2026 determination;
- Recognize that a 120-position fuel facility constitutes a gas station use prohibited in C-1 zoning;
- Reject attempts to use the similar-use provisions to circumvent explicit restrictions contained in the Code; and
- Require the applicant to pursue the appropriate public process, including rezoning, special-use review, or planned development review with full notice and public hearings.

The question before the Board is ultimately larger than Buc-ee's. **It is whether the County's Land Development Code means what it says, and whether those rules apply equally to every applicant. If the answer is yes, this appeal must be denied.**

Sincerely,

Grace Foy

El Paso County Unincorporated Resident
Monument, CO