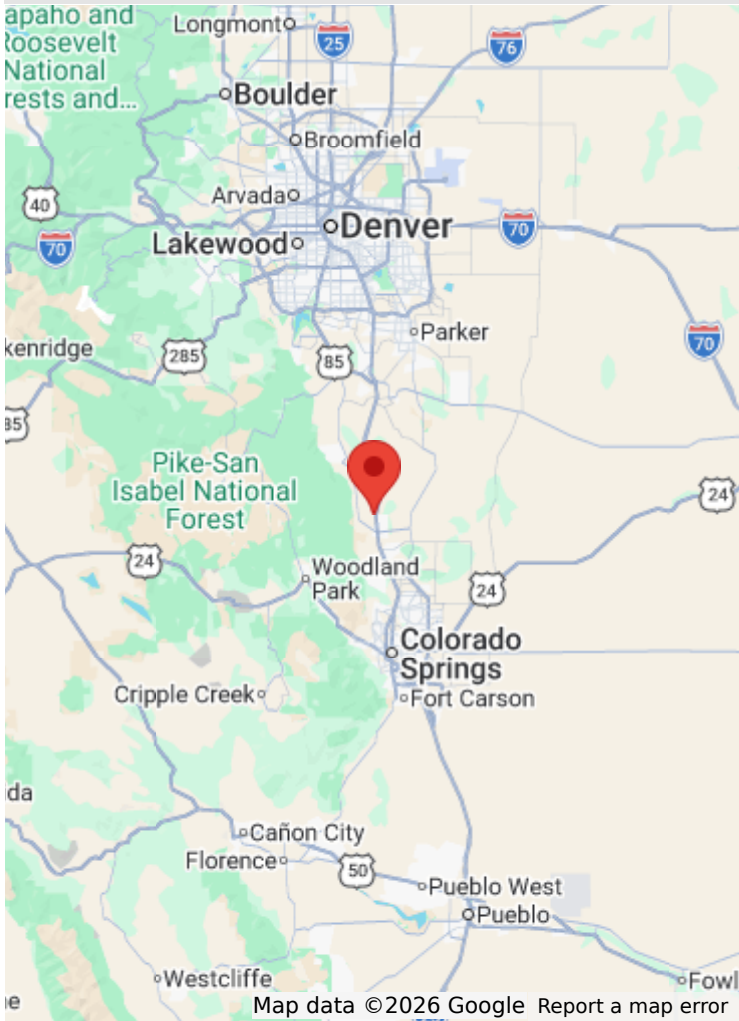


| Map                                                                               | Overview                                                  |
|-----------------------------------------------------------------------------------|-----------------------------------------------------------|
|  | <b>Case Number:</b> CCM-2622097                           |
|                                                                                   | <b>Case Type:</b> Contact My Commissioner                 |
|                                                                                   | <b>Case Status:</b> Submitted                             |
|                                                                                   | <b>Address:</b> 20467 BEACON LITE,<br>MONUMENT, CO, 80132 |
|                                                                                   | <b>Unit:</b>                                              |
|                                                                                   | <b>Priority:</b> Normal                                   |
|                                                                                   | <b>Category:</b> Citizen Contact Management               |
|                                                                                   | <b>Assignees:</b>                                         |
|                                                                                   | <b>Internal Workflow Status:</b> Submitted                |
|                                                                                   | <b>Submitted By:</b> Anonymous                            |
| <b>Created Date:</b> 07/09/2026 03:51 PM                                          |                                                           |
| <b>Updated Date:</b> 07/09/2026 03:51 PM                                          |                                                           |
| <b>Source:</b> Web                                                                |                                                           |
| <b>Tags:</b>                                                                      |                                                           |
| <b>Resolution:</b>                                                                |                                                           |

| Details                                                                                                                                                                                                                                                                                                                           |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Case Number:</b> CCM-2622097                                                                                                                                                                                                                                                                                                   |
| <b>Case Type:</b> Contact My Commissioner                                                                                                                                                                                                                                                                                         |
| <b>I affirm that I am submitting my electronic email address, telephone number, and/or home address for the purpose of receiving future electronic communications from El Paso County related to this Citizen Connect request. I request that this information be kept confidential under C.R.S. § 24-72-204(2)(a)(VII).:</b> Yes |
| Please note that information you submit, including your name, may be subject to release under the Colorado Open Records Act. Certain specific information may be withheld if you checked the box above. If you do not wish for your name to be potentially released, please submit your request anonymously.                      |
| <b>Contact All Commissioners:</b> No                                                                                                                                                                                                                                                                                              |
| Please note that anything put in these fields will be viewable by members of the public.                                                                                                                                                                                                                                          |

**Type of Submission:** Complaint

**Subject:** I am entering these specific concerns into the official record for this hearing.

**Notes (Describe the issue for the Commissioner):** Subject: Public Comment for July 23rd Meeting: Concerns Regarding [Location/Project Name] Dear Board of County Commissioners, My name is Janet Sellers, and I am a resident of Woodmoor/Tri-Lakes area. I am writing to formally express my strong opposition to the proposed Buc-ee's development in our community. While I understand the drive for commercial growth, this specific location is unsuitable for a facility of this magnitude. My primary concerns are: Water Security: Our community is facing critical water limitations. I am deeply concerned that this project will place an unsustainable burden on our local aquifers. Traffic and Infrastructure: The existing road infrastructure in the Tri-Lakes area is already struggling. This development will introduce a level of traffic congestion and safety hazards that our local emergency services and road systems are not equipped to handle. Community Impact: Our area is characterized by its residential nature and natural environment, forested natural soul-restorative areas, sunny days and dark night skies with stars and moonlight and peace. This project threatens the very qualities that make the Tri-Lakes area a desirable place to live. I respectfully request that the Board vote against the approval of this project, or at the very least, delay any decision until a comprehensive, independent impact study regarding water and traffic is made available for public review. I look forward to your opposing this proposed Buc-ee's development at the meeting on July 23rd at 9:00 a.m. Sincerely, Janet Sellers 1390 Catamaran Lane, Monument, CO 80132 719-488-8280

## GIS Attributes

**District :**1

**Jurisdiction :**El Paso County

## Contact Info

**Janetlee Sellers**

Individual  
Constituent

**Phone:** (719) 488-8280

**Email:** nezumi@duck.com

**Address:** N/A

**Updated by:**

Anonymous

**On:**

07/09/2026

## Comments

No details available



## Images

No documents associated

## Activity Logs

**Set District 1** | Provider changed to CCM District 1

System | 07/09/2026 03:51 PM

**Set District 1** | Case created

Anonymous | 07/09/2026 03:51 PM

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County Commissioners

Centennial Hall

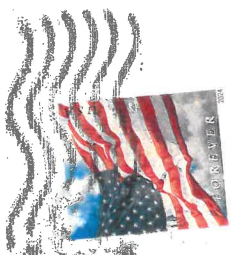
200 South Cascade Avenue

Suite 100, Colorado Springs

CO 80903

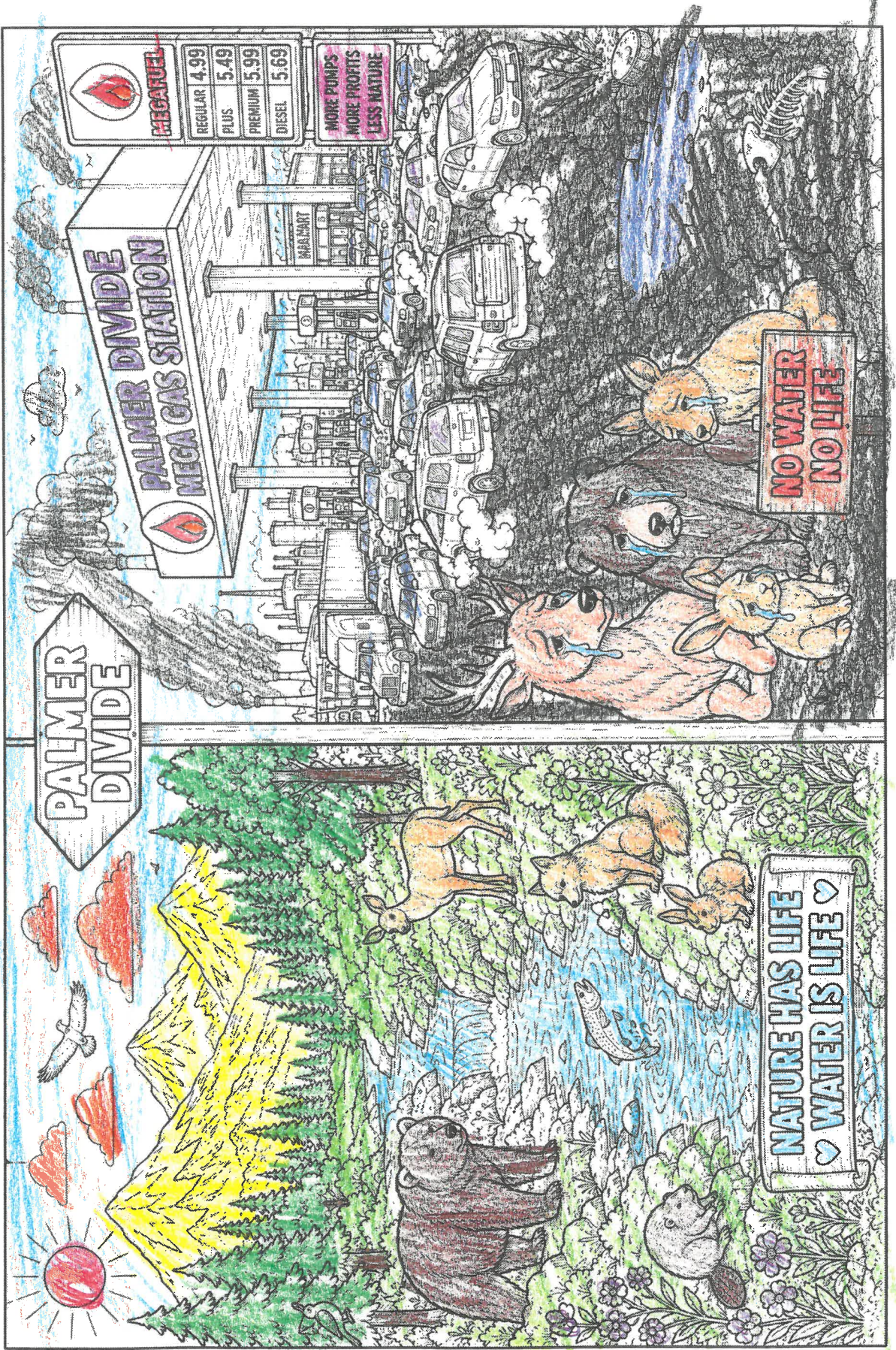
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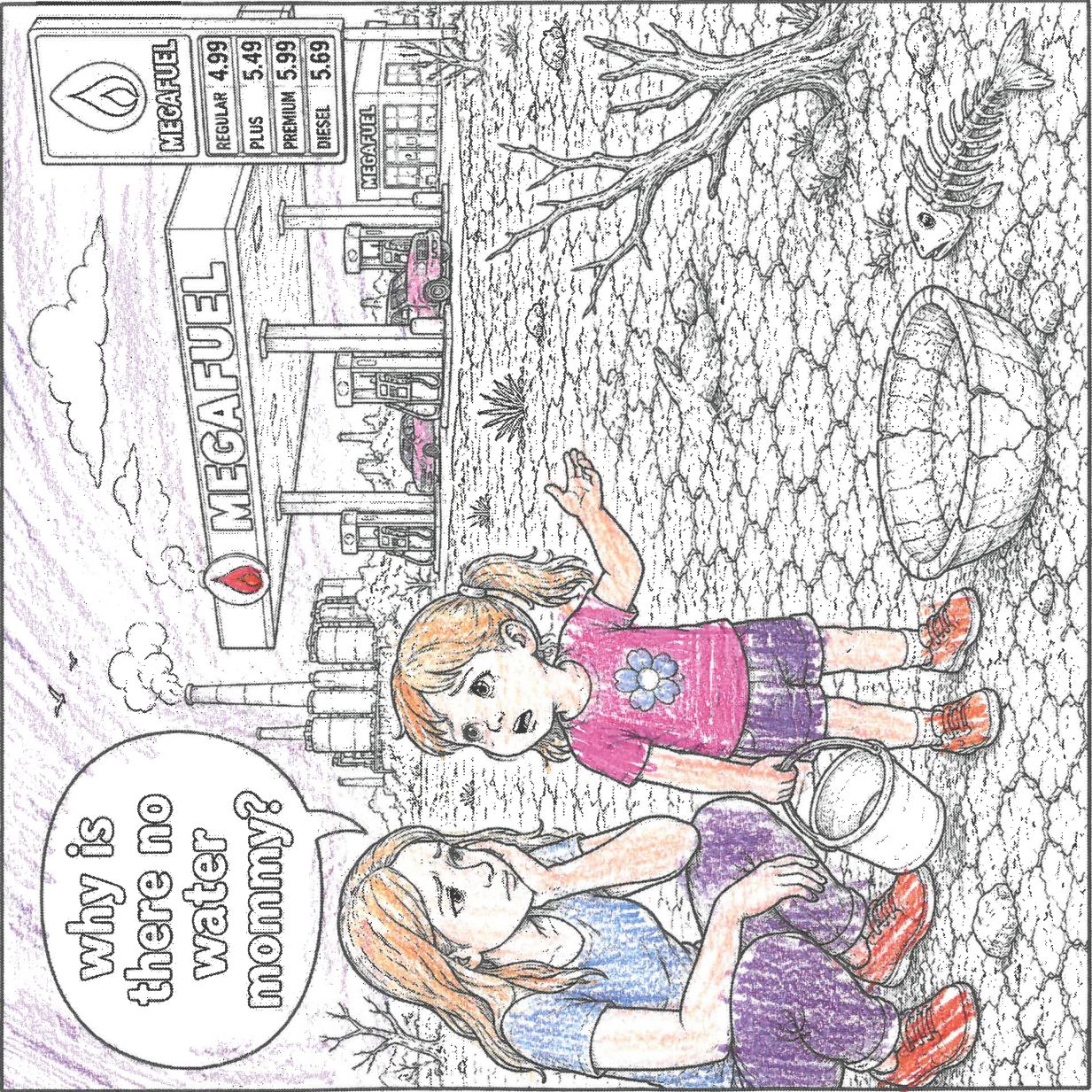






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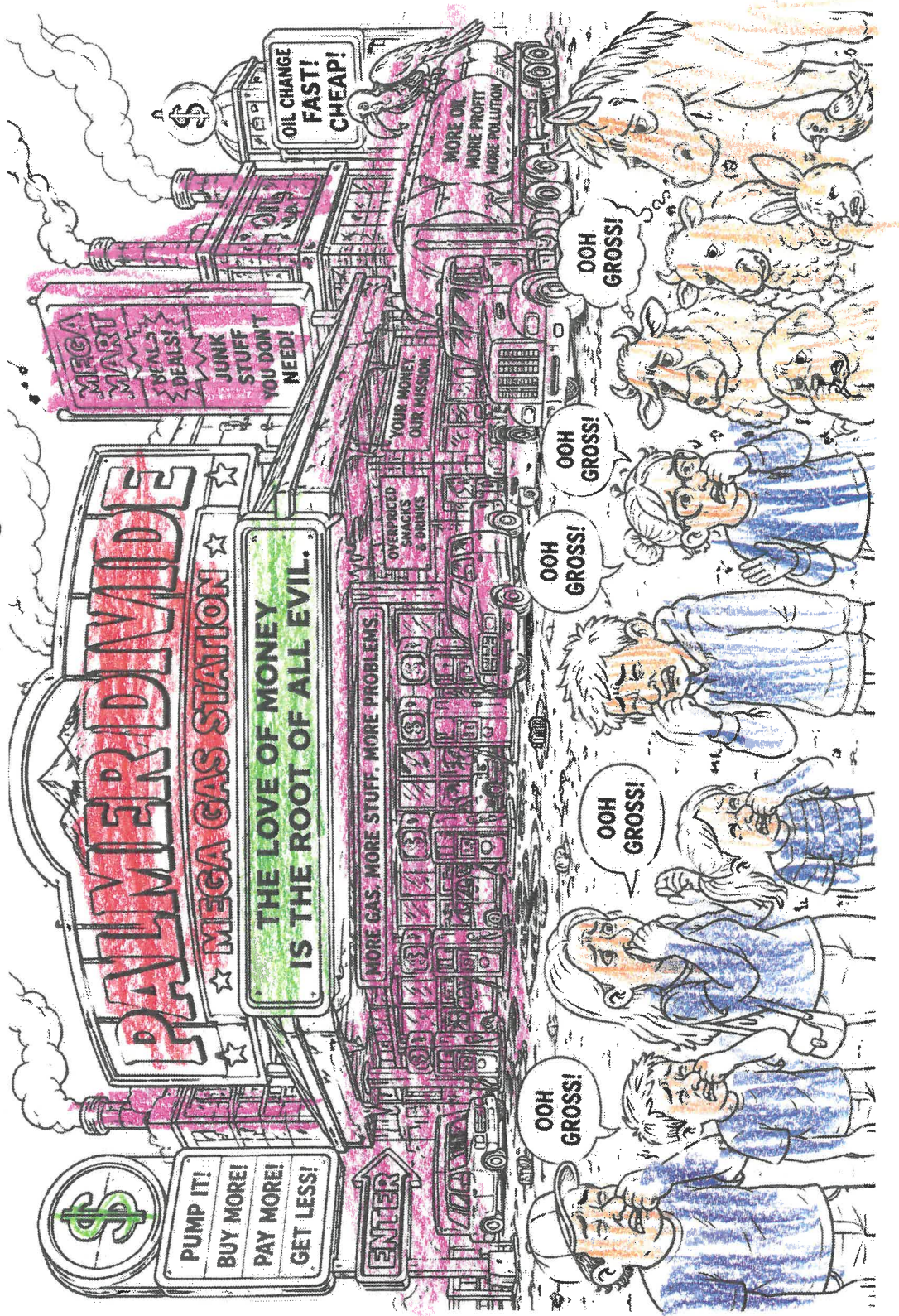






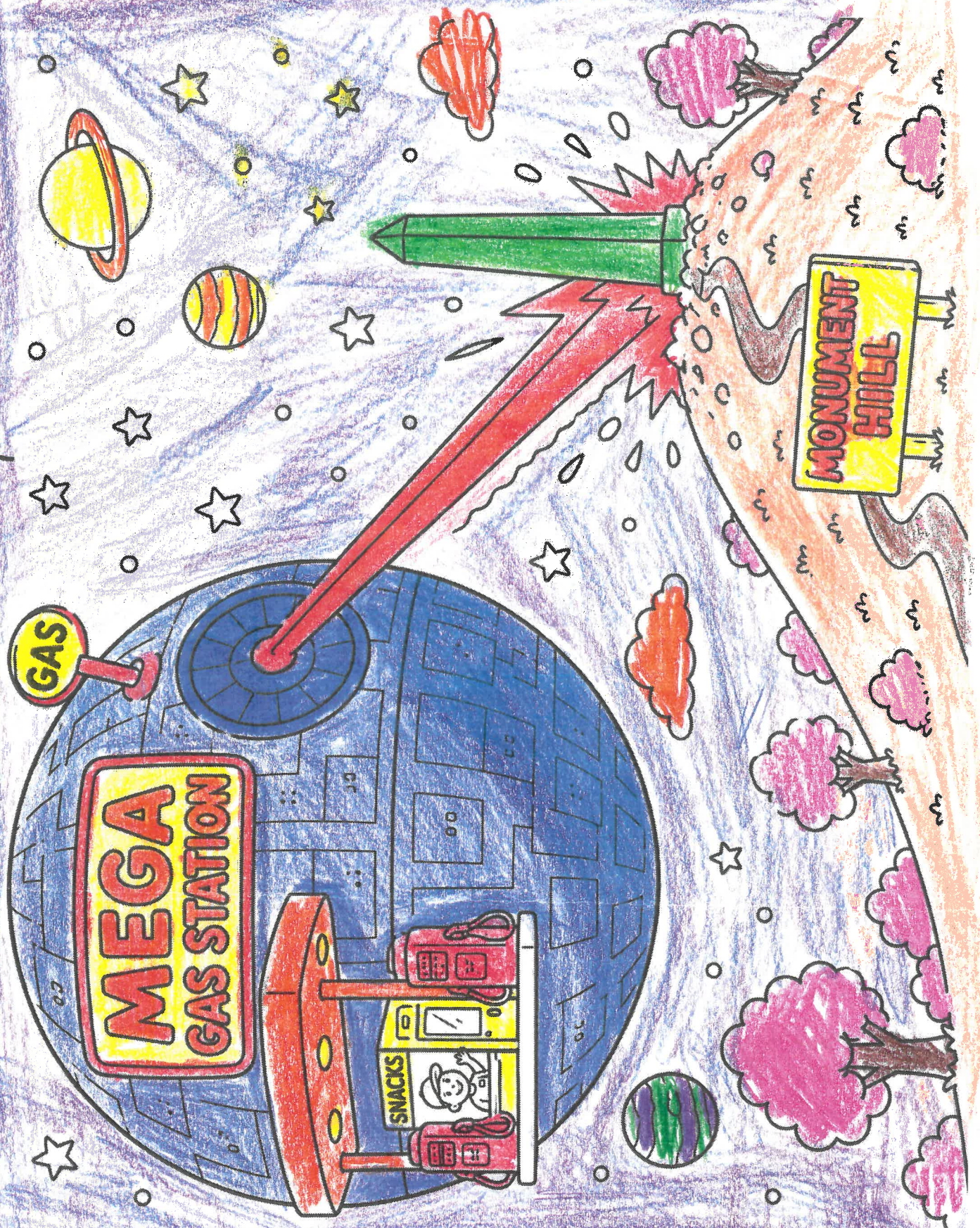


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## Jessica Merriam

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



### Kylie Bagley

Principal Planner

Planning and Community Development

719.520.6323

[www.elpasoco.com](http://www.elpasoco.com)

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**From:** Abigail Knight <abigailknight91@gmail.com>

**Sent:** Tuesday, July 7, 2026 4:55 PM

**To:** Holly Williams <HollyWilliams@elpasoco.com>; Carrie Geitner <CarrieGeitner@elpasoco.com>; Bill Wysong <BillWysong@elpasoco.com>; Cory Applegate <CoryApplegate@elpasoco.com>; Lauren Nelson <LaurenNelson@elpasoco.com>

**Cc:** Meggan Herington <MegganHerington@elpasoco.com>; Kenny Hodges <KennyHodges@elpasoco.com>; Kylie Bagley <KylieBagley@elpasoco.com>; mlakind@tomgov.org <mlakind@tomgov.org>; sking@tomgov.org <sking@tomgov.org>; sabbott@tomgov.org <sabbott@tomgov.org>; csmith@tomgov.org <csmith@tomgov.org>; lkronick@tomgov.org <lkronick@tomgov.org>; kkimple@tomgov.org <kkimple@tomgov.org>; mfiorito@tomgov.org <mfiorito@tomgov.org>; eharris@palmer-lake.org <eharris@palmer-lake.org>; rmoseley@palmer-lake.org <rmoseley@palmer-lake.org>; jmarble@palmer-lake.org <jmarble@palmer-lake.org>; mbeeson@palmer-lake.org <mbeeson@palmer-lake.org>; ajurka@palmer-lake.org <ajurka@palmer-lake.org>; governorpolis@state.co.us <governorpolis@state.co.us>; natasha\_hutson@bennet.senate.gov <natasha\_hutson@bennet.senate.gov>; jess\_cohen@hickenlooper.senate.gov <jess\_cohen@hickenlooper.senate.gov>; jarvis.caldwell.house@coleg.gov <jarvis.caldwell.house@coleg.gov>; matthew.smith1@mail.house.gov <matthew.smith1@mail.house.gov>; integritymatterscos@gmail.com <integritymatterscos@gmail.com>; contact@trilakespreservation.org <contact@trilakespreservation.org>; savannah.eller@gazette.com <savannah.eller@gazette.com>; Tony.Keith@koaa.com <Tony.Keith@koaa.com>; Noah.Caplan@koaa.com <Noah.Caplan@koaa.com>; EXTERNAL KOAA News <News@KOAA.com>; ASack@kxrm.com <ASack@kxrm.com>; EXTERNAL Fox News <EXTERNALFoxNews@elpasoco.com>; EXTERNAL KKTv News <news@kktv.com>; news@krdo.com <news@krdo.com>; achalfin@krcc.org <achalfin@krcc.org>; EXTERNAL KRCC News <news@krcc.org>; newstips@denver7.com <newstips@denver7.com>; newstips@9news.com <newstips@9news.com>; tips@kdvr.com <tips@kdvr.com>; jalvarado@denverpost.com <jalvarado@denverpost.com>; EXTERNAL Newsroom Denver <newsroom@denverpost.com>; oliviaprentzel@coloradosun.com <oliviaprentzel@coloradosun.com>; newsroom@coloradosun.com <newsroom@coloradosun.com>; Karin.Brulliard@washpost.com <Karin.Brulliard@washpost.com>;



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**Subject:** Re: Objection to the Buc-ee's Administrative Determination and Demand for a Public Hearing — C-1 Zone, I-25 & County Line Road

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Mark Safe Report

El Paso County Digital, Strategy  
& Technology (DST)

Dear Commissioners:

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

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

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

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

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



- Second, the appeal asserts the Code defines a gas station as a use "primarily oriented toward the petroleum fueling and servicing of motor vehicles" — a "primary orientation" requirement that appears nowhere in § 1.15.
  - Third, it claims the definition "expressly limits retail activity to the incidental sale of vehicle accessories," which it does not. What actually defines a gas station under § 1.15 is the retail sale of gasoline and diesel for vehicles — which Buc-ee's plainly does, at 120 fueling positions. Read as the Code is written, this is a gas station, and gas stations are not allowed in C-1.
2. **The use does not meet the Code's "Convenience Store" definition.** That definition (§ 1.15) requires an establishment serving "the neighborhood in which it is located," and the Code defines a neighborhood as "primarily residential areas." The appeal represents that the store will serve the surrounding neighborhood. It will not. This project is a regional tourist destination, not a neighborhood store — and the company says so itself:

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

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

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

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

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



evidentiary hearing at which the community can be heard. And because the Code distinguishes C-1 ("commercial activities," § 4.4.1) from C-2 ("large commercial activities," § 4.4.4) — and allows gas stations in C-2 but not C-1 — the proper path for a regional interstate fuel-and-retail center is a rezoning to C-2, or a special-use / PUD review, each with full notice and hearing.

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

I respectfully request that the Board:

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

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

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](mailto:hollywilliams@elpasoco.com)

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**From:** Abigail Knight <[abigailknight91@gmail.com](mailto:abigailknight91@gmail.com)>

**Sent:** Wednesday, June 24, 2026 11:02 AM

**To:** Meggan Herington <[MegganHerington@elpasoco.com](mailto:MegganHerington@elpasoco.com)>; Holly Williams <[HollyWilliams@elpasoco.com](mailto:HollyWilliams@elpasoco.com)>; Carrie Geitner <[CarrieGeitner@elpasoco.com](mailto:CarrieGeitner@elpasoco.com)>; Bill Wysong <[BillWysong@elpasoco.com](mailto:BillWysong@elpasoco.com)>; Cory Applegate <[CoryApplegate@elpasoco.com](mailto:CoryApplegate@elpasoco.com)>; Lauren Nelson <[LaurenNelson@elpasoco.com](mailto:LaurenNelson@elpasoco.com)>; Kenny Hodges <[KennyHodges@elpasoco.com](mailto:KennyHodges@elpasoco.com)>

**Cc:** [mlakind@tomgov.org](mailto:mlakind@tomgov.org) <[mlakind@tomgov.org](mailto:mlakind@tomgov.org)>; [sking@tomgov.org](mailto:sking@tomgov.org) <[sking@tomgov.org](mailto:sking@tomgov.org)>; [sabbott@tomgov.org](mailto:sabbott@tomgov.org) <[sabbott@tomgov.org](mailto:sabbott@tomgov.org)>; [csmith@tomgov.org](mailto:csmith@tomgov.org) <[csmith@tomgov.org](mailto:csmith@tomgov.org)>; [lkronick@tomgov.org](mailto:lkronick@tomgov.org) <[lkronick@tomgov.org](mailto:lkronick@tomgov.org)>; [kkimple@tomgov.org](mailto:kkimple@tomgov.org) <[kkimple@tomgov.org](mailto:kkimple@tomgov.org)>; [mfiorito@tomgov.org](mailto:mfiorito@tomgov.org) <[mfiorito@tomgov.org](mailto:mfiorito@tomgov.org)>; [eharris@palmer-lake.org](mailto:eharris@palmer-lake.org) <[eharris@palmer-lake.org](mailto:eharris@palmer-lake.org)>; [rmoseley@palmer-lake.org](mailto:rmoseley@palmer-lake.org) <[rmoseley@palmer-lake.org](mailto:rmoseley@palmer-lake.org)>; [jmarble@palmer-lake.org](mailto:jmarble@palmer-lake.org) <[jmarble@palmer-lake.org](mailto:jmarble@palmer-lake.org)>; 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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.
- Buc-ee's own customer estimates, reported when it sought approval in Springfield, Missouri, projected roughly **six million customers a year, with about 80% traveling more than 20 miles** to reach the store (*Community Playmaker*, Jan. 2025).

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

### **3. This decision belongs at a public hearing, not behind closed**

**doors.** Deciding the permitted uses of a specific parcel by applying the Code's definitions to specific facts is a discretionary judgment — the Code's own § 5.3.6(B) describes it as an "analysis and comparison of various code provisions ... as opposed to a nondiscretionary review." A decision of this consequence, affecting the whole region, requires public notice and a hearing — and the County itself stated in February 2026 that "a public hearing is required to determine the use classification" for a project like this. A no-notice administrative determination, issued with no opportunity for the public to be heard, is the wrong vehicle.

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

I respectfully request that the County:

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

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

Respectfully,

Abbey Knight

Pioneer Lookout Monument - El Paso County

## Jessica Merriam

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**From:** Kylie Bagley  
**Sent:** Monday, July 13, 2026 9:15 AM  
**To:** Jessica Merriam  
**Subject:** Fw: Buc-ee's Appeal of Administrative Determination ADM264 — Please DENY the Appeal and Uphold the Director's July 1 Determination (C-1 Zone, I-25 & County Line Road / Beacon Lite Road)



### Kylie Bagley

Principal Planner  
Planning and Community Development  
719.520.6323  
[www.elpasoco.com](http://www.elpasoco.com)

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**From:** ALESIA KOSKELLA <tajath@msn.com>  
**Sent:** Sunday, July 12, 2026 8:16 PM  
**To:** Holly Williams <HollyWilliams@elpasoco.com>; Carrie Geitner <CarrieGeitner@elpasoco.com>; Bill Wysong <BillWysong@elpasoco.com>; Cory Applegate <CoryApplegate@elpasoco.com>; Lauren Nelson <LaurenNelson@elpasoco.com>  
**Cc:** Meggan Herington <MegganHerington@elpasoco.com>; Kenny Hodges <KennyHodges@elpasoco.com>; Kylie Bagley <KylieBagley@elpasoco.com>; governorpolis@state.co.us <governorpolis@state.co.us>; natasha\_hutson@bennet.senate.gov <natasha\_hutson@bennet.senate.gov>; jess\_cohen@hickenlooper.senate.gov <jess\_cohen@hickenlooper.senate.gov>; jarvis.caldwell.house@coleg.gov <jarvis.caldwell.house@coleg.gov>; matthew.smith1@mail.house.gov <matthew.smith1@mail.house.gov>; Integrity Matters <integritymatterscos@gmail.com>; contact@trilakespreservation.org <contact@trilakespreservation.org>; governorpolis@state.co.us <governorpolis@state.co.us>; natasha\_hutson@bennet.senate.gov <natasha\_hutson@bennet.senate.gov>; jess\_cohen@hickenlooper.senate.gov <jess\_cohen@hickenlooper.senate.gov>; jarvis.caldwell.house@coleg.gov <jarvis.caldwell.house@coleg.gov>; matthew.smith1@mail.house.gov <matthew.smith1@mail.house.gov>; Integrity Matters <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>; Austin Sack <asack@kxrm.com>; EXTERNAL Fox News <EXTERNALFoxNews@elpasoco.com>; EXTERNAL KKTU News <news@kktv.com>; Andrea Chalfin <achalfin@krcc.org>; EXTERNAL KRCC News <news@krcc.org>; newstips@denver7.com <newstips@denver7.com>; newstips@9news.com <newstips@9news.com>; tips@kdvr.com <tips@kdvr.com>; jalvarado@denverpost.com <jalvarado@denverpost.com>; EXTERNAL Newsroom Denver <newsroom@denverpost.com>; oliviaprentzel@coloradosun.com <oliviaprentzel@coloradosun.com>; newsroom@coloradosun.com <newsroom@coloradosun.com>; Karin.Brulliard@washpost.com <Karin.Brulliard@washpost.com>; jim.carlton@wsj.com <jim.carlton@wsj.com>; news-tips@nytimes.com <news-tips@nytimes.com>; tips@cnn.com <tips@cnn.com>; tips@nbcuni.com <tips@nbcuni.com>; news.tips@abc.com <news.tips@abc.com>; LBergman@newsnationnow.com <LBergman@newsnationnow.com>; tips@thefp.com <tips@thefp.com>; talkshow@aol.com <talkshow@aol.com>  
**Subject:** Buc-ee's Appeal of Administrative Determination ADM264 — Please DENY the Appeal and Uphold the Director's July 1 Determination (C-1 Zone, I-25 & County Line Road / Beacon Lite Road)



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

Dear Commissioners:

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

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

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

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

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

- Third, it claims the definition "expressly limits retail activity to the incidental sale of vehicle accessories," which it does not. What actually defines a gas station under § 1.15 is the retail sale of gasoline and diesel for vehicles — which Buc-ee's plainly does, at 120 fueling positions. Read as the Code is written, this is a gas station, and gas stations are not allowed in C-1.

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

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

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

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

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

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

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



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

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

I respectfully request that the Board:

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

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

Respectfully,  
Alesia S Koskella  
20345 True Vista Circle  
Monument CO 80132  
The Heights - El Paso County

## Jessica Merriam

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



### Kylie Bagley

Principal Planner  
Planning and Community Development  
719.520.6323  
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**From:** Anamaria Morlin <anamariamorlin@me.com>  
**Sent:** Tuesday, July 7, 2026 8:37 PM  
**To:** Holly Williams <HollyWilliams@elpasoco.com>; Carrie Geitner <CarrieGeitner@elpasoco.com>; Bill Wysong <BillWysong@elpasoco.com>; Cory Applegate <CoryApplegate@elpasoco.com>; Lauren Nelson <LaurenNelson@elpasoco.com>  
**Cc:** Meggan Herington <MegganHerington@elpasoco.com>; Kenny Hodges <KennyHodges@elpasoco.com>; Kylie Bagley <KylieBagley@elpasoco.com>; mlakind@tomgov.org <mlakind@tomgov.org>; sking@tomgov.org <sking@tomgov.org>; sabbott@tomgov.org <sabbott@tomgov.org>; csmith@tomgov.org <csmith@tomgov.org>; lkronick@tomgov.org <lkronick@tomgov.org>; kkimple@tomgov.org <kkimple@tomgov.org>; mfiorito@tomgov.org <mfiorito@tomgov.org>; eharris@palmer-lake.org <eharris@palmer-lake.org>; rmoseley@palmer-lake.org <rmoseley@palmer-lake.org>; jmarble@palmer-lake.org <jmarble@palmer-lake.org>; mbeeson@palmer-lake.org <mbeeson@palmer-lake.org>; ajurka@palmer-lake.org <ajurka@palmer-lake.org>; governorpolis@state.co.us <governorpolis@state.co.us>; natasha\_hutson@bennet.senate.gov <natasha\_hutson@bennet.senate.gov>; jess\_cohen@hickenlooper.senate.gov <jess\_cohen@hickenlooper.senate.gov>; jarvis.caldwell.house@coleg.gov <jarvis.caldwell.house@coleg.gov>; matthew.smith1@mail.house.gov <matthew.smith1@mail.house.gov>; integritymatterscos@gmail.com <integritymatterscos@gmail.com>; contact@trilakespreservation.org <contact@trilakespreservation.org>; savannah.eller@gazette.com <savannah.eller@gazette.com>; Tony.Keith@koa.com <Tony.Keith@koa.com>; Noah.Caplan@koa.com <Noah.Caplan@koa.com>; EXTERNAL KOAA News <News@KOAA.com>; ASack@kxrm.com <ASack@kxrm.com>; EXTERNAL Fox News <EXTERNALFoxNews@elpasoco.com>; EXTERNAL KKTU News <news@kktv.com>; news@krdo.com <news@krdo.com>; achalfin@krcc.org <achalfin@krcc.org>; EXTERNAL KRCC News <news@krcc.org>; newstips@denver7.com <newstips@denver7.com>; newstips@9news.com <newstips@9news.com>; tips@kdvr.com <tips@kdvr.com>; jalvarado@denverpost.com <jalvarado@denverpost.com>; EXTERNAL Newsroom Denver <newsroom@denverpost.com>; oliviaprentzel@coloradosun.com <oliviaprentzel@coloradosun.com>; newsroom@coloradosun.com <newsroom@coloradosun.com>; Karin.Brulliard@washpost.com <Karin.Brulliard@washpost.com>; jim.carlton@wsj.com <jim.carlton@wsj.com>; news-tips@nytimes.com <news-tips@nytimes.com>; tips@cnn.com <tips@cnn.com>; tips@nbcuni.com <tips@nbcuni.com>; news.tips@abc.com <news.tips@abc.com>; LBergman@newsnationnow.com <LBergman@newsnationnow.com>; tips@thefp.com <tips@thefp.com>; talkshow@aol.com <talkshow@aol.com>  
**Subject:** Buc-ee's Appeal of Administrative Determination ADM264 — Please DENY the Appeal and Uphold the Director's July 1 Determination (C-1 Zone, I-25 & County Line Road / Beacon Lite Road)



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

Dear Commissioners:

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

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

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



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

I respectfully request that the Board:

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

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

Respectfully

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

## Jessica Merriam

---

**From:** Kylie Bagley  
**Sent:** Wednesday, July 8, 2026 8:27 AM  
**To:** Jessica Merriam  
**Subject:** Fw: Re Buc-ee's appeal



### Kylie Bagley

Principal Planner  
Planning and Community Development  
719.520.6323  
[www.elpasoco.com](http://www.elpasoco.com)

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**From:** Ann Stanley <ann80921@gmail.com>  
**Sent:** Tuesday, July 7, 2026 6:31 PM  
**To:** Carrie Geitner <CarrieGeitner@elpasoco.com>; Bill Wysong <BillWysong@elpasoco.com>; Cory Applegate <CoryApplegate@elpasoco.com>; Lauren Nelson <LaurenNelson@elpasoco.com>; Holly Williams <HollyWilliams@elpasoco.com>  
**Cc:** Kenny Hodges <KennyHodges@elpasoco.com>; Kylie Bagley <KylieBagley@elpasoco.com>; mlakind@tomgov.org <mlakind@tomgov.org>; sking@tomgov.org <sking@tomgov.org>; sabbott@tomgov.org <sabbott@tomgov.org>; csmith@tomgov.org <csmith@tomgov.org>; lkronick@tomgov.org <lkronick@tomgov.org>; 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>; ASack@kxrm.com <ASack@kxrm.com>; EXTERNAL Fox News <EXTERNALFoxNews@elpasoco.com>; EXTERNAL KKTU News <news@kktv.com>; news@krdo.com <news@krdo.com>; achalfin@krcc.org <achalfin@krcc.org>; EXTERNAL KRCC News <news@krcc.org>; newstips@denver7.com <newstips@denver7.com>; newstips@9news.com <newstips@9news.com>; tips@kdvr.com <tips@kdvr.com>; jalvarado@denverpost.com <jalvarado@denverpost.com>; EXTERNAL Newsroom Denver <newsroom@denverpost.com>; oliviaprentzel@coloradosun.com <oliviaprentzel@coloradosun.com>; newsroom@coloradosun.com <newsroom@coloradosun.com>; Karin.Brulliard@washpost.com <Karin.Brulliard@washpost.com>; jim.carlton@wsj.com <jim.carlton@wsj.com>; news-tips@nytimes.com <news-tips@nytimes.com>; tips@cnn.com <tips@cnn.com>; tips@nbcuni.com <tips@nbcuni.com>; news.tips@abc.com <news.tips@abc.com>; LBergman@newsnationnow.com <LBergman@newsnationnow.com>; tips@thefp.com <tips@thefp.com>; talkshow@aol.com <talkshow@aol.com>; Meggan Herington <MegganHerington@elpasoco.com>  
**Subject:** Re Buc-ee's appeal



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

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

Dear Commissioners:

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

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

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

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

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

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

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

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

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

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

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

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

I respectfully request that the Board:

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

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

Respectfully

Ann Stanley

130 Wuthering Heights Drive  
Colorado Springs, CO 8921



## Jessica Merriam

---

**From:** Kylie Bagley  
**Sent:** Friday, July 10, 2026 11:17 AM  
**To:** Jessica Merriam  
**Subject:** Fw: Buc-ees Appeal



### Kylie Bagley

Principal Planner  
Planning and Community Development  
719.520.6323  
[www.elpasoco.com](http://www.elpasoco.com)

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**From:** Anne Johnson <annecraig76@hotmail.com>  
**Sent:** Friday, July 10, 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:** Kenny Hodges <KennyHodges@elpasoco.com>; Kylie Bagley <KylieBagley@elpasoco.com>; governorpolis@state.co.us <governorpolis@state.co.us>; natasha\_hutson@bennet.senate.gov <natasha\_hutson@bennet.senate.gov>; jess\_cohen@hickenlooper.senate.gov <jess\_cohen@hickenlooper.senate.gov>; jarvis.caldwell.house@coleg.gov <jarvis.caldwell.house@coleg.gov>; matthew.smith1@mail.house.gov <matthew.smith1@mail.house.gov>; integritymatterscos@gmail.com <integritymatterscos@gmail.com>; contact@trilakespreservation.org <contact@trilakespreservation.org>; governorpolis@state.co.us <governorpolis@state.co.us>; natasha\_hutson@bennet.senate.gov <natasha\_hutson@bennet.senate.gov>; jess\_cohen@hickenlooper.senate.gov <jess\_cohen@hickenlooper.senate.gov>; jarvis.caldwell.house@coleg.gov <jarvis.caldwell.house@coleg.gov>; matthew.smith1@mail.house.gov <matthew.smith1@mail.house.gov>; integritymatterscos@gmail.com <integritymatterscos@gmail.com>; contact@trilakespreservation.org <contact@trilakespreservation.org>; savannah.eller@gazette.com <savannah.eller@gazette.com>; Tony.Keith@koaa.com <Tony.Keith@koaa.com>; Noah.Caplan@koaa.com <Noah.Caplan@koaa.com>; EXTERNAL KOAA News <News@KOAA.com>; ASack@kxrm.com <ASack@kxrm.com>; EXTERNAL Fox News <EXTERNALFoxNews@elpasoco.com>; EXTERNAL KKTv News <news@kktv.com>; achalfin@krcc.org <achalfin@krcc.org>; EXTERNAL KRCC News <news@krcc.org>; newstips@denver7.com <newstips@denver7.com>; newstips@9news.com <newstips@9news.com>; tips@kdvr.com <tips@kdvr.com>; jalvarado@denverpost.com <jalvarado@denverpost.com>; EXTERNAL Newsroom Denver <newsroom@denverpost.com>; oliviaprentzel@coloradosun.com <oliviaprentzel@coloradosun.com>; newsroom@coloradosun.com <newsroom@coloradosun.com>; Karin.Brulliard@washpost.com <Karin.Brulliard@washpost.com>; jim.carlton@wsj.com <jim.carlton@wsj.com>; news-tips@nytimes.com <news-tips@nytimes.com>; tips@cnn.com <tips@cnn.com>; tips@nbcuni.com <tips@nbcuni.com>; news.tips@abc.com <news.tips@abc.com>; LBergman@newsnationnow.com <LBergman@newsnationnow.com>; tips@thefp.com <tips@thefp.com>; talkshow@aol.com <talkshow@aol.com>  
**Subject:** Buc-ees Appeal

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

Good morning,

We are writing to lodge our disapproval of allowing Buc-ees to circumvent the zoning for their proposed location.

The development of a Buc-ees at the Southwest corner of I-25 and County Line road does not meet the requirements put forth in the El Paso County Plan. They are not a "small scale stand alone business serving the local neighborhood". They are a large scale travel center meant to attract tourists and highway travelers. They are not a convenience store (roughly 5,000 to 20,000 sqft). They are a 74,000 sqft mega store.

We implore you to stick to the plan. Do not allow Buc-ees to rezone.

Sincerely,  
Craig and Anne Johnson  
1645 Capadaro Court  
Monument, CO 80132

## Jessica Merriam

---

**From:** Kylie Bagley  
**Sent:** Wednesday, July 8, 2026 10:03 AM  
**To:** Jessica Merriam  
**Subject:** Fw: Buc-ee's Appeal of Administrative Determination ADM264 - Please DENY the Appeal and Uphold the Director's July 1 Determination (C-1 Zone, I-25 & County Line Road / Beacon Lite Road)



### Kylie Bagley

Principal Planner  
Planning and Community Development  
719.520.6323  
[www.elpasoco.com](http://www.elpasoco.com)

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**From:** Annette Hagopian <annettehagopian@comcast.net>  
**Sent:** Wednesday, July 8, 2026 9:58 AM  
**To:** Holly Williams <HollyWilliams@elpasoco.com>; Carrie Geitner <CarrieGeitner@elpasoco.com>; Bill Wysong <BillWysong@elpasoco.com>; Cory Applegate <CoryApplegate@elpasoco.com>; Lauren Nelson <LaurenNelson@elpasoco.com>  
**Cc:** Meggan Herington <MegganHerington@elpasoco.com>; Kenny Hodges <KennyHodges@elpasoco.com>; Kylie Bagley <KylieBagley@elpasoco.com>; mlakind@tomgov.org <mlakind@tomgov.org>; sking@tomgov.org <sking@tomgov.org>; sabbott@tomgov.org <sabbott@tomgov.org>; csmith@tomgov.org <csmith@tomgov.org>; lkronick@tomgov.org <lkronick@tomgov.org>; kkimple@tomgov.org <kkimple@tomgov.org>; mfiorito@tomgov.org <mfiorito@tomgov.org>; governorpolis@state.co.us <governorpolis@state.co.us>; natasha\_hutson@bennet.senate.gov <natasha\_hutson@bennet.senate.gov>; jess\_cohen@hickenlooper.senate.gov <jess\_cohen@hickenlooper.senate.gov>; jarvis.caldwell.house@coleg.gov <jarvis.caldwell.house@coleg.gov>; matthew.smith1@mail.house.gov <matthew.smith1@mail.house.gov>; integritymatterscos@gmail.com <integritymatterscos@gmail.com>; contact@trilakespreservation.org <contact@trilakespreservation.org>  
**Subject:** Re: Buc-ee's Appeal of Administrative Determination ADM264 - Please DENY the Appeal and Uphold the Director's July 1 Determination (C-1 Zone, I-25 & County Line Road / Beacon Lite Road)

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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.

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

- First, it argues Buc-ee's is not a gas station because it "will not provide vehicle repairs, oil changes, accessory installation, [or] car washing." But § 1.15 does not require any of those services; it lists them as things a gas station "may include, as an incidental use." Their absence is irrelevant.
- Second, the appeal asserts the Code defines a gas station as a use "primarily oriented toward the petroleum fueling and servicing of motor vehicles" — a "primary orientation" requirement that appears nowhere in § 1.15.
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*The Arizona Republic* reported that hotels nearest that store sold out for opening weekend, and the *Arizona Daily Star* documented customers driving in from Oregon, Minnesota, and other states, with Nevada and California plates filling the lot.

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

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

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"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  
Annette Hagopian  
18625 Lower Lake Rd  
Monument, CO 80132

## Jessica Merriam

---

**From:** Kylie Bagley  
**Sent:** Thursday, July 9, 2026 12:47 PM  
**To:** Jessica Merriam  
**Subject:** Fw: Objection to the Buc-ee's Appeal of Administrative Determination ADM264



### Kylie Bagley

Principal Planner  
Planning and Community Development  
719.520.6323  
[www.elpasoco.com](http://www.elpasoco.com)

---

**From:** Cory Curtis <cory.curtis@blazerelectricsupply.com>  
**Sent:** Thursday, July 9, 2026 11:57 AM  
**To:** Holly Williams <HollyWilliams@elpasoco.com>; Carrie Geitner <CarrieGeitner@elpasoco.com>; Bill Wysong <BillWysong@elpasoco.com>; Cory Applegate <CoryApplegate@elpasoco.com>; Lauren Nelson <LaurenNelson@elpasoco.com>  
**Cc:** Meggan Herington <MegganHerington@elpasoco.com>; Kenny Hodges <KennyHodges@elpasoco.com>; Kylie Bagley <KylieBagley@elpasoco.com>; governorpolis@state.co.us <governorpolis@state.co.us>; natasha\_hutson@bennet.senate.gov <natasha\_hutson@bennet.senate.gov>; jess\_cohen@hickenlooper.senate.gov <jess\_cohen@hickenlooper.senate.gov>; jarvis.caldwell.house@coleg.gov <jarvis.caldwell.house@coleg.gov>; matthew.smith1@mail.house.gov <matthew.smith1@mail.house.gov>; integritymatterscos@gmail.com <integritymatterscos@gmail.com>; contact@trilakespreservation.org <contact@trilakespreservation.org>; 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>; ASack@kxrm.com <ASack@kxrm.com>; EXTERNAL Fox News <EXTERNALFoxNews@elpasoco.com>; EXTERNAL KKTU News <news@kktv.com>; achalfin@krcc.org <achalfin@krcc.org>; EXTERNAL KRCC News <news@krcc.org>; newstips@denver7.com <newstips@denver7.com>; newstips@9news.com <newstips@9news.com>; tips@kdvr.com <tips@kdvr.com>; jalvarado@denverpost.com <jalvarado@denverpost.com>; EXTERNAL Newsroom Denver <newsroom@denverpost.com>; oliviaprentzel@coloradosun.com <oliviaprentzel@coloradosun.com>; newsroom@coloradosun.com <newsroom@coloradosun.com>; Karin.Brulliard@washpost.com <Karin.Brulliard@washpost.com>; jim.carlton@wsj.com <jim.carlton@wsj.com>; news-tips@nytimes.com <news-tips@nytimes.com>; tips@cnn.com <tips@cnn.com>; tips@nbcuni.com <tips@nbcuni.com>; news.tips@abc.com <news.tips@abc.com>; LBergman@newsnationnow.com <LBergman@newsnationnow.com>; tips@thefp.com <tips@thefp.com>; talkshow@aol.com <talkshow@aol.com>  
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[Mark Safe Report](#) El Paso County Digital, Strategy & Technology (DST)

Board of County Commissioners

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

Dear Commissioners,

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

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

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

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

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

Respectfully submitted,

Cory Curtis

1615 Plowman Place, Monument, CO 80132

corynikkiandylan@comcast.net

719.494.7694

## Jessica Merriam

---

**From:** Meggan Herington  
**Sent:** Monday, July 13, 2026 10:49 AM  
**To:** Jessica Merriam  
**Subject:** FW: Buc-ees Travel Center



**Meggan Herington, AICP**  
Executive Director  
El Paso County Planning and Community Development  
719-520-7941  
<https://planningdevelopment.elpasoco.com>

---

**From:** Ben Butler <benbutler35@gmail.com>  
**Sent:** Monday, July 13, 2026 10:40 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; Steve King <sking@tomgov.org>; Sana Abbott <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 <News@KOAA.com>; sam.page@krdo.com; ASack@kxrm.com; EXTERNAL Fox News <EXTERNALFoxNews@elpasoco.com>; EXTERNAL KKTv News <news@kktv.com>; achalfin@krcc.org; EXTERNAL KRCC News <news@krcc.org>; news@7news.com; newstips@denver7.com; spencer.soicher@9news.com; newstips@9news.com; tips@kdvr.com; EXTERNAL News TipsDenver <newstips@thedenverchannel.com>; jalvarado@denverpost.com; EXTERNAL Newsroom Denver <newsroom@denverpost.com>; 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-ees Travel Center

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Mark Safe

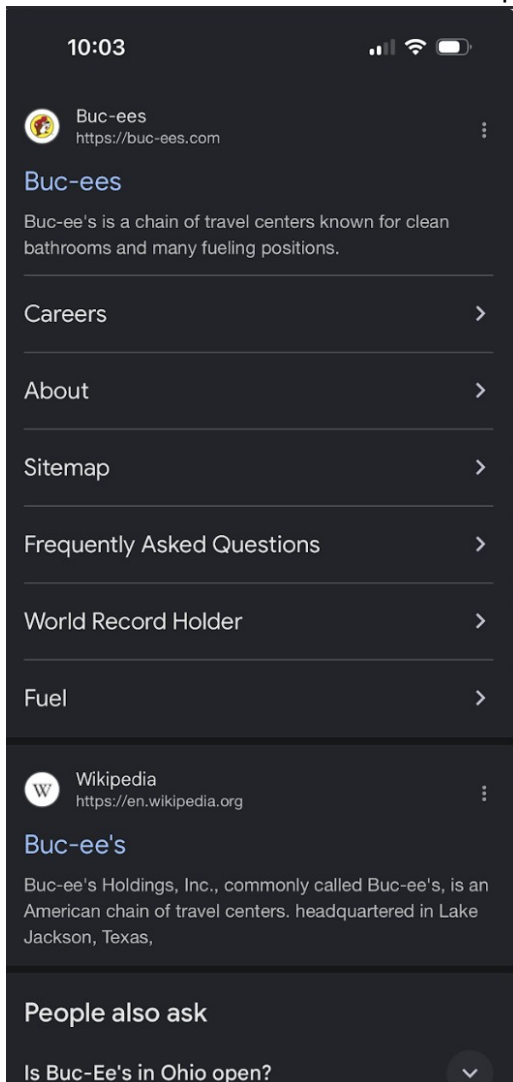
Report

El Paso County Digital, Strategy & Technology (DST)

Dear Director Herington and Commissioners:

I'm sure you are receiving several emails on the opposition to Buc-ee's. As you consider the objections around a convenience store vs. travel center, I'd like to direct you to the following:

Buc-ee's themselves state they are a travel center. This is a screenshot of a Google search for Buc-ee's, with both Buc-ee's website and Wikipedia highlighted, both stating "Travel Center".





Buc-ee's business model is fundamentally incompatible with the character and needs of this community.

Buc-ee's is not a neighborhood convenience store. It is a regional travel destination designed to attract motorists from across Colorado and beyond. A store exceeding 70,000 square feet with well over 100 fuel pumps simply cannot survive on local patronage. Its entire business model depends on generating enormous volumes of highway traffic.

The suggestion that local residents will routinely bike to Buc-ee's is detached from reality. There is no practical or safe bicycle infrastructure serving this interchange, and expecting families or cyclists to navigate an area handling thousands of additional vehicle trips every day is neither realistic nor responsible. Buc-ee's is not designed to serve nearby neighborhoods, it is designed to attract travelers. Even Buc-ee's has compared itself to major regional destinations such as Polaris and the Ford Amphitheater, acknowledging that it functions as a destination rather than a local business.

The traffic analysis also fails to account for future growth. The Monument East development, located directly across from the proposed site, is expected to add several hundred new homes. Those residents will rely on the same interchange and surrounding roads, placing even greater strain on an area that is already expected to experience substantial congestion. Planning decisions should account for the community that is being built, not just the community that exists today.

Traffic is only one concern. This project would permanently increase noise, light pollution, air pollution, stormwater runoff, and water demand. It would introduce a high-intensity commercial use immediately adjacent to residential neighborhoods and directly across from protected conservation land. Once built, these impacts cannot simply be reversed.

Perhaps most importantly, this proposal lacks community support. Drive through Woodmoor along Doewood, Old Antlers, and neighboring streets, and the overwhelming opposition is impossible to miss. As a Woodmoor resident, I have never witnessed this level of public resistance to any proposed development. Residents have chosen Monument, Woodmoor, and Palmer Lake because these communities value open space, scenic beauty, manageable traffic, and a small-town character. Buc-ee's represents the opposite of those values.

This is not an argument against economic development. It is an argument for responsible development that complements the community rather than overwhelms it. There are countless projects that could provide jobs, tax revenue, and services while preserving the qualities that make this area desirable.

Buc-ee's is not one of them.

If approved, this development would permanently transform one of the primary gateways into Monument and Woodmoor into a high-volume interstate travel center. The increased congestion, environmental impacts, and loss of community character would be borne by local residents every day, while the primary beneficiaries would be travelers simply passing through.

Nothing about this proposal meaningfully improves the quality of life for the residents of Monument, Palmer Lake, or Woodmoor. It is simply the wrong project in the wrong location.

Respectfully.

Ben Butler  
19937 Chisholm Trl, Monument CO 80132

--  
Ben Butler  
703.909.5999

## Jessica Merriam

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



### Kylie Bagley

Principal Planner  
Planning and Community Development  
719.520.6323  
[www.elpasoco.com](http://www.elpasoco.com)

---

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



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Dear Commissioners:

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

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

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

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

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

-

- 
- 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.

3.

4. **The use does not meet the Code's "Convenience Store" definition.**

5. That definition (§ 1.15) requires an establishment serving "the neighborhood in which it is located," and the Code defines a neighborhood as "primarily residential areas." The appeal represents that the store will serve the surrounding neighborhood. It will

6. not. This project is a regional tourist destination, not a neighborhood store — and the company says so itself:

7.

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

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

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

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

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

3.

4.

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

6. Buc-ee's argues in the alternative that its project is a "similar" permitted use under § 5.3.6.C.1. It is not available here. Section 5.3.6(E) is explicit: no interpretation may "authorize any use in a zoning district ... unless ... substantially similar to an

7. allowed use," none may allow a use "inconsistent with the statement of purpose" of the district, and none may "have the effect of amending, abrogating, or waiving any other standard or requirement established by Code." Reclassifying a gas station into C-1

8. would abrogate the Code's express exclusion of gas stations from C-1 — exactly what § 5.3.6(E) forbids. And the "similar use" mechanism exists for uses the Code has not listed; a gas station is listed, and it is excluded from C-1. The appeal's trip-generation

9. comparisons do not change this: similar traffic does not override an express exclusion.

10.

4.

5.

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

7. Deciding the permitted use of a specific parcel by applying the Code's definitions to specific facts is a discretionary, quasi-judicial judgment — the Code's own § 5.3.6(B) describes it as an "analysis and comparison of various code provisions ... as opposed

8. to a nondiscretionary review." The County itself stated in February 2026 that "a public hearing is required to determine the use classification" for a project like this. The contested questions this appeal raises — whether a multi-state destination "serves

9. the neighborhood," the traffic and water impacts of a facility of this scale — cannot fairly be resolved on the applicant's paper record. They should be decided by you, in public, on an evidentiary record, with the community heard. If the Board is inclined

10. to entertain reversing the Director, a use classification of this magnitude cannot fairly be decided on the applicant's paper submissions alone; it requires a noticed public evidentiary hearing at which the community can be heard. And because the Code distinguishes
11. C-1 ("commercial activities," § 4.4.1) from C-2 ("large commercial activities," § 4.4.4) — and allows gas stations in C-2 but not C-1 — the proper path for a regional interstate fuel-and-retail center is a rezoning to C-2, or a special-use / PUD review, each
12. with full notice and hearing.
- 13.

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

I respectfully request that the Board:

- 1.
- 2.
3. Deny Buc-ee's appeal and uphold the Director's July 1 determination;
- 4.
- 5.
- 6.
7. Recognize that a 120-position fuel facility
8. **is**
9. a gas station, which the Code excludes from C-1;
- 10.
- 11.
- 12.
13. Decide the appeal in public, on a full evidentiary record, with the community heard; and
- 14.
- 15.
- 16.
17. Require the applicant to use the proper public process — a rezoning to C-2 or a special-use / PUD review — with full notice and a
18. hearing.
- 19.



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

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

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## Jessica Merriam

---

**From:** Kylie Bagley  
**Sent:** Friday, July 10, 2026 8:51 AM  
**To:** Jessica Merriam  
**Subject:** Fw: Buc-ee's is NOT a Convenience Store – Please Deny Buc-ee's Appeal of Administrative Determination ADM264



### Kylie Bagley

Principal Planner

Planning and Community Development

719.520.6323

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---

**From:** Brian Gray <solwind4@hotmail.com>

**Sent:** Friday, July 10, 2026 8:08 AM

**To:** Holly Williams <HollyWilliams@elpasoco.com>; Carrie Geitner <CarrieGeitner@elpasoco.com>; Bill Wysong <BillWysong@elpasoco.com>; Cory Applegate <CoryApplegate@elpasoco.com>; Lauren Nelson <LaurenNelson@elpasoco.com>

**Cc:** Meggan Herington <MegganHerington@elpasoco.com>; Kenny Hodges <KennyHodges@elpasoco.com>; Kylie Bagley <KylieBagley@elpasoco.com>; governorpolis@state.co.us <governorpolis@state.co.us>; natasha\_hutson@bennet.senate.gov <natasha\_hutson@bennet.senate.gov>; jess\_cohen@hickenlooper.senate.gov <jess\_cohen@hickenlooper.senate.gov>; jarvis.caldwell.house@coleg.gov <jarvis.caldwell.house@coleg.gov>; matthew.smith1@mail.house.gov <matthew.smith1@mail.house.gov>; integritymatterscos@gmail.com <integritymatterscos@gmail.com>; contact@trilakespreservation.org <contact@trilakespreservation.org>; 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>; ASack@kxrm.com <ASack@kxrm.com>; EXTERNAL Fox News <EXTERNALFoxNews@elpasoco.com>; EXTERNAL KKTU News <news@kktv.com>; achalfin@krcc.org <achalfin@krcc.org>; EXTERNAL KRCC News <news@krcc.org>; newstips@denver7.com <newstips@denver7.com>; newstips@9news.com <newstips@9news.com>; tips@kdvr.com <tips@kdvr.com>; jalvarado@denverpost.com <jalvarado@denverpost.com>; EXTERNAL Newsroom Denver <newsroom@denverpost.com>; oliviaprentzel@coloradosun.com <oliviaprentzel@coloradosun.com>; newsroom@coloradosun.com <newsroom@coloradosun.com>; Karin.Brulliard@washpost.com <Karin.Brulliard@washpost.com>; jim.carlton@wsj.com <jim.carlton@wsj.com>; news-tips@nytimes.com <news-tips@nytimes.com>; tips@cnn.com <tips@cnn.com>; tips@nbcuni.com <tips@nbcuni.com>; news.tips@abc.com <news.tips@abc.com>; LBergman@newsnationnow.com <LBergman@newsnationnow.com>; tips@thefp.com <tips@thefp.com>; talkshow@aol.com <talkshow@aol.com>; Deborah Gray <debbiegray@outlook.com>

**Subject:** Re: Buc-ee's is NOT a Convenience Store – Please Deny Buc-ee's Appeal of Administrative Determination ADM264

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

Dear Commissioners:

I'm writing this letter as a resident of the Woodmoor neighborhood which lies approximately 1 mile east of the proposed Buc-ee's location at I-25 and County Line Road. I believe that the crux of the problem with Buc-ee's application is the fact that they are trying to classify this project as a convenience store.

The National Association of Convenience Stores (NACS) defines a convenience store as "a retail business that provides the public with a convenient location to **quickly purchase** a wide variety of consumable products and services, generally food and gasoline". (see [Issue #1 below](#)) While not fixed requirements, convenience stores have the following general characteristics:

While building size may vary significantly, **typically the size will be less than 5,000 square feet.** (see [Issue #2 below](#))

Off-street parking and/or **convenient pedestrian access.** (see [Issue #3 below](#))

Extended hours of operation, with many open 24 hours, seven days a week.

Offer at least 500 stock keeping units (SKUs).

Product mix includes grocery type items and also includes items from the following groups: beverages, snacks (including confectionery) and tobacco.

Their largest stores are designated as Hyper Convenience Stores. Per the NACS, "These large stores are 4,000 to 5,000 square feet and offer a variety of products and services by department. For example, stores may offer a bakery, a sit-down restaurant area or a pharmacy. Most of these locations sell gasoline. The number of employees per shift can be large, particularly if there is a small restaurant. The number of parking spaces is substantial and the amount of time the average customer spends in the store can be significant. Hours are extended. Families and senior citizens as well as traditional convenience store customers are patrons. **In some locations, stores are mini-truck stops.**"

The proposed Buc-ee's store does not cater to local neighborhoods, is too big to be considered a convenience store, and does not provide convenient pedestrian access. These are the three issues with Buc-ee's trying to classify themselves as a convenience store.

**Issue #1:** The first issue I see is that this proposed Buc-ee's location will not provide the **surrounding neighborhoods** with a convenient location to **quickly purchase** a wide variety of consumable products and services, generally food and gasoline. Buc-ee's themselves have described their stores as "a destination," comparing it to Disney World (Arizona Daily Star, June 22, 2026). They aren't set up to be convenient for local neighborhoods; they are designed to pull in traffic from hundreds of miles away. I have seen a similar billboard to the one below while traveling north on I-25 between Pueblo and Colorado Springs, encouraging people to keep driving until they get to the Buc-ee's in Johnstown, CO.



**88% of their customers travel more than 20 miles to reach the store (City of Springfield official website; Springfield Daily Citizen).** They do not cater to nearby residents, nor are they designed for nearby residents.

**Issue #2:** The second issue I see with defining Buc-ee's as a convenience store is the sheer size of the building, which is designed to be approximately 74,000 square feet, or almost **15 times larger than what the NACS defines as a Hyper Convenience Store**. This size of store is equivalent to King Soopers grocery stores, which typically range from 65,000 to 75,000 square feet. Land-use law has long held that at some point a difference in size becomes a difference in kind.

**Issue #3:** The third issue for me with defining Buc-ee's as a convenience store is that there won't be convenient pedestrian access for residents of the surrounding neighborhoods. There are almost no sidewalks in the area and there are currently no sidewalks or bike lanes that lead to the proposed location. To get there from the east or west requires travel along County Line Rd, and there are no bike lanes, sidewalks, or shoulders which makes riding your bike or walking along the road extremely dangerous. The only way to get there from the north would be along I-25 where no biking or walking is allowed. Access from the south would have to be on I-25 or Beacon Lite Rd, which is in the process of being redesigned. At best this would be the only street where one could eventually walk or bike to Buc-ee's.

Please use common sense when making your determination. In its own words, Buc-ee's describes its stores as "travel centers" and emphasizes their size, amenities, and 24/7 operation, rather than using the narrow definition of a convenience store. For example, the company's official site and corporate materials refer to them as "travel centers" and highlight features like oversized retail floors, extensive food and merchandise offerings, and branded merchandise. They are only trying to classify themselves now as a convenience store so they can avoid a public hearing, which they are desperate to avoid. I even saw on Facebook that they are offering free Buc-ee's t-shirts to everyone who shows up in support of their cause, and they will still be greatly outnumbered. The citizens of Palmer Lake have already voted down this project, and they deserve to be heard along with the rest of the us that live in the community. Please deny this appeal so our voices can be heard!

Respectfully,

Brian Gray  
20585 Silver Horn Ln  
Monument, CO 80132  
Woodmoor neighborhood  
El Paso County



## Jessica Merriam

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**From:** Kylie Bagley  
**Sent:** Wednesday, July 8, 2026 1:14 PM  
**To:** Jessica Merriam  
**Subject:** Fw: Buc-ee's Appeal of Administrative Determination ADM264 — Please DENY the Appeal and Uphold the Director's July 1 Determination (C-1 Zone, I-25 & County Line Road / Beacon Lite Road)



### Kylie Bagley

Principal Planner  
Planning and Community Development  
719.520.6323  
[www.elpasoco.com](http://www.elpasoco.com)

---

**From:** Carol Hellinger <chellinger40@gmail.com>  
**Sent:** Wednesday, July 8, 2026 11:32 AM  
**To:** Holly Williams <HollyWilliams@elpasoco.com>; Carrie Geitner <CarrieGeitner@elpasoco.com>; Bill Wysong <BillWysong@elpasoco.com>; Cory Applegate <CoryApplegate@elpasoco.com>; Lauren Nelson <LaurenNelson@elpasoco.com>  
**Cc:** Meggan Herington <MegganHerington@elpasoco.com>; Kenny Hodges <KennyHodges@elpasoco.com>; Kylie Bagley <KylieBagley@elpasoco.com>; mlakind@tomgov.org <mlakind@tomgov.org>; sking@tomgov.org <sking@tomgov.org>; sabbott@tomgov.org <sabbott@tomgov.org>; csmith@tomgov.org <csmith@tomgov.org>; lkronick@tomgov.org <lkronick@tomgov.org>; kkimple@tomgov.org <kkimple@tomgov.org>; mfiorito@tomgov.org <mfiorito@tomgov.org>; governorpolis@state.co.us <governorpolis@state.co.us>; natasha\_hutson@bennet.senate.gov <natasha\_hutson@bennet.senate.gov>; jess\_cohen@hickenlooper.senate.gov <jess\_cohen@hickenlooper.senate.gov>; jarvis.caldwell.house@coleg.gov <jarvis.caldwell.house@coleg.gov>; matthew.smith1@mail.house.gov <matthew.smith1@mail.house.gov>; integritymatterscos@gmail.com <integritymatterscos@gmail.com>; contact@trilakespreservation.org <contact@trilakespreservation.org>  
**Subject:** Re: Buc-ee's Appeal of Administrative Determination ADM264 — Please DENY the Appeal and Uphold the Director's July 1 Determination (C-1 Zone, I-25 & County Line Road / Beacon Lite Road)

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

Dear Commissioners:

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

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

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

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

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

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

2.

3.

4. **The use does not meet the Code's "Convenience Store" definition.**

5. That definition (§ 1.15) requires an establishment serving "the neighborhood in which it is located," and the Code defines a neighborhood as "primarily residential areas." The appeal represents that the store will serve the surrounding neighborhood. It will

6. not. This project is a regional tourist destination, not a neighborhood store — and the company says so itself:

7.

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

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

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

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

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

6. Buc-ee's argues in the alternative that its project is a "similar" permitted use under § 5.3.6.C.1. It is not available here. Section 5.3.6(E) is explicit: no interpretation may "authorize any use in a zoning district ... unless ... substantially similar to an

7. allowed use," none may allow a use "inconsistent with the statement of purpose" of the district, and none may "have the effect of amending, abrogating, or waiving any other standard or requirement established by Code." Reclassifying a gas station into C-1
8. would abrogate the Code's express exclusion of gas stations from C-1 — exactly what § 5.3.6(E) forbids. And the "similar use" mechanism exists for uses the Code has not listed; a gas station is listed, and it is excluded from C-1. The appeal's trip-generation
9. comparisons do not change this: similar traffic does not override an express exclusion.
- 10.

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

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

I respectfully request that the Board:

- 1.
- 2.



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

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

Respectfully  
Carol Hellinger  
19410 Rim of the World Drive  
Monument, CO 80132

**Jessica Merriam**

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**From:** epc-tlp@use.startmail.com  
**Sent:** Monday, July 13, 2026 12:50 PM  
**To:** Holly Williams; Carrie Geitner; Bill Wysong; Cory Applegate; Lauren Nelson  
**Cc:** PCD Hearings; PLNWEB; CARCTB; Meggan Herington; Kenny Hodges; Kylie Bagley; governopolis@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; 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; editor@monumentindependent.com; editor@monumentindependent.com; TPI Secretary; katlaw065@gmail.com; Sean Saw; Jason.Ullmann@state.co.us; Tracy.kosloff@state.co.us; Beth Harris; ajurka@palmer-lake.org; rmoseley@palmer-lake.org; jmarble@palmer-lake.org; mbeeson@palmer-lake.org; tbeltran@palmer-lake.org  
**Subject:** Fwd: Buc-ee's Monument Hill Appeal APP261 – Uphold the Planning Director's Decision

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Dear Commissioner Wysong and Fellow Commissioners,

I fully agree with the following letter from Diana O'Toole. I, along with thousands of Northern El Paso County residents, will be adversely affected in multiple irreparable ways. You've likely heard them all. There is not even a question of whether this out-of-state, highly leveraged corporation cares about our community or our laws. That's obvious in the sneaky, subversive ways they have been trying to push through approval of what they know is a destructive project, for their profit alone. The citizens caught them and let them know they're not wanted here. Now it's up to you to convey your neighbors' and constituents adamant opposition to Bucee's directly to the company. We are counting on you to protect the integrity of our communities, our land use codes and our property rights.

Respectfully,

Casey Gilbert

Dear Commissioner Wysong and Fellow Commissioners:

I am writing to urge you to uphold Planning Director Meggan Herington's decision denying Buc-ee's the designation of a "convenience store." Ms. Herington and her staff conducted extensive research, finding that none of the 26 convenience stores studied in unincorporated El Paso County exceed 4,800 square feet. As she noted, their size is drastically smaller than the applicant's proposed 74,000-square-foot facility.

The applicant is attempting to use the definition of a "convenience store" in Section 1.15 of the El Paso County Land Development Code as a Trojan horse to bypass the fact that high-intensity fuel centers are prohibited in the C-1 zone. It defies common sense to classify a 74,000-square-foot regional travel center with 120 fuel pumps as a "neighborhood convenience store" simply because it happens to sell gasoline as an accessory use. As the Planning Director's July 2026 determination rightly pointed out, the scale and impacts of this project are entirely incompatible with the historical intent of the C-1 zoning district, which has no record of ever hosting a development of this size and nature.

Furthermore, while Buc-ee's touts a Guinness World Record for "convenience stores" based on its size, that designation is immaterial to our region's local guidelines. The El Paso County Master Plan explicitly classifies the Monument Hill locale as "Suburban Residential," stating that commercial uses must be "small-scale, standalone businesses that serve a neighborhood population."

This discussion is fundamentally about property rights, which must include the rights of the surrounding homeowners. Tri-Lakes area homeowners purchased property in a designated "Suburban Residential" area with the expectation that the Board would abide by the Master Plan. During a Boerne, Texas Planning and Zoning Commission meeting for a proposed Buc-ee's, residents presented research on large-scale fuel centers. The data revealed that home values closer to these sites stagnate or decline by 5% to 10% compared to homes farther away. Residents noted that factors like 24/7 lighting, heavy traffic, noise, and the perception of an increased risk of crime easily outweigh any benefits.

<https://www.boernestar.com/article/11506,traffic-crime-lighting-property-values-residents-sound-off-on-buc-ee-s>). Classifying a 74,000-

square-foot facility with 120 fuel pumps as “small-scale” is fundamentally unfair to the homeowners in this region.

Private property owners in the Tri-Lakes area have rights that deserve equal consideration. For these reasons, I request that you deny the applicant’s appeal and uphold Ms. Herington’s decision.

Respectfully,

Diana O'Toole  
Monument, Colorado

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“Fight for the things that you care about, but do it in a way that will lead others to join you.” Ruth Bader Ginsburg



## Jessica Merriam

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**From:** Mindy Schulz  
**Sent:** Wednesday, July 8, 2026 9:38 AM  
**To:** Jessica Merriam  
**Subject:** FW: Buc-ee



Mindy Schulz  
Deputy Executive Director  
Planning & Community Development  
719.520.6304  
<https://planningdevelopment.elpasoco.com/>

---

**From:** cvercell4 <cvercell4@comcast.net>  
**Sent:** Wednesday, July 8, 2026 9:30 AM  
**To:** Mindy Schulz <MindySchulz@elpasoco.com>  
**Subject:** Buc-ee

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Mark Safe

Report

El Paso County Digital, Strategy & Technology (DST)

Dear Ms. Schultz,

I feel the need to comment on your deliberations regarding the classification of mega store Buc-ees as a convenience store . You and I and the majority of your constituents know the difference . Show some courage and deny this request and put this sorry request behind the city where it belongs .

**Christine Vercellino**

Sent from my Galaxy

## Jessica Merriam

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



### Kylie Bagley

Principal Planner  
Planning and Community Development  
719.520.6323  
[www.elpasoco.com](http://www.elpasoco.com)

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**From:** Ron & Danelle Meyerle <rdmeyerle@gmail.com>  
**Sent:** Thursday, July 9, 2026 8:33 AM  
**To:** Holly Williams <HollyWilliams@elpasoco.com>; Carrie Geitner <CarrieGeitner@elpasoco.com>; Bill Wysong <BillWysong@elpasoco.com>; Cory Applegate <CoryApplegate@elpasoco.com>; Lauren Nelson <LaurenNelson@elpasoco.com>  
**Cc:** Meggan Herington <MegganHerington@elpasoco.com>; Kenny Hodges <KennyHodges@elpasoco.com>; Kylie Bagley <KylieBagley@elpasoco.com>; mlakind@tomgov.org <mlakind@tomgov.org>; sking@tomgov.org <sking@tomgov.org>; sabbott@tomgov.org <sabbott@tomgov.org>; csmith@tomgov.org <csmith@tomgov.org>; lkronick@tomgov.org <lkronick@tomgov.org>; kkimple@tomgov.org <kkimple@tomgov.org>; mfiorito@tomgov.org <mfiorito@tomgov.org>; governorpolis@state.co.us <governorpolis@state.co.us>; natasha\_hutson@bennet.senate.gov <natasha\_hutson@bennet.senate.gov>; jess\_cohen@hickenlooper.senate.gov <jess\_cohen@hickenlooper.senate.gov>; jarvis.caldwell.house@coleg.gov <jarvis.caldwell.house@coleg.gov>; matthew.smith1@mail.house.gov <matthew.smith1@mail.house.gov>; Integrity Matters <integritymatterscos@gmail.com>; contact@trilakespreservation.org <contact@trilakespreservation.org>  
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3. **A gas station is not a permitted use in C-1.**
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- [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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- of motor vehicles" — a "primary orientation" requirement that appears nowhere in § 1.15.
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*The Arizona Republic* reported that hotels nearest that store sold out for opening weekend, and the *Arizona Daily Star* documented customers driving in from Oregon, Minnesota, and other states, with Nevada and California plates filling the lot.

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9. comparisons do not change this: similar traffic does not override an express exclusion.
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6. **This decision belongs on a full public record — and the right path is a rezoning, not a reclassification.**
7. Deciding the permitted use of a specific parcel by applying the Code's definitions to specific facts is a discretionary, quasi-judicial judgment — the Code's own § 5.3.6(B) describes it as an "analysis and comparison of various code provisions ... as opposed
8. to a nondiscretionary review." The County itself stated in February 2026 that "a public hearing is required to determine the use classification" for a project like this. The contested questions this appeal raises — whether a multi-state destination "serves
9. the neighborhood," the traffic and water impacts of a facility of this scale — cannot fairly be resolved on the applicant's paper record. They should be decided by you, in public, on an evidentiary record, with the community heard. If the Board is inclined
10. to entertain reversing the Director, a use classification of this magnitude cannot fairly be decided on the applicant's paper submissions alone; it requires a noticed public evidentiary hearing at which the community can be heard. And because the Code distinguishes
11. C-1 ("commercial activities," § 4.4.1) from C-2 ("large commercial activities," § 4.4.4) — and allows gas stations in C-2 but not C-1 — the proper path for a regional interstate fuel-and-retail center is a rezoning to C-2, or a special-use / PUD review, each
12. with full notice and hearing.
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7. **The application is also unreliable on its face.**
8. Beyond the violations above, the record repeatedly misstates the Code and the facts — including a "full list of allowed C-1 uses" that omits Convenience Store, the very use it claims is permitted; fuel-footprint percentages calculated on shifting denominators;
9. and a landscaping requirement misstated as 5% when the Code requires more. A record this flawed is one more reason the determination should be upheld and the matter tested on a full public record rather than reversed on appeal.
- 10.

I respectfully request that the Board:

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

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

Respectfully  
Ron and Danelle Meyerle  
2605 Bricker Rd  
Monument, DO 80132

## Jessica Merriam

---

**From:** Kylie Bagley  
**Sent:** Thursday, July 9, 2026 8:43 AM  
**To:** Jessica Merriam  
**Subject:** Fw: The National Association of Convenience Stores (NACS) says Buc-ee's is TOO LARGE to be a "Convenience Store"



### Kylie Bagley

Principal Planner

Planning and Community Development

719.520.6323

[www.elpasoco.com](http://www.elpasoco.com)

---

**From:** Daren Fike <darenfike@gmail.com>  
**Sent:** Wednesday, July 8, 2026 7:37 PM  
**To:** Holly Williams <HollyWilliams@elpasoco.com>; Carrie Geitner <CarrieGeitner@elpasoco.com>; Bill Wysong <BillWysong@elpasoco.com>; Cory Applegate <CoryApplegate@elpasoco.com>; Lauren Nelson <LaurenNelson@elpasoco.com>  
**Cc:** Meggan Herington <MegganHerington@elpasoco.com>; Kenny Hodges <KennyHodges@elpasoco.com>; Kylie Bagley <KylieBagley@elpasoco.com>; mlakind@tomgov.org <mlakind@tomgov.org>; sking@tomgov.org <sking@tomgov.org>; sabbott@tomgov.org <sabbott@tomgov.org>; csmith@tomgov.org <csmith@tomgov.org>; lkronick@tomgov.org <lkronick@tomgov.org>; kkimple@tomgov.org <kkimple@tomgov.org>; mfiorito@tomgov.org <mfiorito@tomgov.org>; governorpolis@state.co.us <governorpolis@state.co.us>; natasha\_hutson@bennet.senate.gov <natasha\_hutson@bennet.senate.gov>; jess\_cohen@hickenlooper.senate.gov <jess\_cohen@hickenlooper.senate.gov>; jarvis.caldwell.house@coleg.gov <jarvis.caldwell.house@coleg.gov>; matthew.smith1@mail.house.gov <matthew.smith1@mail.house.gov>; Integrity Matters <integritymatterscos@gmail.com>; contact@trilakespreservation.org <contact@trilakespreservation.org>; savannah.eller@gazette.com <savannah.eller@gazette.com>; Tony <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@7news.com <news@7news.com>; newstips@denver7.com <newstips@denver7.com>; spencer.soicher@9news.com <spencer.soicher@9news.com>; newstips@9news.com <newstips@9news.com>; tips@kdvr.com <tips@kdvr.com>; EXTERNAL News TipsDenver <newstips@thedenverchannel.com>; jalvarado@denverpost.com <jalvarado@denverpost.com>; EXTERNAL Newsroom Denver <newsroom@denverpost.com>; oliviaprentzel@coloradosun.com <oliviaprentzel@coloradosun.com>; newsroom@coloradosun.com <newsroom@coloradosun.com>; Karin.Brulliard@washpost.com <Karin.Brulliard@washpost.com>; jim.carlton@wsj.com <jim.carlton@wsj.com>; news-tips@nytimes.com <news-tips@nytimes.com>; tips@cnn.com <tips@cnn.com>; tips@nbcuni.com <tips@nbcuni.com>; news.tips@abc.com <news.tips@abc.com>; LBergman@newsnationnow.com <LBergman@newsnationnow.com>; tips@thefp.com <tips@thefp.com>; talkshow@aol.com <talkshow@aol.com>; eharris@palmer-lake.org <eharris@palmer-lake.org>; rmoseley@palmer-lake.org <rmoseley@palmer-lake.org>; jmarble@palmer-lake.org <jmarble@palmer-lake.org>; Michael Beeson <mbeeson@palmer-lake.org>; ajurka@palmer-lake.org <ajurka@palmer-lake.org>; TPI Secretary

**Subject:** The National Association of Convenience Stores (NACS) says Buc-ee's is TOO LARGE to be a "Convenience Store"

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

El Paso Board of County Commissioners,

As you consider the Appeal by Buc-ee's to be classified as a "Convenience Store", I believe you should be interested in what the "National Association of Convenience Stores" [NASC](#) says when defining "What is a Convenience Store?"

- While building size may vary significantly, typically the size will be **less than 5,000 square feet.**
- The NACS research report, "Convenience Store Industry Marketing Strategies and Store Formats," identifies six possible convenience store formats:
  - Kiosk [less than 800 sq feet]
  - Mini Convenience Store [800 to 1,200 sq feet]
  - Limited Selection Convenience Store [1,500 to 2,200 sq feet]
  - Traditional Convenience Store [about 2,500 sq feet]
  - Expanded Convenience Store [2,800 to 3,600 sq ft]
  - **Hyper Convenience Store [4,000 to 5,000 sq ft]**
- As you can see, the proposed 74,000 sq foot **Buc-ee's is 14.8 TIMES LARGER** than the largest possible convenience store format!!!!
- NACS also says "Decades ago, convenience stores looked about the same—2,400 square feet of packaged consumer items." That means that back when the now obsolete "C-1" zoning was ORIGINALLY ASSIGNED to the property, the meaning of "Convenience store" was meant for a building approximately 2,400 sq feet in size, not a ridiculous 74,000 sq feet!!!!
- Allowing a Buc-ee's Travel Center to be classified as a "Convenience Store" would be a complete slap in the face of every property owner who bought their homes in the vicinity of this land. We all knew that this property was zoned commercial, but it is absolutely unacceptable to allow the **abuse** of the term "Convenience Store" in this way.



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,

Daren M. Fike  
1222 Greenland Forest Drive  
Monument CO 80132

## Jessica Merriam

---

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



### Kylie Bagley

Principal Planner  
Planning and Community Development  
719.520.6323  
[www.elpasoco.com](http://www.elpasoco.com)

---

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

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### This message needs your attention

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- This is their first mail to some recipients.

Dear Commissioners:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

I respectfully request that the Board:

1. Deny Buc-ee's appeal and uphold the Director's July 1 determination;
2. Recognize that a 120-position fuel facility **is** a gas station, which the Code excludes from C-1;
3. Decide the appeal in public, on a full evidentiary record, with the community heard; and
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  
Daren M Fike  
1222 Greenland Forest Drive  
Monument, CO 80132



## Jessica Merriam

---

**From:** Kylie Bagley  
**Sent:** Thursday, July 9, 2026 8:28 AM  
**To:** Jessica Merriam  
**Subject:** Fw: Please Oppose Buc-ee's classification as a "Convenience Store"



### Kylie Bagley

Principal Planner  
Planning and Community Development  
719.520.6323  
[www.elpasoco.com](http://www.elpasoco.com)

---

**From:** Dave Collins <davecollins@cc-logic.com>  
**Sent:** Wednesday, July 8, 2026 2:38 PM  
**To:** Holly Williams <HollyWilliams@elpasoco.com>; Carrie Geitner <CarrieGeitner@elpasoco.com>; Bill Wysong <BillWysong@elpasoco.com>; Cory Applegate <CoryApplegate@elpasoco.com>; Lauren Nelson <LaurenNelson@elpasoco.com>  
**Cc:** Meggan Herington <MegganHerington@elpasoco.com>; Kenny Hodges <KennyHodges@elpasoco.com>; Kylie Bagley <KylieBagley@elpasoco.com>; mlakind@tomgov.org <mlakind@tomgov.org>; sking@tomgov.org <sking@tomgov.org>; sabbott@tomgov.org <sabbott@tomgov.org>; csmith@tomgov.org <csmith@tomgov.org>; lkronick@tomgov.org <lkronick@tomgov.org>; kkimple@tomgov.org <kkimple@tomgov.org>; mfiorito@tomgov.org <mfiorito@tomgov.org>; governorpolis@state.co.us <governorpolis@state.co.us>; natasha\_hutson@bennet.senate.gov <natasha\_hutson@bennet.senate.gov>; jess\_cohen@hickenlooper.senate.gov <jess\_cohen@hickenlooper.senate.gov>; jarvis.caldwell.house@coleg.gov <jarvis.caldwell.house@coleg.gov>; matthew.smith1@mail.house.gov <matthew.smith1@mail.house.gov>; integritymatterscos@gmail.com <integritymatterscos@gmail.com>; contact@trilakespreservation.org <contact@trilakespreservation.org>  
**Subject:** Please Oppose Buc-ee's classification as a "Convenience Store"

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Dear Commissioners:

I have personally visited the Buc-ees in Loveland, CO. Buc-ees is a Goliath with hundreds of gas pumps and in no way resembles a "convenience store".

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. Furthermore, it does NOT serve our neighborhood and certainly does a disservice to our already established businesses. Allowing Bucee's at this location only serves Mr. Aplin's Texas-sized ego and bank account. Please deny the appeal.

Sincerely,  
Dave Collins  
17696 Lake Side Dr.  
Monument, CO 80132

## Jessica Merriam

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**From:** Diana O'Toole <otooledw@gmail.com>  
**Sent:** Sunday, July 12, 2026 9:47 PM  
**To:** Holly Williams; Carrie Geitner; Bill Wysong; Cory Applegate; Lauren Nelson  
**Cc:** PCD Hearings; PLNWEB; CARCTB; Meggan Herington; Kenny Hodges; Kylie Bagley; governopolis@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 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:** Buc-ee's Monument Hill Appeal APP261 – Uphold the Planning Director's Decision

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- This is their first mail to some recipients.

Mark Safe

Report

El Paso County Digital, Strategy & Technology (DST)

Dear Commissioner Wysong and Fellow Commissioners,

I am writing to urge you to uphold Planning Director Meggan Herington's decision denying Buc-ee's the designation of a "convenience store." Ms. Herington and her staff conducted extensive research, finding that none of the 26 convenience stores studied in unincorporated El Paso County exceed 4,800 square feet. As she noted, their size is drastically smaller than the applicant's proposed 74,000-square-foot facility.

The applicant is attempting to use the definition of a "convenience store" in Section 1.15 of the El Paso County Land Development Code as a Trojan horse to bypass the fact that high-intensity fuel centers are prohibited in the C-1 zone. It defies common sense to classify a 74,000-square-foot regional travel

center with 120 fuel pumps as a “neighborhood convenience store” simply because it happens to sell gasoline as an accessory use. As the Planning Director's July 2026 determination rightly pointed out, the scale and impacts of this project are entirely incompatible with the historical intent of the C-1 zoning district, which has no record of ever hosting a development of this size and nature.

Furthermore, while Buc-ee's touts a Guinness World Record for “convenience stores” based on its size, that designation is immaterial to our region's local guidelines. The El Paso County Master Plan explicitly classifies the Monument Hill locale as “Suburban Residential,” stating that commercial uses must be “small-scale, standalone businesses that serve a neighborhood population.”

This discussion is fundamentally about property rights, which must include the rights of the surrounding homeowners. Tri-Lakes area homeowners purchased property in a designated “Suburban Residential” area with the expectation that the Board would abide by the Master Plan. During a Boerne, Texas Planning and Zoning Commission meeting for a proposed Buc-ee's, residents presented research on large-scale fuel centers. The data revealed that home values closer to these sites stagnate or decline by 5% to 10% compared to homes farther away. Residents noted that factors like 24/7 lighting, heavy traffic, noise, and the perception of an increased risk of crime easily outweigh any benefits.

(<https://www.boernestar.com/article/11506,traffic-crime-lighting-property-values-residents-sound-off-on-buc-ee-s>). Classifying a 74,000-square-foot facility with 120 fuel pumps as “small-scale” is fundamentally unfair to the homeowners in this region.

Private property owners in the Tri-Lakes area have rights that deserve equal consideration. For these reasons, I request that you deny the applicant's appeal and uphold Ms. Herington's decision.

Respectfully,

Diana O'Toole  
Monument, Colorado

--

“Fight for the things that you care about, but do it in a way that will lead others to join you.” Ruth Bader Ginsburg



## Jessica Merriam

---

**From:** Kylie Bagley  
**Sent:** Friday, July 10, 2026 8:50 AM  
**To:** Jessica Merriam  
**Subject:** Fw: Buc-ee's Appeal of Administrative Determination ADM264 — Please DENY the Appeal and Uphold the Director's July 1 Determination (C-1 Zone, I-25 & County Line Road / Beacon Lite Road)



### Kylie Bagley

Principal Planner  
Planning and Community Development  
719.520.6323  
[www.elpasoco.com](http://www.elpasoco.com)

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**From:** Ed Hettler <edhettler@gmail.com>  
**Sent:** Thursday, July 9, 2026 7:36 PM  
**To:** Carrie Geitner <CarrieGeitner@elpasoco.com>; Bill Wysong <BillWysong@elpasoco.com>; Cory Applegate <CoryApplegate@elpasoco.com>; Lauren Nelson <LaurenNelson@elpasoco.com>; Kenny Hodges <KennyHodges@elpasoco.com>; Kylie Bagley <KylieBagley@elpasoco.com>; governorpolis@state.co.us <governorpolis@state.co.us>; natasha\_hutson@bennet.senate.gov <natasha\_hutson@bennet.senate.gov>; jess\_cohen@hickenlooper.senate.gov <jess\_cohen@hickenlooper.senate.gov>; jarvis.caldwell.house@coleg.gov <jarvis.caldwell.house@coleg.gov>; matthew.smith1@mail.house.gov <matthew.smith1@mail.house.gov>; integritymatterscos@gmail.com <integritymatterscos@gmail.com>; contact@trilakespreservation.org <contact@trilakespreservation.org>; savannah.eller@gazette.com <savannah.eller@gazette.com>; Tony.Keith@koaa.com <Tony.Keith@koaa.com>; Noah.Caplan@koaa.com <Noah.Caplan@koaa.com>; EXTERNAL KOAA News <News@KOAA.com>; ASack@kxrm.com <ASack@kxrm.com>; EXTERNAL Fox News <EXTERNALFoxNews@elpasoco.com>; EXTERNAL KKTU News <news@kktv.com>; achalfin@krcc.org <achalfin@krcc.org>; EXTERNAL KRCC News <news@krcc.org>; newstips@denver7.com <newstips@denver7.com>; newstips@9news.com <newstips@9news.com>; tips@kdvr.com <tips@kdvr.com>; jalvarado@denverpost.com <jalvarado@denverpost.com>; EXTERNAL Newsroom Denver <newsroom@denverpost.com>; oliviaprentzel@coloradosun.com <oliviaprentzel@coloradosun.com>; newsroom@coloradosun.com <newsroom@coloradosun.com>; Karin.Brulliard@washpost.com <Karin.Brulliard@washpost.com>; jim.carlton@wsj.com <jim.carlton@wsj.com>; news-tips@nytimes.com <news-tips@nytimes.com>; tips@cnn.com <tips@cnn.com>; tips@nbcuni.com <tips@nbcuni.com>; news.tips@abc.com <news.tips@abc.com>; LBergman@newsnationnow.com <LBergman@newsnationnow.com>; tips@thefp.com <tips@thefp.com>; talkshow@aol.com <talkshow@aol.com>  
**Subject:** Buc-ee's Appeal of Administrative Determination ADM264 — Please DENY the Appeal and Uphold the Director's July 1 Determination (C-1 Zone, I-25 & County Line Road / Beacon Lite Road)

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**This message needs your attention**

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

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

Dear Commissioners:

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

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

The impacts to Bucee's on the County Line location are well documented (CDOT traffic impacts, water usage in an already water limited area, fire, and police protection issues, property values in adjacent areas being lowered thus creating less tax revenue, location by Palmer Ridge high school impacting high school drivers). Also the fact that a corporation with an F Better Business Bureau (BBB) rating is not what we should want in El Paso County. To quote the BBB "Many Buc-ee's locations hold an "F" rating from the Better Business Bureau (BBB). Out of the roughly 38 locations listed on the BBB platform, 33 received this failing grade."

In my mind Bucee's as a convenience store is like comparing a Mom and Pop grocery store to a Costco. Below are details as to why the idea of Bucee's being a convenience store vs. travel center is absurd.

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

Ed Hettler  
1537 Acorn Way  
Monument CO 80132

719-641-3349  
[edhettler@gmail.com](mailto:edhettler@gmail.com)



## Jessica Merriam

---

**From:** Kylie Bagley  
**Sent:** Friday, July 10, 2026 2:17 PM  
**To:** Jessica Merriam  
**Subject:** Fw: Buc-ee's Appeal of Administrative Determination ADM264 — Please DENY the Appeal and Uphold the Director's July 1 Determination (C-1 Zone, I-25 & County Line Road / Beacon Lite Road)



### Kylie Bagley

Principal Planner  
Planning and Community Development  
719.520.6323  
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---

**From:** Emily Stoneham <emily.stoneham@outlook.com>  
**Sent:** Friday, July 10, 2026 1:56 PM  
**To:** Holly Williams <HollyWilliams@elpasoco.com>; Carrie Geitner <CarrieGeitner@elpasoco.com>; Bill Wysong <BillWysong@elpasoco.com>; Cory Applegate <CoryApplegate@elpasoco.com>; Lauren Nelson <LaurenNelson@elpasoco.com>  
**Cc:** Meggan Herington <MegganHerington@elpasoco.com>; Kenny Hodges <KennyHodges@elpasoco.com>; Kylie Bagley <KylieBagley@elpasoco.com>; governorpolis@state.co.us <governorpolis@state.co.us>; natasha\_hutson@bennet.senate.gov <natasha\_hutson@bennet.senate.gov>; jess\_cohen@hickenlooper.senate.gov <jess\_cohen@hickenlooper.senate.gov>; jarvis.caldwell.house@coleg.gov <jarvis.caldwell.house@coleg.gov>; matthew.smith1@mail.house.gov <matthew.smith1@mail.house.gov>; integritymatterscos@gmail.com <integritymatterscos@gmail.com>; contact@trilakespreservation.org <contact@trilakespreservation.org>; governorpolis@state.co.us <governorpolis@state.co.us>; natasha\_hutson@bennet.senate.gov <natasha\_hutson@bennet.senate.gov>; jess\_cohen@hickenlooper.senate.gov <jess\_cohen@hickenlooper.senate.gov>; jarvis.caldwell.house@coleg.gov <jarvis.caldwell.house@coleg.gov>; matthew.smith1@mail.house.gov <matthew.smith1@mail.house.gov>; integritymatterscos@gmail.com <integritymatterscos@gmail.com>; contact@trilakespreservation.org <contact@trilakespreservation.org>; savannah.eller@gazette.com <savannah.eller@gazette.com>; Tony.Keith@koa.com <Tony.Keith@koa.com>; Noah.Caplan@koa.com <Noah.Caplan@koa.com>; EXTERNAL KOAA News <News@KOAA.com>; ASack@kxrm.com <ASack@kxrm.com>; EXTERNAL Fox News <EXTERNALFoxNews@elpasoco.com>; EXTERNAL KKTU News <news@kktv.com>; achalfin@krcc.org <achalfin@krcc.org>; EXTERNAL KRCC News <news@krcc.org>; newstips@denver7.com <newstips@denver7.com>; newstips@9news.com <newstips@9news.com>; tips@kdvr.com <tips@kdvr.com>; jalvarado@denverpost.com <jalvarado@denverpost.com>; EXTERNAL Newsroom Denver <newsroom@denverpost.com>; oliviaprentzel@coloradosun.com <oliviaprentzel@coloradosun.com>; newsroom@coloradosun.com <newsroom@coloradosun.com>; Karin.Brulliard@washpost.com <Karin.Brulliard@washpost.com>; jim.carlton@wsj.com <jim.carlton@wsj.com>; news-tips@nytimes.com <news-tips@nytimes.com>; tips@cnn.com <tips@cnn.com>; tips@nbcuni.com <tips@nbcuni.com>; news.tips@abc.com <news.tips@abc.com>; LBergman@newsnationnow.com <LBergman@newsnationnow.com>; tips@thefp.com <tips@thefp.com>; talkshow@aol.com <talkshow@aol.com>  
**Subject:** Re: Buc-ee's Appeal of Administrative Determination ADM264 — Please DENY the Appeal and Uphold the Director's July 1 Determination (C-1 Zone, I-25 & County Line Road / Beacon Lite Road)

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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

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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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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

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

To whom it may concern,

Did you know Colorado ranks among the top states in the U.S. for protecting its wildlife? That legacy is now under threat from a proposed Buc-ee's development. More than just a gas station, this 'mega-center' would drain 37,000 gallons of water daily, pollute our air, and put our local wildlife in the crosshairs. Here is why Buc-ee's is the wrong fit for Colorado's ecosystem.

Since Buc-ee's uses 37,300 gallons of water per day, aquifers will strain. Also Buc-ee's is known for the cleanest bathrooms, but having the cleanest bathrooms means a lot of cleaning, and a lot of cleaning means a lot of water, and a lot of water means a lot of water taken from the aquifer. "With a projected water demand of 37,300 gallons of water per day and its notoriously clean bathrooms, are estimated to increase the town's maximum daily water to 20%." -The Colorado Sun. As you can see, Buc-ee's uses a lot of water a day, this meaning Buc-ee's will cause aquifer strain no matter where they build. Recently, the state even approved well permits to pump millions of gallons from the aquifers on that land. Since it takes thousands of years for that water to replenish, families could be left without running water for generations.

As for pollution I have looked at Johnstown population before and after Buc-ee's was built there. In 1920, the year after the town was established there were about 274 people living in the town. There were about 15-20 families that owned one car each. Most of them would only drive 5-10 miles a day. Meaning that the town would only use about 5-17 gallons of gas per day. In 2022, a couple of years before Buc-ee's opened, the population had grown to 18,634, and the town used about 8,700 to 10,875 gallons of gas per day. Now, the population is over 22,000 people living there, and assuming every family owns at least two cars and drives about 40-50 miles per car, they use about 10,400 to 13,000 gallons of gas per day. That's just the cars alone. Buc-ee's uses between 25,000 and 35,000 cubic feet of gas each day to cook food and sells between 40,000 and 80,000 gallons of gas per day. That means that Buc-ee's alone uses between 40,203 and 80,284 gallons of gas each day, and that's not including the cars that come and go from Buc-ee's. Now if you take the amount of gas Buc-ee's uses and the amount of gas the people in the town use, each day you get around 50,594 and 93,273 gallons per day. That's a lot of gas.

Now imagine our beautiful area near Monument, Colorado. Putting Buc-ee's here will destroy what families have worked to keep for decades. Why do you think people like to come here? They come here because of the wildlife and the beauty of the land. Putting Buc-ee's in the middle of it might attract more people, but also destroy what people come here for.

Finally Buc-ee's will destroy wildlife. I already had you imagining what a town would look like with Buc-ee's but let me go deeper into wildlife. Right now, Buc-ee's has bought the land but still needs county approval to build. Where Buc-ee's is planning to build is one of the most considered migration routes. It is also going to kill dozens species of animals, including elk, mule deer, pronghorn, black bears, and mountain lions. Along with those animals, it will kill dozens of bird species. Migrating birds fly right through here at night, and the bright lights from a massive Buc-ee's sign will blind and confuse species such as mountain bluebirds, broad-tailed hummingbirds, and bald eagles. As you know, Colorado is known for its wildlife, and generations have been working hard to preserve it. And once again putting Buc-ee's in the middle of it will destroy most of what locals have been preserving.

So please take this into consideration. So next time you go outside and think how lucky you are to live in such a beautiful place remember that there is something that is threatening your surroundings, and you can help stop that. Just remember to stand against Buc-ee's and save our community.

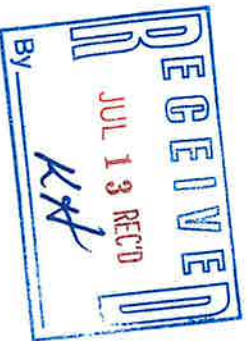
Sincerely,

-Esther Hunt

Fifth grade



Hunt Family  
17665 Sierra Way  
Monument, CO 80132

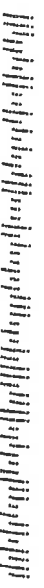


El Paso County Planning  
2880 International Circle, Suite 110  
Colorado Springs CO 80910

DENVER CO 802  
8 JUL 2026 PM 5 L



80910-314835



## Jessica Merriam

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**From:** Kylie Bagley  
**Sent:** Wednesday, July 8, 2026 8:55 AM  
**To:** Jessica Merriam  
**Subject:** Fw: Buc-ee's Appeal of Administrative Determination ADM264 — Please DENY the Appeal and Uphold the Director's July 1 Determination (C-1 Zone, I-25 & County Line Road / Beacon Lite Road)



### Kylie Bagley

Principal Planner  
Planning and Community Development  
719.520.6323  
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**From:** Gabrielle Steckman <steckmang@gmail.com>  
**Sent:** Wednesday, July 8, 2026 8:47 AM  
**To:** Holly Williams <HollyWilliams@elpasoco.com>; Carrie Geitner <CarrieGeitner@elpasoco.com>; Bill Wysong <BillWysong@elpasoco.com>; Cory Applegate <CoryApplegate@elpasoco.com>; Lauren Nelson <LaurenNelson@elpasoco.com>  
**Cc:** Meggan Herington <MegganHerington@elpasoco.com>; Kenny Hodges <KennyHodges@elpasoco.com>; Kylie Bagley <KylieBagley@elpasoco.com>; mlakind@tomgov.org <mlakind@tomgov.org>; sking@tomgov.org <sking@tomgov.org>; sabbott@tomgov.org <sabbott@tomgov.org>; csmith@tomgov.org <csmith@tomgov.org>; lkronick@tomgov.org <lkronick@tomgov.org>; kkimple@tomgov.org <kkimple@tomgov.org>; mfiorito@tomgov.org <mfiorito@tomgov.org>; governorpolis@state.co.us <governorpolis@state.co.us>; natasha\_hutson@bennet.senate.gov <natasha\_hutson@bennet.senate.gov>; jess\_cohen@hickenlooper.senate.gov <jess\_cohen@hickenlooper.senate.gov>; jarvis.caldwell.house@coleg.gov <jarvis.caldwell.house@coleg.gov>; matthew.smith1@mail.house.gov <matthew.smith1@mail.house.gov>; integritymatterscos@gmail.com <integritymatterscos@gmail.com>; contact@trilakespreservation.org <contact@trilakespreservation.org>  
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Dear Commissioners:

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

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

## Jessica Merriam

---

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



### Kylie Bagley

Principal Planner  
Planning and Community Development  
719.520.6323  
[www.elpasoco.com](http://www.elpasoco.com)

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**From:** Ginger Daughtry <gindaughtry@gmail.com>  
**Sent:** Tuesday, July 7, 2026 7:27 PM  
**To:** Carrie Geitner <CarrieGeitner@elpasoco.com>; Bill Wysong <BillWysong@elpasoco.com>; Cory Applegate <CoryApplegate@elpasoco.com>; Holly Williams <HollyWilliams@elpasoco.com>; Meggan Herington <MegganHerington@elpasoco.com>; Lauren Nelson <LaurenNelson@elpasoco.com>; Kenny Hodges <KennyHodges@elpasoco.com>  
**Cc:** Kylie Bagley <KylieBagley@elpasoco.com>; mlakind@tomgov.org <mlakind@tomgov.org>; sking@tomgov.org <sking@tomgov.org>; sabbott@tomgov.org <sabbott@tomgov.org>; csmith@tomgov.org <csmith@tomgov.org>; lkronick@tomgov.org <lkronick@tomgov.org>; kkimple@tomgov.org <kkimple@tomgov.org>; mfiorito@tomgov.org <mfiorito@tomgov.org>; eharris@palmer-lake.org <eharris@palmer-lake.org>; rmoseley@palmer-lake.org <rmoseley@palmer-lake.org>; jmarble@palmer-lake.org <jmarble@palmer-lake.org>; mbeeson@palmer-lake.org <mbeeson@palmer-lake.org>; ajurka@palmer-lake.org <ajurka@palmer-lake.org>; governorpolis@state.co.us <governorpolis@state.co.us>; natasha\_hutson@bennet.senate.gov <natasha\_hutson@bennet.senate.gov>; jess\_cohen@hickenlooper.senate.gov <jess\_cohen@hickenlooper.senate.gov>; jarvis.caldwell.house@coleg.gov <jarvis.caldwell.house@coleg.gov>; matthew.smith1@mail.house.gov <matthew.smith1@mail.house.gov>; integritymatterscos@gmail.com <integritymatterscos@gmail.com>; contact@trilakespreservation.org <contact@trilakespreservation.org>; savannah.eller@gazette.com <savannah.eller@gazette.com>; Tony.Keith@koa.com <Tony.Keith@koa.com>; Noah.Caplan@koa.com <Noah.Caplan@koa.com>; EXTERNAL KOAA News <News@KOAA.com>; ASack@kxrm.com <ASack@kxrm.com>; EXTERNAL Fox News <EXTERNALFoxNews@elpasoco.com>; EXTERNAL KKTU News <news@kktv.com>; news@krdo.com <news@krdo.com>; achalfin@krcc.org <achalfin@krcc.org>; EXTERNAL KRCC News <news@krcc.org>; newstips@denver7.com <newstips@denver7.com>; newstips@9news.com <newstips@9news.com>; tips@kdvr.com <tips@kdvr.com>; jalvarado@denverpost.com <jalvarado@denverpost.com>; EXTERNAL Newsroom Denver <newsroom@denverpost.com>; oliviaprentzel@coloradosun.com <oliviaprentzel@coloradosun.com>; newsroom@coloradosun.com <newsroom@coloradosun.com>; Karin.Brulliard@washpost.com <Karin.Brulliard@washpost.com>; jim.carlton@wsj.com <jim.carlton@wsj.com>; news-tips@nytimes.com <news-tips@nytimes.com>; tips@cnn.com <tips@cnn.com>; tips@nbcuni.com <tips@nbcuni.com>; news.tips@abc.com <news.tips@abc.com>; LBergman@newsnationnow.com <LBergman@newsnationnow.com>; tips@thefp.com <tips@thefp.com>; talkshow@aol.com <talkshow@aol.com>; Cmegganherington@elpasoco.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)

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- This is a personal email address.
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[Mark Safe 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,  
Ginger Daughtry  
181 Saber Creek Dr  
Monument, CO 80132  
El Paso County

## Jessica Merriam

---

**From:** Kylie Bagley  
**Sent:** Wednesday, July 8, 2026 8:25 AM  
**To:** Jessica Merriam  
**Subject:** Fw: Use common sense - Buc-ee's is not a "convenience store"!



### Kylie Bagley

Principal Planner

Planning and Community Development

719.520.6323

[www.elpasoco.com](http://www.elpasoco.com)

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**From:** Grace Foy <grace.allison@gmail.com>

**Sent:** Tuesday, July 7, 2026 4:45 PM

**To:** Holly Williams <HollyWilliams@elpasoco.com>; Carrie Geitner <CarrieGeitner@elpasoco.com>; Bill Wysong <BillWysong@elpasoco.com>; Cory Applegate <CoryApplegate@elpasoco.com>; Lauren Nelson <LaurenNelson@elpasoco.com>

**Cc:** Meggan Herington <MegganHerington@elpasoco.com>; Kenny Hodges <KennyHodges@elpasoco.com>; Kylie Bagley <KylieBagley@elpasoco.com>; mlakind@tomgov.org <mlakind@tomgov.org>; sking@tomgov.org <sking@tomgov.org>; sabbott@tomgov.org <sabbott@tomgov.org>; csmith@tomgov.org <csmith@tomgov.org>; lkronick@tomgov.org <lkronick@tomgov.org>; kkimple@tomgov.org <kkimple@tomgov.org>; mfiorito@tomgov.org <mfiorito@tomgov.org>; eharris@palmer-lake.org <eharris@palmer-lake.org>; rmoseley@palmer-lake.org <rmoseley@palmer-lake.org>; jmarble@palmer-lake.org <jmarble@palmer-lake.org>; mbeeson@palmer-lake.org <mbeeson@palmer-lake.org>; Atis Jurka <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>; Integrity Matters <integritymatterscos@gmail.com>; contact@trilakespreservation.org <contact@trilakespreservation.org>; Savannah Eller <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>; Austin Sack <ASack@kxrm.com>; EXTERNAL Fox News <EXTERNALFoxNews@elpasoco.com>; EXTERNAL KKTU News <news@kktv.com>; news@krdo.com <news@krdo.com>; Andrea Chalfin <achalfin@krcc.org>; EXTERNAL KRCC News <news@krcc.org>; newstips@denver7.com <newstips@denver7.com>; newstips@9news.com <newstips@9news.com>; tips@kdvr.com <tips@kdvr.com>; jalvarado@denverpost.com <jalvarado@denverpost.com>; EXTERNAL Newsroom Denver <newsroom@denverpost.com>; Olivia Prentzel <oliviaprentzel@coloradosun.com>; newsroom@coloradosun.com <newsroom@coloradosun.com>; Karin.Brulliard@washpost.com <Karin.Brulliard@washpost.com>; jim.carlton@wsj.com <jim.carlton@wsj.com>; news-tips@nytimes.com <news-tips@nytimes.com>; tips@cnn.com <tips@cnn.com>; tips@nbcuni.com <tips@nbcuni.com>; news.tips@abc.com <news.tips@abc.com>; LBergman@newsnationnow.com <LBergman@newsnationnow.com>; tips@thefp.com <tips@thefp.com>; talkshow@aol.com <talkshow@aol.com>

**Subject:** Use common sense - Buc-ee's is not a "convenience store"!

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

Dear Commissioners:

On July 1, 2026, the Planning and Community Development Director 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

## Jessica Merriam

---

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



### Kylie Bagley

Principal Planner  
Planning and Community Development  
719.520.6323  
[www.elpasoco.com](http://www.elpasoco.com)

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**From:** Greg D. Cooke <greg.cooke@comcast.net>  
**Sent:** Tuesday, July 7, 2026 8:20 PM  
**To:** Holly Williams <HollyWilliams@elpasoco.com>; Carrie Geitner <CarrieGeitner@elpasoco.com>; Bill Wysong <BillWysong@elpasoco.com>; Cory Applegate <CoryApplegate@elpasoco.com>; Lauren Nelson <LaurenNelson@elpasoco.com>  
**Cc:** Meggan Herington <MegganHerington@elpasoco.com>; Kenny Hodges <KennyHodges@elpasoco.com>; Kylie Bagley <KylieBagley@elpasoco.com>; mlakind@tomgov.org <mlakind@tomgov.org>; sking@tomgov.org <sking@tomgov.org>; sabbott@tomgov.org <sabbott@tomgov.org>; csmith@tomgov.org <csmith@tomgov.org>; lkronick@tomgov.org <lkronick@tomgov.org>; kkimple@tomgov.org <kkimple@tomgov.org>; mfiorito@tomgov.org <mfiorito@tomgov.org>; eharris@palmer-lake.org <eharris@palmer-lake.org>; rmoseley@palmer-lake.org <rmoseley@palmer-lake.org>; jmarble@palmer-lake.org <jmarble@palmer-lake.org>; mbeeson@palmer-lake.org <mbeeson@palmer-lake.org>; ajurka@palmer-lake.org <ajurka@palmer-lake.org>; governorpolis@state.co.us <governorpolis@state.co.us>; natasha\_hutson@bennet.senate.gov <natasha\_hutson@bennet.senate.gov>; jess\_cohen@hickenlooper.senate.gov <jess\_cohen@hickenlooper.senate.gov>; jarvis.caldwell.house@coleg.gov <jarvis.caldwell.house@coleg.gov>; matthew.smith1@mail.house.gov <matthew.smith1@mail.house.gov>; integritymatterscos@gmail.com <integritymatterscos@gmail.com>; contact@trilakespreservation.org <contact@trilakespreservation.org>; savannah.eller@gazette.com <savannah.eller@gazette.com>; Tony.Keith@koa.com <Tony.Keith@koa.com>; Noah.Caplan@koa.com <Noah.Caplan@koa.com>; EXTERNAL KOAA News <News@KOAA.com>; ASack@kxrm.com <ASack@kxrm.com>; EXTERNAL Fox News <EXTERNALFoxNews@elpasoco.com>; EXTERNAL KKTU News <news@kktv.com>; news@krdo.com <news@krdo.com>; achalfin@krcc.org <achalfin@krcc.org>; EXTERNAL KRCC News <news@krcc.org>; newstips@denver7.com <newstips@denver7.com>; newstips@9news.com <newstips@9news.com>; tips@kdvr.com <tips@kdvr.com>; jalvarado@denverpost.com <jalvarado@denverpost.com>; EXTERNAL Newsroom Denver <newsroom@denverpost.com>; oliviaprentzel@coloradosun.com <oliviaprentzel@coloradosun.com>; newsroom@coloradosun.com <newsroom@coloradosun.com>; Karin.Brulliard@washpost.com <Karin.Brulliard@washpost.com>; jim.carlton@wsj.com <jim.carlton@wsj.com>; news-tips@nytimes.com <news-tips@nytimes.com>; tips@cnn.com <tips@cnn.com>; tips@nbcuni.com <tips@nbcuni.com>; news.tips@abc.com <news.tips@abc.com>; LBergman@newsnationnow.com <LBergman@newsnationnow.com>; tips@thefp.com <tips@thefp.com>; talkshow@aol.com <talkshow@aol.com>  
**Subject:** Buc-ee's Appeal of Administrative Determination ADM264 - Please DENY the Appeal and Uphold the Director's July 1 Determination (C-1 Zone, I-25 & County Line Road / Beacon Lite Road)

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

Dear Commissioners:

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

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

1. **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](mailto:Greg.cooke@comcast.net)  
719.332.1845 c

## Jessica Merriam

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**From:** Kylie Bagley  
**Sent:** Wednesday, July 8, 2026 8:26 AM  
**To:** Jessica Merriam  
**Subject:** Fw: Buc-ee's is NOT a convenience store!!



### Kylie Bagley

Principal Planner  
Planning and Community Development  
719.520.6323  
[www.elpasoco.com](http://www.elpasoco.com)

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**From:** Hannah Shea <goofnutball@gmail.com>  
**Sent:** Tuesday, July 7, 2026 5:02 PM  
**To:** Holly Williams <HollyWilliams@elpasoco.com>; Carrie Geitner <CarrieGeitner@elpasoco.com>; Bill Wysong <BillWysong@elpasoco.com>; Cory Applegate <CoryApplegate@elpasoco.com>; Lauren Nelson <LaurenNelson@elpasoco.com>  
**Cc:** Meggan Herington <MegganHerington@elpasoco.com>; Kenny Hodges <KennyHodges@elpasoco.com>; Kylie Bagley <KylieBagley@elpasoco.com>; mlakind@tomgov.org <mlakind@tomgov.org>; sking@tomgov.org <sking@tomgov.org>; sabbott@tomgov.org <sabbott@tomgov.org>; csmith@tomgov.org <csmith@tomgov.org>; lkronick@tomgov.org <lkronick@tomgov.org>; kkimple@tomgov.org <kkimple@tomgov.org>; mfiorito@tomgov.org <mfiorito@tomgov.org>; eharris@palmer-lake.org <eharris@palmer-lake.org>; rmoseley@palmer-lake.org <rmoseley@palmer-lake.org>; jmarble@palmer-lake.org <jmarble@palmer-lake.org>; mbeeson@palmer-lake.org <mbeeson@palmer-lake.org>; ajurka@palmer-lake.org <ajurka@palmer-lake.org>; governorpolis@state.co.us <governorpolis@state.co.us>; natasha\_hutson@bennet.senate.gov <natasha\_hutson@bennet.senate.gov>; jess\_cohen@hickenlooper.senate.gov <jess\_cohen@hickenlooper.senate.gov>; jarvis.caldwell.house@coleg.gov <jarvis.caldwell.house@coleg.gov>; matthew.smith1@mail.house.gov <matthew.smith1@mail.house.gov>; integritymatterscos@gmail.com <integritymatterscos@gmail.com>; contact@trilakespreservation.org <contact@trilakespreservation.org>; savannah.eller@gazette.com <savannah.eller@gazette.com>; Tony.Keith@koa.com <Tony.Keith@koa.com>; Noah.Caplan@koa.com <Noah.Caplan@koa.com>; EXTERNAL KOAA News <News@KOAA.com>; ASack@kxrm.com <ASack@kxrm.com>; EXTERNAL Fox News <EXTERNALFoxNews@elpasoco.com>; EXTERNAL KKTU News <news@kktv.com>; news@krdo.com <news@krdo.com>; achalfin@krcc.org <achalfin@krcc.org>; EXTERNAL KRCC News <news@krcc.org>; newstips@denver7.com <newstips@denver7.com>; newstips@9news.com <newstips@9news.com>; tips@kdvr.com <tips@kdvr.com>; jalvarado@denverpost.com <jalvarado@denverpost.com>; EXTERNAL Newsroom Denver <newsroom@denverpost.com>; oliviaprentzel@coloradosun.com <oliviaprentzel@coloradosun.com>; newsroom@coloradosun.com <newsroom@coloradosun.com>; Karin.Brulliard@washpost.com <Karin.Brulliard@washpost.com>; jim.carlton@wsj.com <jim.carlton@wsj.com>; news-tips@nytimes.com <news-tips@nytimes.com>; tips@cnn.com <tips@cnn.com>; tips@nbcuni.com <tips@nbcuni.com>; news.tips@abc.com <news.tips@abc.com>; LBergman@newsnationnow.com <LBergman@newsnationnow.com>; tips@thefp.com <tips@thefp.com>; talkshow@aol.com <talkshow@aol.com>  
**Subject:** Buc-ee's is NOT a convenience store!!



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[Mark Safe 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

## Jessica Merriam

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**From:** Kylie Bagley  
**Sent:** Wednesday, July 8, 2026 1:15 PM  
**To:** Jessica Merriam  
**Subject:** Fw: Buc-ee's Appeal of Administrative Determination ADM264 - Please DENY the Appeal and Uphold the Director's July 1 Determination (C-1 Zone, I-25 & County Line Road / Beacon Lite Road)



### Kylie Bagley

Principal Planner  
Planning and Community Development  
719.520.6323  
[www.elpasoco.com](http://www.elpasoco.com)

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**From:** janiecemurri@comcast.net <janiecemurri@comcast.net>  
**Sent:** Wednesday, July 8, 2026 11:42 AM  
**To:** Holly Williams <HollyWilliams@elpasoco.com>; Carrie Geitner <CarrieGeitner@elpasoco.com>; Bill Wysong <BillWysong@elpasoco.com>; Cory Applegate <CoryApplegate@elpasoco.com>; Lauren Nelson <LaurenNelson@elpasoco.com>  
**Cc:** Meggan Herington <MegganHerington@elpasoco.com>; Kenny Hodges <KennyHodges@elpasoco.com>; Kylie Bagley <KylieBagley@elpasoco.com>; mlakind@tomgov.org <mlakind@tomgov.org>; sking@tomgov.org <sking@tomgov.org>; sabbott@tomgov.org <sabbott@tomgov.org>; csmith@tomgov.org <csmith@tomgov.org>; lkronick@tomgov.org <lkronick@tomgov.org>; kkimple@tomgov.org <kkimple@tomgov.org>; mfiorito@tomgov.org <mfiorito@tomgov.org>; governorpolis@state.co.us <governorpolis@state.co.us>; natasha\_hutson@bennet.senate.gov <natasha\_hutson@bennet.senate.gov>; jess\_cohen@hickenlooper.senate.gov <jess\_cohen@hickenlooper.senate.gov>; jarvis.caldwell.house@coleg.gov <jarvis.caldwell.house@coleg.gov>; matthew.smith1@mail.house.gov <matthew.smith1@mail.house.gov>; integritymatterscos@gmail.com <integritymatterscos@gmail.com>; contact@trilakespreservation.org <contact@trilakespreservation.org>  
**Subject:** Buc-ee's Appeal of Administrative Determination ADM264 - Please DENY the Appeal and Uphold the Director's July 1 Determination (C-1 Zone, I-25 & County Line Road / Beacon Lite Road)

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

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

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

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

5. **The application is also unreliable on its face.** Beyond the violations above, the record repeatedly misstates the Code and the facts — including a "full list of allowed C-1 uses" that omits Convenience



Store, the very use it claims is permitted; fuel-footprint percentages calculated on shifting denominators; and a landscaping requirement misstated as 5% when the Code requires more. A record this flawed is one more reason the determination should be upheld and the matter tested on a full public record rather than reversed on appeal.

**I respectfully request that the Board:**

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

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

Respectfully,

M. Janiece Murri and Blake W. Murri  
20467 Bald Mountain Court  
Monument, CO 80132

## Jessica Merriam

---

**From:** Kylie Bagley  
**Sent:** Friday, July 10, 2026 2:42 PM  
**To:** Jessica Merriam  
**Subject:** Fw: Buc-ee's Appeal of Administrative Determination ADM264 - Please DENY the Appeal and Uphold the Director's July 1 Determination (C-1 Zone, I-25 & County Line Road / Beacon Lite Road)



### Kylie Bagley

Principal Planner  
Planning and Community Development  
719.520.6323  
[www.elpasoco.com](http://www.elpasoco.com)

---

**From:** janisfrazee@gmail.com <janisfrazee@gmail.com>  
**Sent:** Friday, July 10, 2026 2:27 PM  
**To:** Holly Williams <HollyWilliams@elpasoco.com>; Carrie Geitner <CarrieGeitner@elpasoco.com>; Bill Wysong <BillWysong@elpasoco.com>; Cory Applegate <CoryApplegate@elpasoco.com>; Lauren Nelson <LaurenNelson@elpasoco.com>  
**Cc:** Meggan Herington <MegganHerington@elpasoco.com>; Kenny Hodges <KennyHodges@elpasoco.com>; Kylie Bagley <KylieBagley@elpasoco.com>; governorpolis@state.co.us <governorpolis@state.co.us>; natasha\_hutson@bennet.senate.gov <natasha\_hutson@bennet.senate.gov>; jess\_cohen@hickenlooper.senate.gov <jess\_cohen@hickenlooper.senate.gov>; jarvis.caldwell.house@coleg.gov <jarvis.caldwell.house@coleg.gov>; matthew.smith1@mail.house.gov <matthew.smith1@mail.house.gov>; integritymatterscos@gmail.com <integritymatterscos@gmail.com>; contact@trilakespreservation.org <contact@trilakespreservation.org>; governorpolis@state.co.us <governorpolis@state.co.us>; natasha\_hutson@bennet.senate.gov <natasha\_hutson@bennet.senate.gov>; jess\_cohen@hickenlooper.senate.gov <jess\_cohen@hickenlooper.senate.gov>; jarvis.caldwell.house@coleg.gov <jarvis.caldwell.house@coleg.gov>; matthew.smith1@mail.house.gov <matthew.smith1@mail.house.gov>; integritymatterscos@gmail.com <integritymatterscos@gmail.com>; contact@trilakespreservation.org <contact@trilakespreservation.org>; savannah.eller@gazette.com <savannah.eller@gazette.com>; Tony.Keith@koa.com <Tony.Keith@koa.com>; Noah.Caplan@koa.com <Noah.Caplan@koa.com>; EXTERNAL KOAA News <News@KOAA.com>; ASack@kxrm.com <ASack@kxrm.com>; EXTERNAL Fox News <EXTERNALFoxNews@elpasoco.com>; EXTERNAL KKTU News <news@kktv.com>; achalfin@krcc.org <achalfin@krcc.org>; EXTERNAL KRCC News <news@krcc.org>; newstips@denver7.com <newstips@denver7.com>; newstips@9news.com <newstips@9news.com>; tips@kdvr.com <tips@kdvr.com>; jalvarado@denverpost.com <jalvarado@denverpost.com>; EXTERNAL Newsroom Denver <newsroom@denverpost.com>; oliviaprentzel@coloradosun.com <oliviaprentzel@coloradosun.com>; newsroom@coloradosun.com <newsroom@coloradosun.com>; Karin.Brulliard@washpost.com <Karin.Brulliard@washpost.com>; jim.carlton@wsj.com <jim.carlton@wsj.com>; news-tips@nytimes.com <news-tips@nytimes.com>; tips@cnn.com <tips@cnn.com>; tips@nbcuni.com <tips@nbcuni.com>; news.tips@abc.com <news.tips@abc.com>; LBergman@newsnationnow.com <LBergman@newsnationnow.com>; tips@thefp.com <tips@thefp.com>; talkshow@aol.com <talkshow@aol.com>  
**Subject:** Buc-ee's Appeal of Administrative Determination ADM264 - Please DENY the Appeal and Uphold the Director's July 1 Determination (C-1 Zone, I-25 & County Line Road / Beacon Lite Road)

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**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:

First, I would like to thank you for not approving the proposed Buc-ee's as a Convenience Store. I so appreciate that.

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,

Janis Frazee  
19255 Starwood Drive  
Monument, CO 80132  
719-488-0611

## Jessica Merriam

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**From:** Kylie Bagley  
**Sent:** Thursday, July 9, 2026 8:42 AM  
**To:** Jessica Merriam  
**Subject:** Fw: Buc-ee's Appeal of Administrative Determination ADM264 — Please DENY the Appeal and Uphold the Director's July 1 Determination (C-1 Zone, I-25 & County Line Road / Beacon Lite Road)



### Kylie Bagley

Principal Planner  
Planning and Community Development  
719.520.6323  
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**From:** Jessica Seifert <jesnco@yahoo.com>  
**Sent:** Wednesday, July 8, 2026 5:57 PM  
**To:** Holly Williams <HollyWilliams@elpasoco.com>; Carrie Geitner <CarrieGeitner@elpasoco.com>; Bill Wysong <BillWysong@elpasoco.com>; Cory Applegate <CoryApplegate@elpasoco.com>; Lauren Nelson <LaurenNelson@elpasoco.com>  
**Cc:** Meggan Herington <MegganHerington@elpasoco.com>; Kenny Hodges <KennyHodges@elpasoco.com>; Kylie Bagley <KylieBagley@elpasoco.com>; mlakind@tomgov.org <mlakind@tomgov.org>; sking@tomgov.org <sking@tomgov.org>; sabbott@tomgov.org <sabbott@tomgov.org>; csmith@tomgov.org <csmith@tomgov.org>; lkronick@tomgov.org <lkronick@tomgov.org>; kkimple@tomgov.org <kkimple@tomgov.org>; mfiorito@tomgov.org <mfiorito@tomgov.org>; governorpolis@state.co.us <governorpolis@state.co.us>; natasha\_hutson@bennet.senate.gov <natasha\_hutson@bennet.senate.gov>; jess\_cohen@hickenlooper.senate.gov <jess\_cohen@hickenlooper.senate.gov>; jarvis.caldwell.house@coleg.gov <jarvis.caldwell.house@coleg.gov>; matthew.smith1@mail.house.gov <matthew.smith1@mail.house.gov>; integritymatterscos@gmail.com <integritymatterscos@gmail.com>; contact@trilakespreservation.org <contact@trilakespreservation.org>  
**Subject:** Re: Buc-ee's Appeal of Administrative Determination ADM264 — Please DENY the Appeal and Uphold the Director's July 1 Determination (C-1 Zone, I-25 & County Line Road / Beacon Lite Road)

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

Dear Commissioners:

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

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

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

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

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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.
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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. Furthermore, it does NOT serve our neighborhood and certainly does a disservice to our already established businesses. Allowing Buc-ee's at this location only serves Mr. Aplin's Texas-sized ego and bank account. Please deny the appeal.

Respectfully,

Tim & Jessica Seifert

1605 Plowman Pl

Monument, CO 80132

## Jessica Merriam

---

**From:** Kylie Bagley  
**Sent:** Wednesday, July 8, 2026 8:26 AM  
**To:** Jessica Merriam  
**Subject:** Fw: 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)



### Kylie Bagley

Principal Planner  
Planning and Community Development  
719.520.6323  
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**From:** Joan Mac <jmacd1@hotmail.com>  
**Sent:** Tuesday, July 7, 2026 6:11 PM  
**To:** Holly Williams <HollyWilliams@elpasoco.com>; Carrie Geitner <CarrieGeitner@elpasoco.com>; Bill Wysong <BillWysong@elpasoco.com>; Cory Applegate <CoryApplegate@elpasoco.com>; Lauren Nelson <LaurenNelson@elpasoco.com>  
**Cc:** Meggan Herington <MegganHerington@elpasoco.com>; Kenny Hodges <KennyHodges@elpasoco.com>; Kylie Bagley <KylieBagley@elpasoco.com>; mlakind@tomgov.org <mlakind@tomgov.org>; sking@tomgov.org <sking@tomgov.org>; sabbott@tomgov.org <sabbott@tomgov.org>; csmith@tomgov.org <csmith@tomgov.org>; lkronick@tomgov.org <lkronick@tomgov.org>; kkimple@tomgov.org <kkimple@tomgov.org>; mfiorito@tomgov.org <mfiorito@tomgov.org>; eharris@palmer-lake.org <eharris@palmer-lake.org>; rmoseley@palmer-lake.org <rmoseley@palmer-lake.org>; jmarble@palmer-lake.org <jmarble@palmer-lake.org>; mbeeson@palmer-lake.org <mbeeson@palmer-lake.org>; ajurka@palmer-lake.org <ajurka@palmer-lake.org>; governorpolis@state.co.us <governorpolis@state.co.us>; natasha\_hutson@bennet.senate.gov <natasha\_hutson@bennet.senate.gov>; jess\_cohen@hickenlooper.senate.gov <jess\_cohen@hickenlooper.senate.gov>; jarvis.caldwell.house@coleg.gov <jarvis.caldwell.house@coleg.gov>; matthew.smith1@mail.house.gov <matthew.smith1@mail.house.gov>; integritymatterscos@gmail.com <integritymatterscos@gmail.com>; contact@trilakespreservation.org <contact@trilakespreservation.org>; savannah.eller@gazette.com <savannah.eller@gazette.com>; Tony.Keith@koa.com <Tony.Keith@koa.com>; Noah.Caplan@koa.com <Noah.Caplan@koa.com>; EXTERNAL KOAA News <News@KOAA.com>; ASack@kxrm.com <ASack@kxrm.com>; EXTERNAL Fox News <EXTERNALFoxNews@elpasoco.com>; EXTERNAL KKTU News <news@kktv.com>; news@krdo.com <news@krdo.com>; achalfin@krcc.org <achalfin@krcc.org>; EXTERNAL KRCC News <news@krcc.org>; newstips@denver7.com <newstips@denver7.com>; newstips@9news.com <newstips@9news.com>; tips@kdvr.com <tips@kdvr.com>; jalvarado@denverpost.com <jalvarado@denverpost.com>; EXTERNAL Newsroom Denver <newsroom@denverpost.com>; oliviaprentzel@coloradosun.com <oliviaprentzel@coloradosun.com>; newsroom@coloradosun.com <newsroom@coloradosun.com>; Karin.Brulliard@washpost.com <Karin.Brulliard@washpost.com>; jim.carlton@wsj.com <jim.carlton@wsj.com>; news-tips@nytimes.com <news-tips@nytimes.com>; tips@cnn.com <tips@cnn.com>; tips@nbcuni.com <tips@nbcuni.com>; news.tips@abc.com <news.tips@abc.com>; LBergman@newsnationnow.com <LBergman@newsnationnow.com>; tips@thefp.com <tips@thefp.com>; talkshow@aol.com <talkshow@aol.com>  
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[Mark Safe Report](#) El Paso County Digital, Strategy & Technology (DST)

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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,  
Joan MacDuff  
1870 Bel Lago View  
Monument, CO

## Jessica Merriam

---

**From:** PLNWEB  
**Sent:** Monday, July 13, 2026 9:03 AM  
**To:** Jessica Merriam  
**Subject:** FW: 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)

---

**From:** Joan Mac <jmacd1@hotmail.com>  
**Sent:** Saturday, July 11, 2026 3:36 PM  
**To:** PLNWEB <PLNWEB@elpasoco.com>  
**Subject:** Fw: 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)

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Report

El Paso County Digital, Strategy & Technology (DST)

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Joan

---

**From:** Joan Mac <[jmacd1@hotmail.com](mailto:jmacd1@hotmail.com)>  
**Sent:** Tuesday, 07 July 2026 18:11:41  
**To:** [HollyWilliams@elpasoco.com](mailto:HollyWilliams@elpasoco.com) <[HollyWilliams@elpasoco.com](mailto:HollyWilliams@elpasoco.com)>; [CarrieGeitner@elpasoco.com](mailto:CarrieGeitner@elpasoco.com) <[CarrieGeitner@elpasoco.com](mailto:CarrieGeitner@elpasoco.com)>; [BillWysong@elpasoco.com](mailto:BillWysong@elpasoco.com) <[BillWysong@elpasoco.com](mailto:BillWysong@elpasoco.com)>; [CoryApplegate@elpasoco.com](mailto:CoryApplegate@elpasoco.com) <[CoryApplegate@elpasoco.com](mailto:CoryApplegate@elpasoco.com)>; [LaurenNelson@elpasoco.com](mailto:LaurenNelson@elpasoco.com)

<LaurenNelson@elpasoco.com>

Cc: [megganherington@elpasoco.com](mailto:megganherington@elpasoco.com) <[megganherington@elpasoco.com](mailto:megganherington@elpasoco.com)>; [KennyHodges@elpasoco.com](mailto:KennyHodges@elpasoco.com) <[KennyHodges@elpasoco.com](mailto:KennyHodges@elpasoco.com)>; [kyliebagley@elpasoco.com](mailto:kyliebagley@elpasoco.com) <[kyliebagley@elpasoco.com](mailto:kyliebagley@elpasoco.com)>; [mlakind@tomgov.org](mailto:mlakind@tomgov.org) <[mlakind@tomgov.org](mailto:mlakind@tomgov.org)>; [sking@tomgov.org](mailto:sking@tomgov.org) <[sking@tomgov.org](mailto:sking@tomgov.org)>; [sabbott@tomgov.org](mailto:sabbott@tomgov.org) <[sabbott@tomgov.org](mailto:sabbott@tomgov.org)>; [csmith@tomgov.org](mailto:csmith@tomgov.org) <[csmith@tomgov.org](mailto:csmith@tomgov.org)>; [lkronick@tomgov.org](mailto:lkronick@tomgov.org) <[lkronick@tomgov.org](mailto:lkronick@tomgov.org)>; [kkimple@tomgov.org](mailto:kkimple@tomgov.org) <[kkimple@tomgov.org](mailto:kkimple@tomgov.org)>; [mfiorito@tomgov.org](mailto:mfiorito@tomgov.org) <[mfiorito@tomgov.org](mailto:mfiorito@tomgov.org)>; 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[oliviaprentzel@coloradosun.com](mailto:oliviaprentzel@coloradosun.com) <[oliviaprentzel@coloradosun.com](mailto:oliviaprentzel@coloradosun.com)>; [newsroom@coloradosun.com](mailto:newsroom@coloradosun.com) <[newsroom@coloradosun.com](mailto:newsroom@coloradosun.com)>; [Karin.Brulliard@washpost.com](mailto:Karin.Brulliard@washpost.com) <[Karin.Brulliard@washpost.com](mailto:Karin.Brulliard@washpost.com)>; [jim.carlton@wsj.com](mailto:jim.carlton@wsj.com) <[jim.carlton@wsj.com](mailto:jim.carlton@wsj.com)>; [news-tips@nytimes.com](mailto:news-tips@nytimes.com) <[news-tips@nytimes.com](mailto:news-tips@nytimes.com)>; [tips@cnn.com](mailto:tips@cnn.com) <[tips@cnn.com](mailto:tips@cnn.com)>; [tips@nbcuni.com](mailto:tips@nbcuni.com) <[tips@nbcuni.com](mailto:tips@nbcuni.com)>; [news.tips@abc.com](mailto:news.tips@abc.com) <[news.tips@abc.com](mailto:news.tips@abc.com)>; [LBergman@newsnationnow.com](mailto:LBergman@newsnationnow.com) <[LBergman@newsnationnow.com](mailto:LBergman@newsnationnow.com)>; 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**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)

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,  
Joan MacDuff  
1870 Bel Lago View  
Monument, CO

## Jessica Merriam

---

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



### Kylie Bagley

Principal Planner  
Planning and Community Development  
719.520.6323  
[www.elpasoco.com](http://www.elpasoco.com)

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**From:** mtbnkr64 ircbiz.com <mtbnkr64@ircbiz.com>

**Sent:** Tuesday, July 7, 2026 6:19 PM

**To:** Holly Williams <HollyWilliams@elpasoco.com>; Carrie Geitner <CarrieGeitner@elpasoco.com>; Bill Wysong <BillWysong@elpasoco.com>; Cory Applegate <CoryApplegate@elpasoco.com>; Lauren Nelson <LaurenNelson@elpasoco.com>

**Cc:** Meggan Herington <MegganHerington@elpasoco.com>; Kenny Hodges <KennyHodges@elpasoco.com>; Kylie Bagley <KylieBagley@elpasoco.com>; mlakind@tomgov.org <mlakind@tomgov.org>; sking@tomgov.org <sking@tomgov.org>; sabbott@tomgov.org <sabbott@tomgov.org>; csmith@tomgov.org <csmith@tomgov.org>; lkronick@tomgov.org <lkronick@tomgov.org>; kkimple@tomgov.org <kkimple@tomgov.org>; mfiorito@tomgov.org <mfiorito@tomgov.org>; eharris@palmer-lake.org <eharris@palmer-lake.org>; rmoseley@palmer-lake.org <rmoseley@palmer-lake.org>; jmarble@palmer-lake.org <jmarble@palmer-lake.org>; mbeeson@palmer-lake.org <mbeeson@palmer-lake.org>; ajurka@palmer-lake.org <ajurka@palmer-lake.org>; governorpolis@state.co.us <governorpolis@state.co.us>; natasha\_hutson@bennet.senate.gov <natasha\_hutson@bennet.senate.gov>; jess\_cohen@hickenlooper.senate.gov <jess\_cohen@hickenlooper.senate.gov>; jarvis.caldwell.house@coleg.gov <jarvis.caldwell.house@coleg.gov>; matthew.smith1@mail.house.gov <matthew.smith1@mail.house.gov>; integritymatterscos@gmail.com <integritymatterscos@gmail.com>; contact@trilakespreservation.org <contact@trilakespreservation.org>; savannah.eller@gazette.com <savannah.eller@gazette.com>; Tony.Keith@koa.com <Tony.Keith@koa.com>; Noah.Caplan@koa.com <Noah.Caplan@koa.com>; EXTERNAL KOAA News <News@KOAA.com>; ASack@kxrm.com <ASack@kxrm.com>; EXTERNAL Fox News <EXTERNALFoxNews@elpasoco.com>; EXTERNAL KKTU News <news@kktv.com>; news@krdo.com <news@krdo.com>; achalfin@krcc.org <achalfin@krcc.org>; EXTERNAL KRCC News <news@krcc.org>; newstips@denver7.com <newstips@denver7.com>; newstips@9news.com <newstips@9news.com>; tips@kdvr.com <tips@kdvr.com>; jalvarado@denverpost.com <jalvarado@denverpost.com>; EXTERNAL Newsroom Denver <newsroom@denverpost.com>; oliviaprentzel@coloradosun.com <oliviaprentzel@coloradosun.com>; newsroom@coloradosun.com <newsroom@coloradosun.com>; Karin.Brulliard@washpost.com <Karin.Brulliard@washpost.com>; jim.carlton@wsj.com <jim.carlton@wsj.com>; news-tips@nytimes.com <news-tips@nytimes.com>; tips@cnn.com <tips@cnn.com>; tips@nbcuni.com <tips@nbcuni.com>; news.tips@abc.com <news.tips@abc.com>; LBergman@newsnationnow.com <LBergman@newsnationnow.com>; tips@thefp.com <tips@thefp.com>; talkshow@aol.com <talkshow@aol.com>

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



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3. **The appeal's "similar use" fallback cannot rescue it either.** Buc-ee's argues in the alternative that its project is a "similar" permitted use under § 5.3.6.C.1. It is not available here. Section 5.3.6(E) is explicit: no interpretation may "authorize any use in a zoning district ... unless ... substantially similar to an allowed use," none may allow a use "inconsistent with the statement of purpose" of the district, and none may "have the effect of amending, abrogating, or waiving any other standard or requirement established by Code." Reclassifying a gas station into C-1 would abrogate the Code's express exclusion of gas stations from C-1 — exactly what § 5.3.6(E) forbids. And the "similar use" mechanism exists for uses the Code has not listed; a gas station is listed, and it is excluded from C-1. The appeal's trip-generation comparisons do not change this: similar traffic does not override an express exclusion.
4. **This decision belongs on a full public record — and the right path is a rezoning, not a reclassification.** Deciding the permitted use of a specific parcel by applying the Code's definitions to specific facts is a discretionary, quasi-judicial judgment — the Code's own § 5.3.6(B) describes it as an "analysis and comparison of various code provisions ... as opposed to a nondiscretionary review." The County itself stated in February 2026 that "a public hearing is required to determine the use classification" for a project like this. The contested questions this appeal raises — whether a multi-state destination "serves the neighborhood," the traffic and water impacts of a facility of this scale — cannot fairly be resolved on the applicant's paper record. They should be decided by you, in public, on an evidentiary record, with the community heard. If the Board is inclined to entertain reversing the Director, a use classification of this magnitude cannot fairly be decided on the applicant's paper submissions alone; it requires a noticed public evidentiary hearing at which the community can be heard. And because the Code distinguishes C-1 ("commercial activities," § 4.4.1) from C-2 ("large commercial activities," § 4.4.4) — and allows gas stations in C-2 but not C-1 — the proper path for a regional interstate fuel-and-retail center is a rezoning to C-2, or a special-use / PUD review, each with full notice and hearing.
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1. Deny Buc-ee's appeal and uphold the Director's July 1 determination;
2. Recognize that a 120-position fuel facility **is** a gas station, which the Code excludes from C-1;
3. Decide the appeal in public, on a full evidentiary record, with the community heard; and

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

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

Respectfully

John F. Stahl

565 Heatherdowns

Monument, Co 80132

Woodmoor

El Paso County

## Jessica Merriam

---

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



### Kylie Bagley

Principal Planner  
Planning and Community Development  
719.520.6323  
[www.elpasoco.com](http://www.elpasoco.com)

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

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

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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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- 4. C-1.** Table 5-1 lists "Gas Station" as an allowed
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- 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,
- 8. this use is prohibited in C-1.**
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The appeal tries to escape this prohibition by misreading the Gas Station definition — three ways, all traceable to page 5 of the underlying request:

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- 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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- as a use "primarily oriented toward the petroleum fueling and servicing of motor vehicles" — a "primary orientation" requirement that appears nowhere in § 1.15.
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- written, this is a gas station, and gas stations are not allowed in C-1.
- 

2.

3.

**4. The use does not meet the Code's "Convenience**

**Store" definition.** That definition (§ 1.15) requires

6. an establishment serving "the neighborhood in which it is located," and the Code defines a neighborhood as "primarily residential areas." The appeal represents that the store will serve the surrounding neighborhood. It will not. This project is a regional

7. tourist destination, not a neighborhood store — and the company says so itself:

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

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6. **This decision belongs on a full public record**  
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8. Deciding the permitted use of a specific parcel by applying the Code's definitions to  
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- 4.
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- 6.
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- 15.
- 16.
- 17.
18. Require the applicant to use the proper public process —
19. a rezoning to C-2, or special-use / PUD review — with full notice and hearing.
- 20.

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Respectfully

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

## Jessica Merriam

---

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



### Kylie Bagley

Principal Planner  
Planning and Community Development  
719.520.6323  
[www.elpasoco.com](http://www.elpasoco.com)

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

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Respectfully  
Jonathan Flanner  
1160 Piney Hill Pt  
Monument, CO 80132

## Jessica Merriam

---

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



### Kylie Bagley

Principal Planner  
Planning and Community Development  
719.520.6323  
[www.elpasoco.com](http://www.elpasoco.com)

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

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

2.

3.

**4. The use does not meet the Code's "Convenience**

**Store" definition.** That definition (§ 1.15) requires

6. an establishment serving "the neighborhood in which it is located," and the Code defines a neighborhood as "primarily residential areas." The appeal represents that the store will serve the surrounding neighborhood. It will not. This project is a regional

7. tourist destination, not a neighborhood store — and the company says so itself:

8.

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

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

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

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

3.

4.  
5. **The appeal's "similar use" fallback cannot**  
6. **rescue it either.** Buc-ee's argues in the alternative  
7. 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  
8. "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  
9. 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  
10. traffic does not override an express exclusion.  
11.

4.  
5.  
6. **This decision belongs on a full public record**  
7. **— and the right path is a rezoning, not a reclassification.**  
8. Deciding the permitted use of a specific parcel by applying the Code's definitions to  
specific facts is a discretionary, quasi-judicial judgment — the Code's own § 5.3.6(B) describes it  
as an "analysis and comparison of various code provisions ... as opposed  
9. 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  
10. 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  
11. 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  
12. 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  
13. with full notice and hearing.  
14.

5.  
6.  
7. **The application is also unreliable on its**  
8. **face.** Beyond the violations above, the record repeatedly  
9. 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%  
10. 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.  
11.

I respectfully request that the Board:

- 1.
- 2.
3. Deny Buc-ee's appeal and uphold the Director's July 1 determination;
- 4.
- 5.
- 6.
7. Recognize that a 120-position fuel facility
8. **is**
9. a gas station, which the Code excludes from C-1;
- 10.
- 11.
- 12.
13. Decide the appeal in public, on a full evidentiary record,
14. with the community heard; and
- 15.
- 16.
- 17.
18. Require the applicant to use the proper public process —
19. a rezoning to C-2, or special-use / PUD review — with full notice and hearing.
- 20.

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

Respectfully  
Julie Lawton  
1265 Fallen Tree Road  
Monument, CO 80132

## Jessica Merriam

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



### Kylie Bagley

Principal Planner  
Planning and Community Development  
719.520.6323  
[www.elpasoco.com](http://www.elpasoco.com)

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

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

Begin forwarded message:

**From:** Julie Lawton <julieannelawton@gmail.com>

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

**Date:** July 8, 2026 at 7:19:19 AM MDT

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

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

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

Dear Commissioners:

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

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

- 1.
2. **A**
3. **gas station is not a permitted use in C-1.** Table
4. 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

5. use is not listed." A facility with 60 dispensers and 120 fueling positions is a gas station. "Convenience Store" and "Gas Station" are separately defined and separately listed uses; the convenience-store definition's "may include retail sale of gasoline"
6. covers incidental fuel and cannot be used to place into C-1 a use the Code deliberately excluded from it. Read literally, as § 1.6.1 requires,
7. **this use is prohibited in C-1.**
- 8.

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

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

2.

**3. The**

**4. use does not meet the Code's "Convenience Store" definition.**

5. That definition (§ 1.15) requires an establishment serving "the neighborhood in which it is located," and the Code defines a neighborhood as "primarily

residential areas." The appeal represents that the store will serve the surrounding neighborhood. It will

6. not. This project is a regional tourist destination, not a neighborhood store — and the company says so itself:

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

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6. Buc-ee's argues in the alternative that its project is a "similar" permitted use under § 5.3.6.C.1. It is not available here. Section 5.3.6(E) is explicit: no interpretation may "authorize any use in a zoning district ... unless ... substantially similar to an

7. allowed use," none may allow a use "inconsistent with the statement of purpose" of the district, and none may "have the effect of amending, abrogating, or waiving any other standard or requirement established by Code." Reclassifying a gas station into C-1

8. would abrogate the Code's express exclusion of gas stations from C-1 — exactly what § 5.3.6(E) forbids. And the "similar use" mechanism exists for uses the Code has not listed; a gas station is listed, and it is excluded from C-1. The appeal's trip-generation

9. comparisons do not change this: similar traffic does not override an express exclusion.

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

7. Deciding the permitted use of a specific parcel by applying the Code's definitions to specific facts is a discretionary, quasi-judicial judgment — the Code's own § 5.3.6(B) describes it as an "analysis and comparison of various code provisions ... as opposed

8. to a nondiscretionary review." The County itself stated in February 2026 that "a public hearing is required to determine the use classification" for a project like this. The contested questions this appeal raises — whether a multi-state destination "serves

9. the neighborhood," the traffic and water impacts of a facility of this scale — cannot fairly be resolved on the applicant's paper record. They should be decided by you, in public, on an evidentiary record, with the community heard. If the Board is inclined

10. to entertain reversing the Director, a use classification of this magnitude cannot fairly be decided on the applicant's paper submissions alone; it requires a noticed public evidentiary hearing at which the community can be heard. And because the Code distinguishes

11. C-1 ("commercial activities," § 4.4.1) from C-2 ("large commercial activities," § 4.4.4) — and allows gas stations in C-2 but not C-1 — the proper path for a regional interstate fuel-and-retail center is a rezoning to C-2, or a special-use / PUD review, each

12. with full notice and hearing.

13.

5.

6. **The**

7. **application is also unreliable on its face.** Beyond

8. the violations above, the record repeatedly misstates the Code and the facts — including a "full list of allowed C-1 uses" that omits Convenience Store, the very use it claims is permitted; fuel-footprint percentages calculated on shifting denominators; and

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10.

I respectfully request that the Board:

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2. Deny

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

4.

5.

6. Recognize

7. that a 120-position fuel facility **is**

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

- 9.
- 10.
11. Decide
12. the appeal in public, on a full evidentiary record, with the community heard;  
and
- 13.
- 14.
15. Require
16. the applicant to use the proper public process — a rezoning to C-2, or  
special-use / PUD review — with full notice and hearing.
- 17.

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Respectfully  
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1265 Fallen Tree Road  
Monument, CO 80132