



TOWN OF MONUMENT, COLORADO

August 3, 2026

El Paso County Board of County Commissioners
200 South Cascade Avenue
Colorado Springs, CO 80903

Subject: Support for Administrative Determination ADM264 and Opposition to Classification of Buc-ee's as an Allowed Convenience Store Use

Dear Chair and Members of the Board of County Commissioners:

The Town Council of the Town of Monument respectfully submits this letter in support of the July 1, 2026, Administrative Determination issued by Meggan Herington, Executive Director of Planning and Community Development, regarding the proposed Buc-ee's development at the southeast corner of Beacon Lite Road and County Line Road. The Town Council urges the Board of County Commissioners to uphold the determination and deny the applicant's request for administrative approval of the proposed development as a convenience store use within the existing C-1 Commercial zoning district.

I. THE ADMINISTRATIVE DETERMINATION CORRECTLY CONCLUDES THAT BUC-EE'S DOES NOT CLEARLY QUALIFY AS A CONVENIENCE STORE.

The Administrative Determination appropriately recognizes that the proposed Buc-ee's facility does not fit neatly within any land use classification currently contained within the El Paso County Land Development Code. County staff concluded that it is unclear whether the proposed use satisfies the Code's definition of a convenience store and further determined that it could not establish that the proposed use is sufficiently similar to those uses otherwise allowed within the obsolete C-1 Commercial zoning district.

The Town Council agrees with this conclusion. The County's analysis examined the relevant code definitions, historical approvals, and operational characteristics of the proposed development and found no existing precedent for a project of this nature within the C-1 district. County staff further noted that no convenience stores have previously been approved within the C-1 zoning district, creating additional uncertainty regarding the applicant's requested interpretation.

II. BUC-EE'S IS FUNDAMENTALLY DIFFERENT FROM THE NEIGHBORHOOD-SERVING CONVENIENCE STORES CONTEMPLATED BY THE CODE

The County's Land Development Code defines a convenience store as an establishment offering such items as groceries, ready-to-eat food, over-the-counter

drugs, and sundries to the neighborhood in which it is located, with fuel sales permitted as an accessory component.

The proposed Buc-ee's development, however, is not designed to serve a neighborhood market. It is a regional travel center intended to attract customers from throughout Colorado and beyond. Its business model, customer draw, operational intensity, site design, and scale are substantially different from the convenience stores historically approved within El Paso County. The County's review of prior convenience store approvals shows that those facilities have generally been significantly smaller in commercial floor area, range of uses, and fueling operations than the development proposed by Buc-ee's.

The Town Council avers that a project with such unique characteristics should not be shoehorned into an existing land use category simply because portions of the business resemble some aspects of a convenience store. Rather, the overall operation, intended use, and scope of the proposed development must be considered in their entirety in determining whether the administrative review requested by Buc-ee's is appropriate.

III. APPROVAL WOULD EXPAND THE MEANING OF THE CONVENIENCE STORE DEFINITION BEYOND ITS INTENDED PURPOSE

The Administrative Determination recognizes that the proposed use combines characteristics of retail sales, fuel sales, restaurant services, and regional destination commerce in a manner that is difficult if not impossible to classify under any existing code definition.

When a proposed development does not fit an existing use classification, the proper course is not to stretch the language of the Code to accommodate the proposal. Rather, the proposal should undergo a more comprehensive public review process that allows decision-makers and affected communities to fully evaluate its impacts and compatibility.

The Town Council is concerned that approval of this request would establish a precedent allowing land use definitions to be interpreted broadly or subjectively to accommodate developments that were never contemplated or approved when the Code was adopted. Such an approach would erode the predictability and consistency upon which landowners, residents, businesses, and local governments rely, and would introduce subjective and ambiguous considerations into a process intended to avoid them.

IV. THE REQUESTED CLASSIFICATION RAISES CONCERNS SIMILAR TO SPOT ZONING

Although the issue before the County is one of land use classification rather than rezoning, the practical effect of approving this request raises concerns similar to those commonly associated with spot zoning.

The Administrative Determination acknowledges that no previous convenience store approvals exist within the C-1 district and that the proposed use is difficult to compare to previously approved developments.

Granting a unique interpretation of the convenience store definition for a single property could effectively provide a special entitlement unavailable to similarly situated properties without the policy review, legislative analysis, and public scrutiny typically associated with significant land use decisions. Such an outcome would create the appearance of inconsistent application of the Land Development Code and could undermine public confidence in the integrity of the County's zoning framework.

The Town Council believes that the County's land use regulations should be applied uniformly, transparently, and equitably. Projects with impacts and characteristics substantially different from those historically contemplated by a zoning district and that fall outside of approved category definitions should be reviewed through appropriate public processes rather than accommodated through expansive and non-uniform administrative interpretations.

V. REGIONAL TRANSPORTATION AND INFRASTRUCTURE IMPACTS WARRANT COMPREHENSIVE REVIEW

The Town of Monument has substantial concerns regarding the transportation impacts associated with a development of this magnitude.

The proposed facility is expected to generate traffic volumes substantially greater than those associated with traditional convenience stores and will directly affect transportation corridors that serve Monument residents, businesses, and visitors. Specifically, the Town is concerned about impacts to County Line Road, Beacon Lite Road, State Highway 105, Interstate 25 interchange operations, and regional traffic circulation patterns throughout northern El Paso County.

The Town further believes that the development has the potential to redirect significant traffic through the Town of Monument and its historic downtown core as motorists seek alternative routes to and from the proposed facility. Increased regional traffic may affect roadway safety, emergency access, intersection operations, local business access, pedestrian activity, and the overall character of Downtown Monument.

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These transportation impacts extend well beyond those typically associated with a neighborhood-serving convenience store and underscore the need for comprehensive review rather than administrative approval.

VI. PUBLIC SAFETY AND LAW ENFORCEMENT CONSIDERATIONS

The Town Council is also concerned about the potential public safety and law enforcement implications associated with a regional commercial destination of this scale. Unlike traditional neighborhood-serving convenience stores, the proposed Buc-ee's facility is intended to attract a substantial volume of regional and interstate travelers. As a result, the development may create additional demands on local law enforcement, traffic enforcement, emergency medical services, and fire response agencies serving the greater Monument area. The scale and regional draw of the proposed use distinguish it from the convenience store uses contemplated by the current Land Development Code definition.

The Town is particularly concerned about potential increases in traffic incidents, impaired-driving enforcement needs, motor vehicle accidents, pedestrian safety and conflicts, and emergency response activity along County Line Road, Beacon Lite Road, State Highway 105, and nearby Interstate 25 interchanges. The Town is also concerned that increased traffic volumes may affect emergency response times and place additional operational demands on public safety agencies serving the region. These impacts should be fully evaluated through an appropriate public review process rather than assumed to be consistent with those impacts associated with a conventional convenience store.

The Town Council further believes that large-scale commercial developments generating regional travel demand should be evaluated not only for their land use compatibility but also for their ability to support the public services required to accommodate their impacts. Because the proposed use differs substantially from the neighborhood-oriented convenience store model envisioned by the Land Development Code, a comprehensive review of public safety, emergency response, and service delivery considerations is warranted prior to any final determination regarding land use classification.

VII. THE OBSOLETE NATURE OF THE C-1 ZONING DISTRICT FURTHER SUPPORTS A CAUTIOUS APPROACH INVOLVING PUBLIC REVIEW AND CONSIDERATION.

The Administrative Determination notes that the subject property is governed by the obsolete C-1 Commercial zoning district and that no new property has been eligible for rezoning into this district since 1991.

The Town Council believes the unusual nature of this proposal highlights the difficulty of applying decades-old zoning classifications to modern commercial developments that may not have existed, or been contemplated, when those regulations were

created. Because the existing Code does not provide a clear basis for treating the proposed use as an allowed convenience store in the obsolete C-1 district, the Town Council agrees with County staff's conclusion that a public approval process is necessary and appropriate.

This historical distinction is important because the applicant's interpretation would not merely clarify an ambiguous term; it would substantially expand the range of uses allowed in an obsolete zoning district without the public process normally required for that type of land use decision.

Buc-ee's requested interpretation effectively seeks to import into the obsolete C-1 district a use that was expressly permitted in the obsolete C-2 district, even though the County's historical zoning framework distinguished between the two districts. The C-1 district's convenience store definition was intended to allow neighborhood-scale retail uses and specifically provided that such uses "shall not include gasoline filling stations." By contrast, the former C-2 district accommodated more intensive commercial activities, including fuel-oriented uses. Although the 2007 code amendment allowed fuel sales as an accessory component of a convenience store, it did not eliminate the fundamental distinction between neighborhood-serving C-1 convenience stores and regional fuel destinations.

By seeking approval for a large-scale travel center whose primary draw is fuel sales and interstate traffic, Buc-ee's is effectively attempting to establish a use characteristic of the former C-2 district without undergoing a rezoning or legislative review process. Accepting that interpretation would blur the historical distinctions between the County's zoning districts, expand the convenience store definition beyond its intended scope, and undermine the principle that land uses should be evaluated based on the district in which they are permitted rather than by selectively borrowing permissions from another district. This concern is further reinforced by the fact that no convenience stores have previously been approved in the C-1 district, and the County's own analysis found no precedent for a project of this nature within C-1.

CONCLUSION.

This matter involves more than the classification of a single commercial use. It concerns the consistent application of the Land Development Code, the integrity of the County's zoning framework, the equitable treatment of property owners, and the appropriate level of review for a project of regional significance.

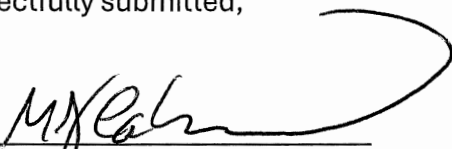
For the reasons outlined above, the Town Council respectfully requests that the Board of County Commissioners uphold Administrative Determination ADM264 and deny the applicant's request to classify the proposed Buc-ee's development as an allowed convenience store use within the C-1 Commercial zoning district. Upholding the

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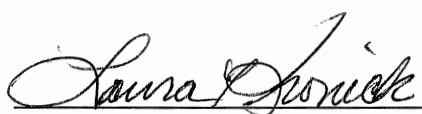
determination will preserve the integrity of the County's land use regulations, promote transparency and fairness in decision-making, and ensure that a project of this scale and regional significance receives the comprehensive public review it warrants.

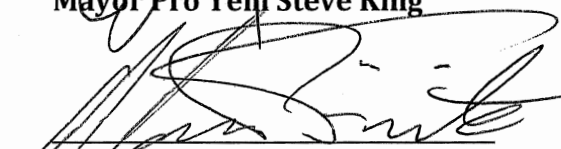
Thank you for your consideration.

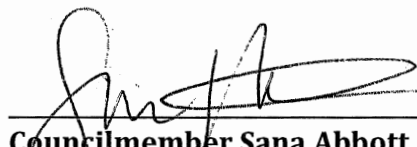
Respectfully submitted,



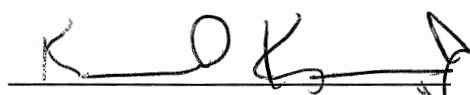
Mayor Mitch LaKind

Mayor Pro Tem Steve King

Councilmember Laura Kronick

Councilmember Marco P. Fiorito

Councilmember Sana Abbott

Councilmember Chad Smith

Councilmember Kenneth Kimple

cc: Meggan Herington, Executive Director, EPC Planning and Community Development
 Madeline VanDenHoek, Town Manager
 Bob Cole, Town Attorney
 Asheley Hernandez-Schlagel, Town Attorney
 Dan Ungerleider, Town Planning Director
 Monument Planning Commission