



BOARD OF TRUSTEES MEETING- SPECIAL MEETING

Thursday, October 02, 2025 at 6:00 PM

Palmer Lake Town Hall – 28 Valley Crescent, Palmer Lake, Colorado

LIVE STREAM available on Town website

AGENDA

This agenda is subject to revision 24 hours prior to commencement of the meeting.

The Board of Trustees values public comment on issues relevant to Town government. To permit the fair and orderly expression of such comments, the Board will adhere to the following rules for public comment, whether for an agenda item or during public comment for non-agenda items brought by the public.

A speaker must be recognized by the Mayor to step to the podium, sign in, use the microphone, state name and address for the record, and address comments solely to the Board, as a whole.

Each speaker is limited to 3 minutes, cannot pool time with another, and each speaker may only speak once per topic. Civility and respect is required. Comments should not be directed to Town staff, individual Board members or to public members. Comments or disruption from audience members not recognized by the Mayor are prohibited. Points already made should not be duplicated. Only written comments limited to one page will be permitted. Public members are also invited to submit comments by email to be distributed to the Board separately. Note that comments submitted to the Board are public record. Please understand that the Board will listen and consider public comments; however, members will not discuss or take action on your comment but may refer it to staff and/or a future meeting for discussion.

Thank you for your cooperation.

Call to Order

Roll Call

Pledge of Allegiance

Introductions/Presentations

Public Hearing – to consider the following applications submitted by Monument Ridge West, LLC in connection with a family travel center on 24.77 acres consisting of gasoline, food, beverages and retail sales, along with rest rooms and rest areas:

- a) Petitions for annexation, including approval of a proposed annexation agreement, of a flagpole to parcels 7102200016 and 7102200014 and said parcels, located at the southwest corner of I-25 and County Line/Palmer Divide Road;
- b) A planned development plan to zone the property as a Planned Development;
- c) A sketch development plan for subdivision of the property.

Following the public hearing, the Board will consider such items for approval, approval with conditions, denial or continuation.

The Applicant has submitted a written request for an annexation election and requesting to continue this hearing until after the annexation election has been concluded. Staff has recommended approval of the request for annexation election and to continue the public hearing to a date and time certain. The issue of whether to approve the applicant's request for an annexation election and continuance of the hearing will be addressed by the Board before the commencement of the public hearing.

Business Item

- [1.](#) Legal Memo
- [2.](#) Annexation Application/Monument Ridge West, LLC
- [3.](#) Applicant Presentation - Buckees

Public Comment - *Public comments are encouraged to be emailed to the Town office at info@palmer-lake.org with subject line of Public Comment (24 hours prior to meeting) and shall be distributed and read at the meeting. Otherwise, please be recognized to speak, sign in, and address the Board on matters not on the agenda. Thank you!*

Convene to Executive Session -pursuant to Section 24-6-402(4)(b), C.R.S., for the purpose of conferring with the Town Attorney to receive legal advice on specific legal questions related to the request by Monument West LLC for an annexation election and to continue the hearing on their application until after the annexation election has been accomplished.

Adjourn

Americans with Disabilities Act

Reasonable accommodations for persons with a disability will be made upon request. Please notify the Town of Palmer Lake (at 719-481-2953) at least 48 hours in advance. The Town of Palmer Lake will make every effort to accommodate the needs of the public.



KROB LAW OFFICE, LLC
Attorneys at Law

MEMORANDUM

To: Palmer Lake Board of Trustees

From: Scotty P. Krob, Town Attorney

cc: Glen Smith, Interim Town Administrator
Erica Romero, Town Clerk

Date: September 30, 2025

Re: Applicant's request for annexation election and to continue Board of
Trustee's October 2, 2025 hearing

Yesterday afternoon, the Town staff received the attached letter from the attorney representing the Applicants in the Monument Ridge West/Buc-ee's annexation, zoning and subdivision process. I wanted to bring it to your attention as soon as possible due to its likely impact on the hearing that is scheduled for this Thursday, October 2, 2025.

The Applicants' letter asks the Town to conduct an election on the pending annexation, pursuant to the provisions of the Ballot Initiative approved by the voters on September 9, 2025 and implemented by you on September 25, 2025 by adopting Ordinance 5-2025.

In light of this request, the first order of business for the Board on Thursday, will be to decide whether the Applicant's request should be granted and an annexation election held before the Board moves forward with its consideration of this matter. Having reviewed the Applicants' request and discussed the matter with Town staff, my recommendation will be to approve the Applicants' request and continue the hearing until after the annexation election. I will be glad to explain the reasons for my recommendation on Thursday, when the Board meets. Whether to grant the Applicants' request is a Board decision that you will need to make on the record Thursday, after you have had an opportunity to discuss it.

At this point, I am not recommending you hold an executive session. However, I have asked the Clerk to add an executive session to the agenda as a place holder, in case the Board wants to hold

one, as there are legal implications involved with the Board's decision. I will be glad to answer any questions you may have that relate to holding the annexation election and continuing the hearing.

I wanted to get this memo to you as soon as possible, and I have also directed the Clerk to post both the Applicants' letter and this memo on the Town's website so the public is also aware that Thursday's hearing may be continued.

I look forward to discussing this matter with you Thursday.



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September 29, 2025

Ms. Erica Romero
 PO Box 208
 Palmer Lake, CO 80133

Re: Annexation Application / Monument Ridge West, LLC

Dear Ms. Romero:

Please accept this letter on behalf of the applicant, Monument Ridge West, LLC. I am writing in regards to the Board of Trustees hearing this coming Thursday, October 2, 2025. As you know, the purpose of the October 2nd meeting is to, at least in part, conduct a Board of Trustees hearing on the applicant's annexation and zoning application for the property located at the southwest corner of I-25 and County Line Road. However, based upon the newly adopted Town of Palmer Lake Ordinance regarding the requirement for voter approval of annexations (the "Ordinance"), the applicant believes the proper course of action is to postpone the Board of Trustees hearing until after an election is held.

The Ordinance reads:

"Section 1. Requirement for Voter Approval of Annexation

Any proposal to annex land into the Town of Palmer Lake shall be subject to approval by a majority vote of the registered electors of the Town of Palmer Lake at a regular or special municipal election. No annexation shall be deemed effective unless and until it has been approved by the voters in accordance with this ordinance.

Section 2. Compliance with State Law

All annexation proposals shall comply with the requirements of the Colorado Revised Statutes, including but not limited to CRS 31-12-101 et. seq., and any other applicable municipal and state laws.

Ms. Erica Romero
September 29, 2025
Page 2

Section 3. Effective Date

This ordinance shall be in full force and effect from and after its passage, approval by the electors (if required), and publication as provided by law.

Section 4. Applicability to Prior Annexations

Any annexation approved by the Town Board of Trustees within one year prior to the effective date of this ordinance but not yet finalized (including those pending legal challenge or awaiting infrastructure development) shall be subject to voter approval as described in Section 1."

The Ordinance specifically states "*any proposal to annex land ... shall be subject to a majority vote of the registered electors ...*," rather than any ordinance to annex land be subject to a majority vote of the registered electors. In the absence of other guidance on the timing of the election, the applicant must assume the language was chosen deliberately to allow the election to take place prior to the vote of the Board of Trustees while the application is a proposal and not after an annexation ordinance exists.

Also instructive, the Ordinance requires all annexation proposals to comply with Colorado law, including Colorado annexation law pursuant to CRS 31-12-101 et. seq. C.R.S. Section 31-12-112(9) requires that annexation elections precede associated implementing ordinances. Moreover, Colorado law already includes a process for a referendum election on any ordinance once enacted. Thus, the applicant believes the correct process for an annexation application under the new Ordinance is to hold the election required by the Ordinance prior to any Board of Trustees hearing so that the Board of Trustees may rely upon the election result in its own deliberation process.

One additional component to consider is that the electors of the Town of Palmer Lake, very clearly said, by an unofficial tally of 765 (pass) to 375 (fail), that they want to vote on the annexation and provide the Board of Trustees with their guidance. While the applicant believes the plain language of the Ordinance requires the election be held prior to the Board of Trustees vote, or at the very least it is in the applicant's purview to opt to have the new election held prior to the Board of Trustees vote, holding the election prior to the Board of Trustees vote ensures the voters of the Town of Palmer Lake participate in the process.

Mulliken Weiner Berg & Jolivet P.C.

Ms. Erica Romero
September 29, 2025
Page 3

In light of the above, the applicant believes the Board of Trustees must postpone the currently scheduled October 2nd hearing until after the election required by the new Ordinance can be held.

Sincerely,



Sara M. Frear

SMF:kwf

cc: Mr. Scott Krob
Mr. Stan Beard
Ms. Maria Larsen

A STRONG COMMUNITY PARTNERSHIP


Buc-ee's + Palmer Lake = Building a Better Future Together



Presentation Overview

- Specific Requests
- Background
- Review Criteria
Analysis
- Annexation
Agreement

Requests



ANNEXATION OF
APPROXIMATELY 41.2
ACRES INTO THE TOWN
OF PALMER LAKE

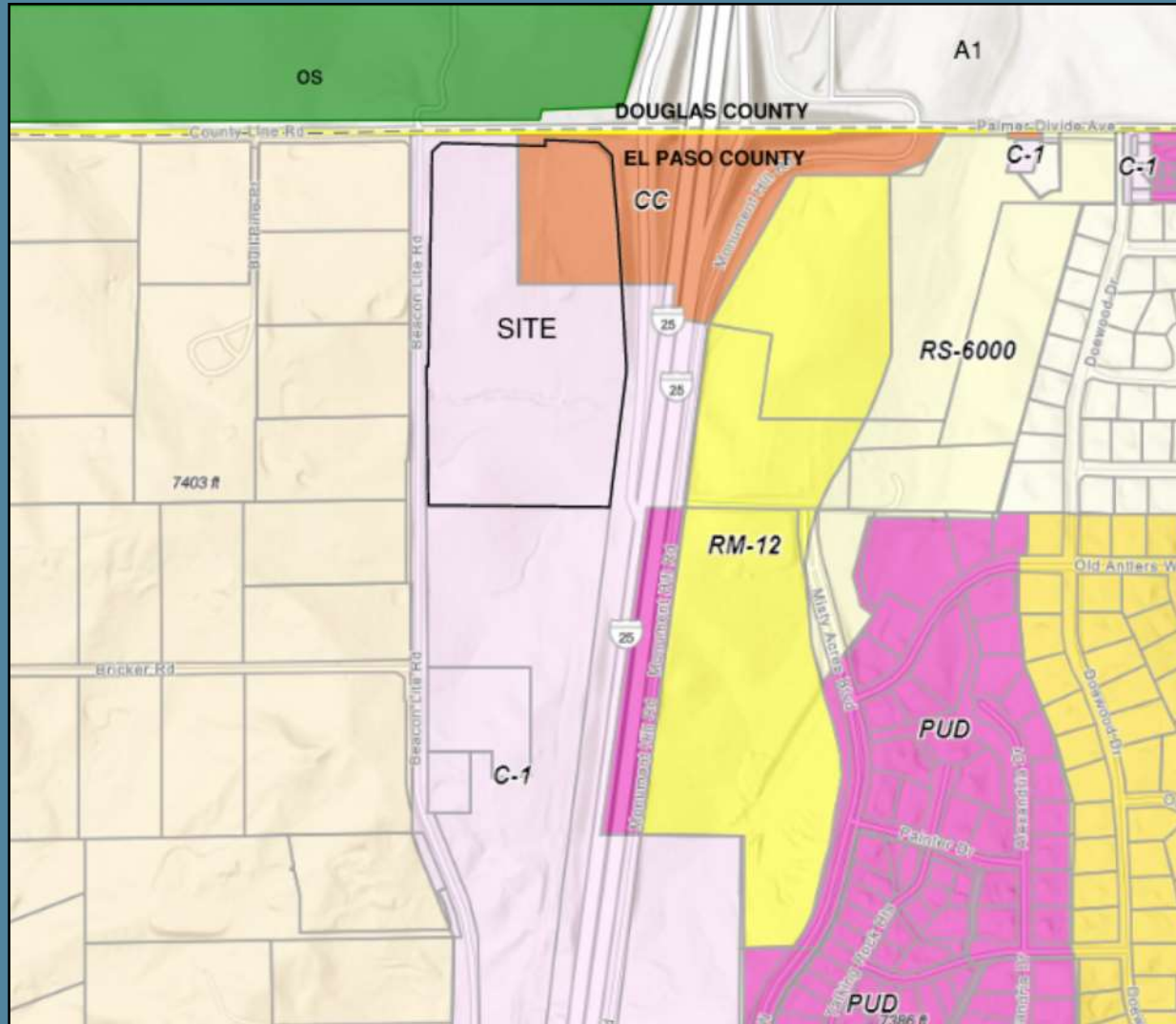


SKETCH PLAN



PLANNED
DEVELOPMENT
PLAN

Current Zoning



Allowed Uses in Current Zoning

Item 3.

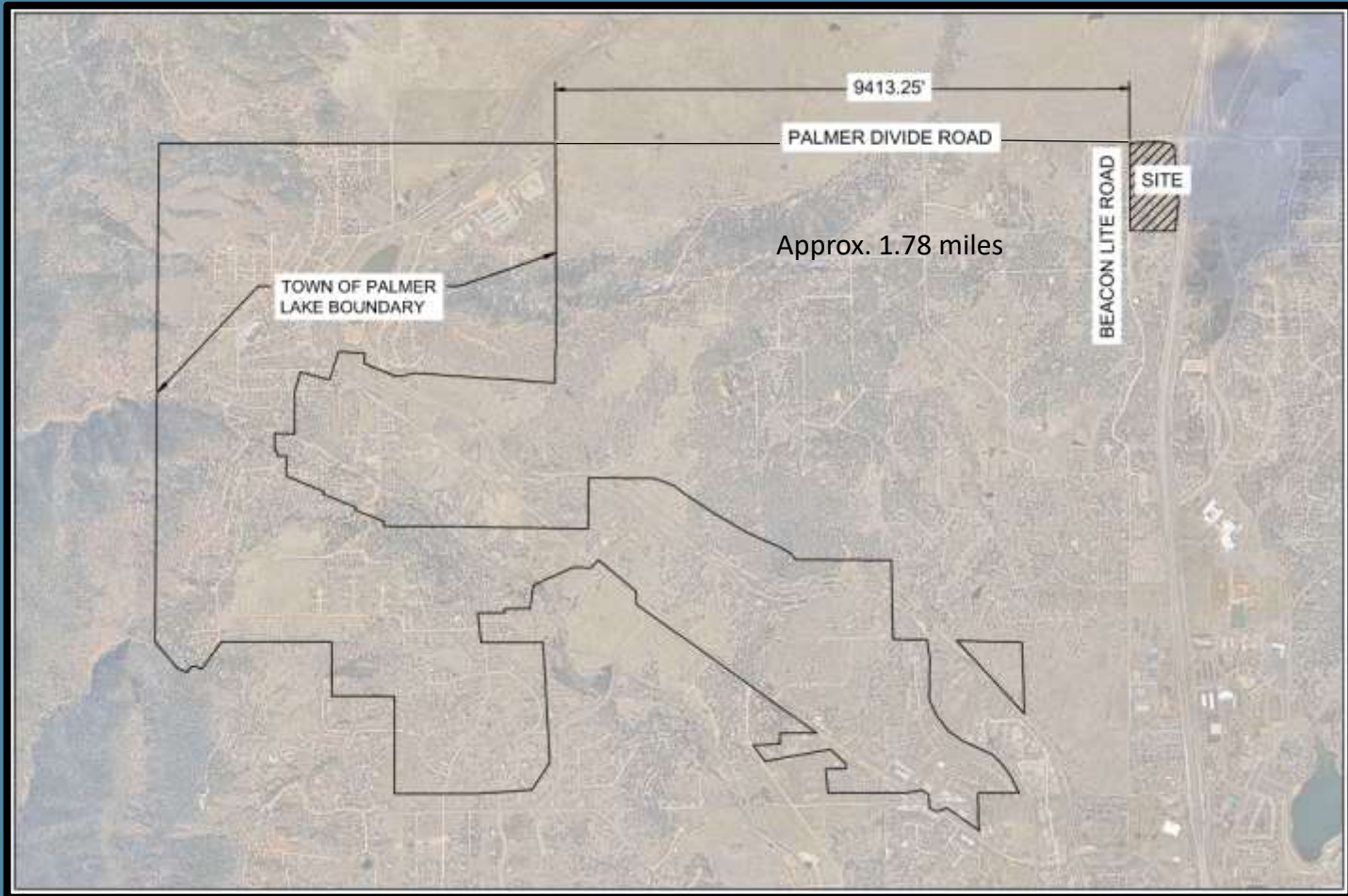
C-1 – Commercial

CC - Commercial Community

- Indoor Amusement Center
- Bar
- Barber/Beauty Shop
- Billiard Parlor
- Car Wash
- Child Care Center
- Club
- Cell Phone Tower
- Shopping Center
- **Convenience Store**
- Copy Shop
- School
- Emergency Facility
- Bank
- Funeral Home
- Hotel
- Disposal Site
- Kennel
- Laboratory
- Liquor Store
- Medical Marijuana
- Nursery
- Office
- Parking Lot
- Rehab Facility
- Church
- Restaurant
- Retail
- Sexually-Oriented Business
- Theater

- Retail Bakery
- Bar
- Barber/Beauty Shop
- Billiard Parlor
- Business Event Center
- Car Wash
- Child Care Center
- Club
- Cell Phone Tower
- Shopping Center
- Community Building
- **Convenience Store**
- Copy Shop
- School
- Emergency Facility
- Bank
- Gas Station
- Health Club
- Hospital
- Disposal Site
- Kennel
- Laundry Mat
- Library
- Liquor Store
- Medical Clinic
- Museum
- Nursery
- Office
- Parking Garage
- Parking Lot
- Rehab Facility
- Church
- Restaurant
- Retail
- Sexually-Oriented Business

Proposed Annexation



Review Criteria

Annexation- BOT approval on 05/29/25 demonstrating all criteria is met

Sketch Plan- Section 16.20.080.c.5

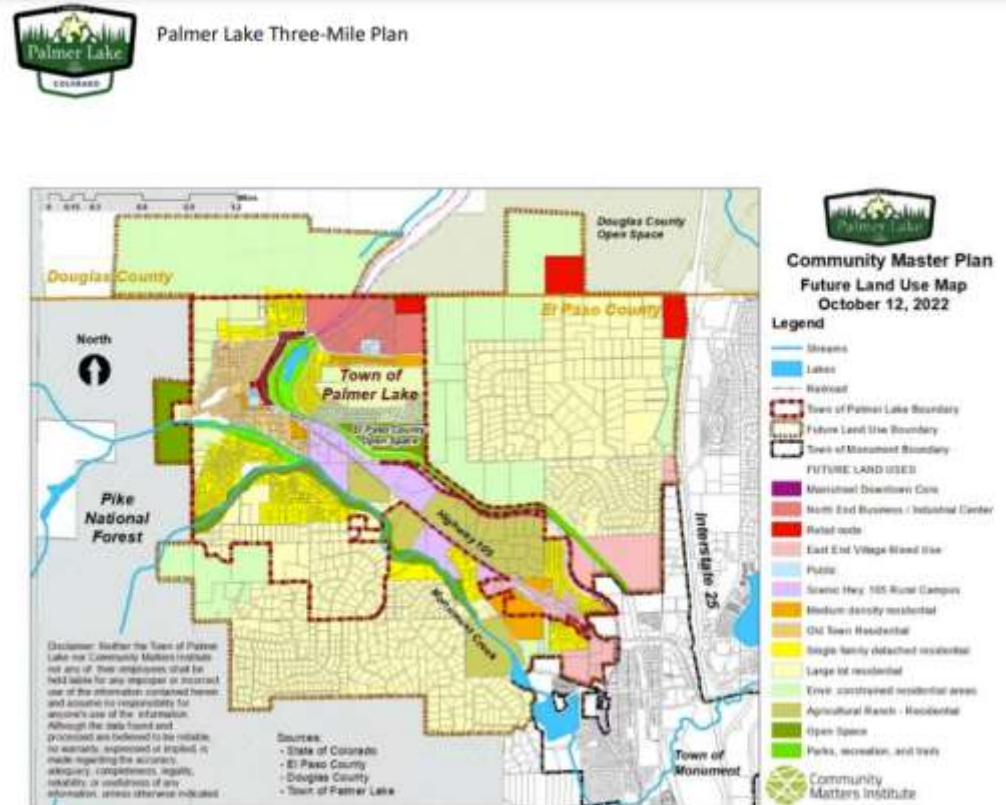
Planned Development Plan- Section 17.72.050.a

NOTE: All review criteria has been covered in great detail in the associated Project Statement/Letter of Intent. The following slides will highlight those points but will not replace the more detailed analysis on file.

Sketch Plan Criteria

a. The sketch plan conforms to the town's community master plan.

Town of Palmer Lake
Community Master Plan
(adopted December 2022)



Sketch Plan Criteria

- a. The sketch plan conforms to the town's community master plan.

Importance of Palmer Lake as a Small Town

Community Goal CC-2 – “Maintain the small-town look and feel of Palmer Lake by ensuring that new development and redevelopment projects respect the historical character, size, and scale.”

Buc-ee's will not adversely impact the look or feel of any existing areas within the Town of Palmer Lake due to its location over one and a half miles east of Town and immediately adjacent to Interstate 25.

Sketch Plan Criteria

a. The sketch plan conforms to the town's community master plan.

The Economic Importance of Non-Residential Development

Page 56 – “Non-residential development” is referred to as “critical to the overall fiscal health of smaller communities in Colorado.”

Importance of Positive Fiscal Impacts

Community Goals ED-5 – “Work to enhance the Town’s tax base, allowing the Town to invest in public facilities and services, maintain roads, and retain a professional Town Staff.”

Guiding Objective LU-2.1 – “Encourage strategic annexations if the benefits (e.g., increased revenue) of such annexations outweigh the costs (e.g., additional burdens to services including police, fire, water, sewer, roads, etc.) and enable the Town to manage growth.”

Buc-ee’s projected positive economic impact to the Town is well documented in the Fiscal Impact Analysis and further memorialized in the annexation agreement.

Sketch Plan Criteria

a. The sketch plan conforms to the town's community master plan.

Importance of Expanded Goods and Services

Guiding Objective ED-2.1 – “Identify and pursue opportunities to bring a broader range of essential goods and services into the community (e.g., gas stations, small grocer, hardware stores, drugstores, etc.)

Buc-ee’s will deliver on this objective by bringing both a gas station as well as a travel center stocked with groceries to the Town of Palmer Lake.

Sketch Plan Criteria

a. The sketch plan conforms to the town's community master plan.

Importance of Tourism

Community Goals PTO-6 - Develop tourist amenities that serve both the visitor and Palmer Lake citizens.

- ***Appx. 70% of Buc-ee's customers are from over 100 miles away.***
- **Buc-ee's are "destination retail" stores, functioning as a community amenity.**
- **Customers will have access to locally sourced merchandise stocked in the Buc-ee's store.**

Sketch Plan Criteria

a. The sketch plan conforms to the town's community master plan.

Consistent with the Town's 3-Mile Plan

- Adopted January 24, 2025.
- Future Land Use Map depicts the property as a “Retail Node”
- The Plan states the following:

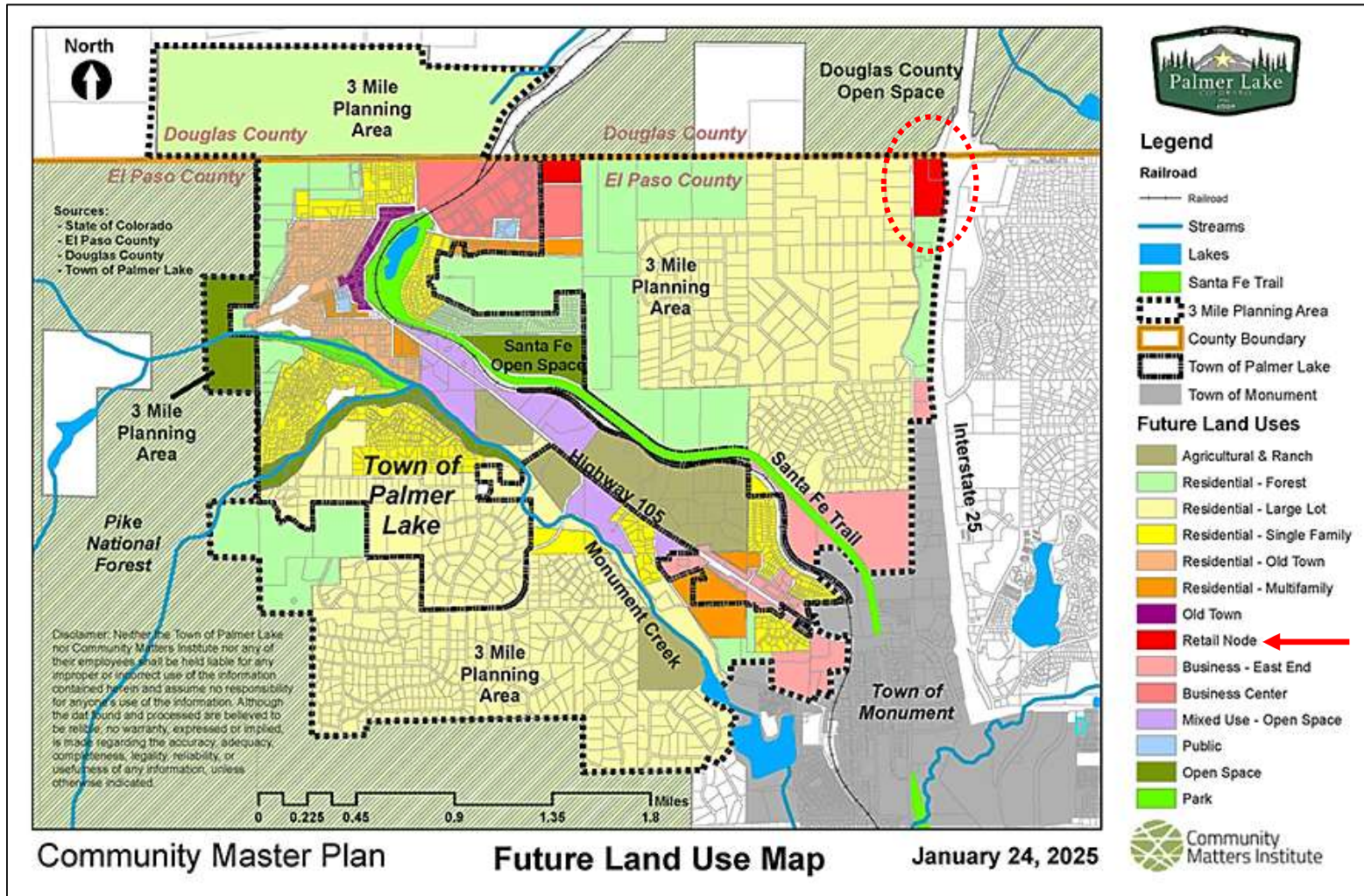
“These designated new retail nodes are **located along County Line Road**. As development increases long the I-25 corridor, increased traffic counts anticipated, allowing the development of new retail stand-alone centers **that will not detract from the Town's small-town character.**” (Emphasis added)

“**This type of retail development can generate a high number of vehicle trips and serve the area's residents and traveling public.**” (Emphasis added)

2025 Palmer Lake 3-Mile Plan

Future Land Use Map

Item 3.



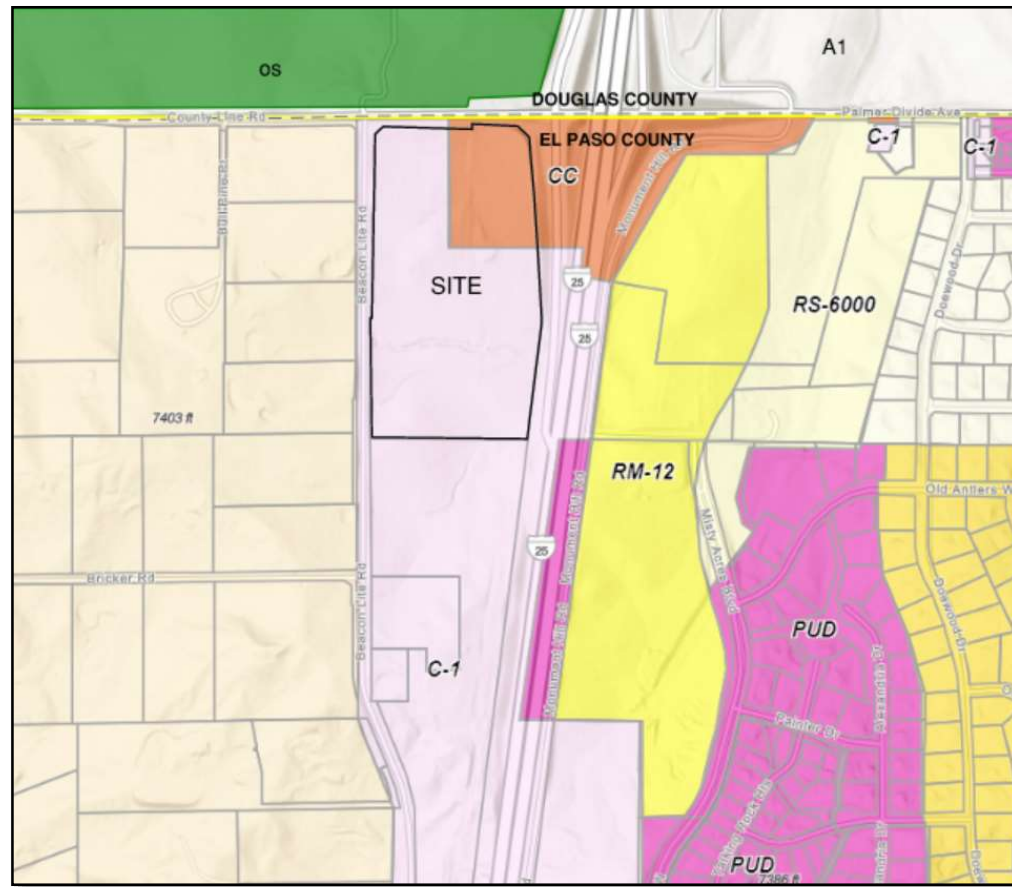
Sketch Plan Criteria

b. The sketch plan proposes a harmonious development and lot pattern that is compatible with the neighborhood and community.



Sketch Plan Criteria

b. The sketch plan proposes a harmonious development and lot pattern that is compatible with the neighborhood and community.



Sketch Plan Criteria

Item 3.

c. The lot and development pattern ensures there will be adequate light and air.

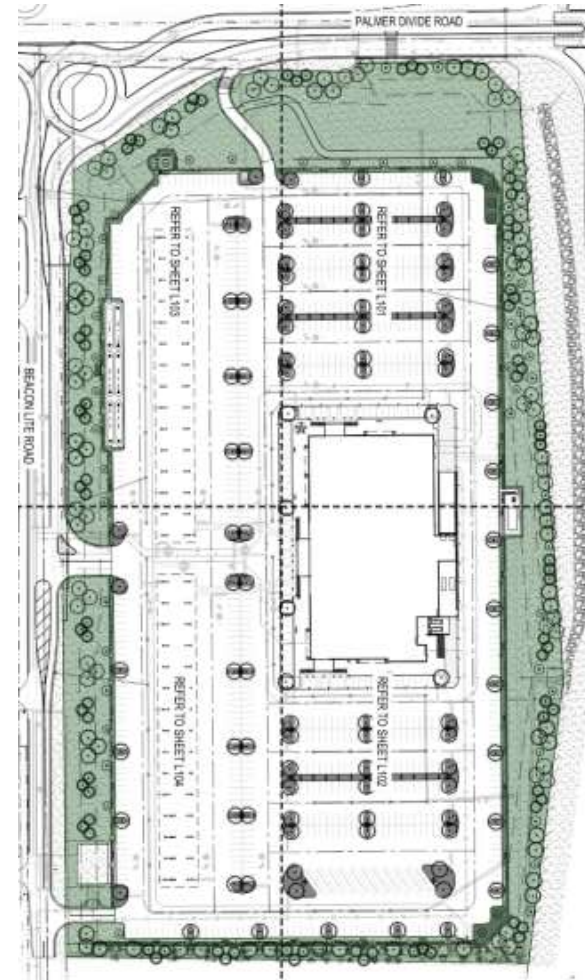
- Zero-foot candles at property line
- 3K kelvin temp bulbs (CCT)
- Downcast, shielded, full cut off



Sketch Plan Criteria

d. There will be adequate parks, open space, and other spaces for public use for each phase of development.

OPEN SPACE DEDICATION TABLE	
OPEN SPACE REQUIREMENT	15% OF 24.77 AC
	161,846 SF (3.72 AC)
TOTAL OPEN SPACE PROVIDED	300,202 SF (6.89 AC)
TOWN CODE EXCLUDES 85% OF DETENTION POND AND SLOPES GREATER THAN 15% FROM OPEN SPACE CALCULATION	
DETENTION POND AREA	61,772 SF (1.42 AC)
ONSITE SLOPES GREATER THAN 15%*	57,520 SF (1.32 AC)
OPEN SPACE DEDICATION PROVIDED PURSUANT TO TOWN CODE	179,902 (4.13 AC)
NOTE: ALTHOUGH MINIMUM OPEN SPACE REQUIRED PER TOWN CODE HAS BEEN PROVIDED, THE ANNEXATION AGREEMENT INCLUDES CASH	
*REFER TO GRADING AND EROSION CONTROL PLAN FOR AREAS WHERE SLOPE EXCEEDS 15%	



Sketch Plan Criteria

Item 3.

e. The sketch plan design provides for adequate access to all lots and tracts proposed in the subdivision.



Sketch Plan Criteria

f. Adequate, safe, and efficient public improvements, utilities, community facilities, and public places are available or will be provided with sufficient capacity to serve the subdivision.

Developer to pay 100% public improvement costs.

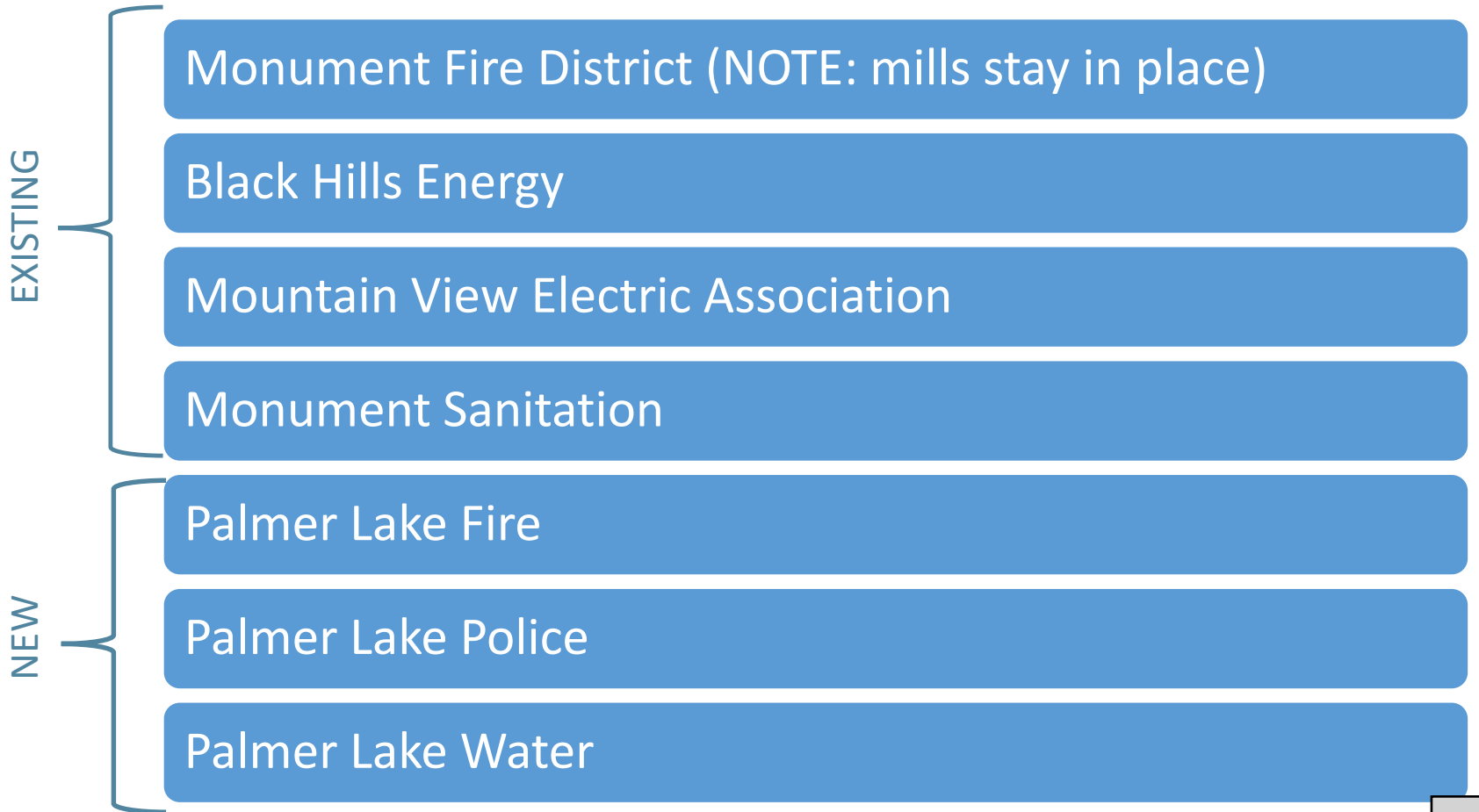
Public Improvements Reviewed by Outside Agencies

- Palmer Lake
- CDOT
- EPC

Outcome: meets all criteria, no safety concerns, approval by CDOT

Sketch Plan Criteria

f. Adequate, safe, and efficient public improvements, utilities, community facilities, and public places are available or will be provided with sufficient capacity to serve the subdivision.



Sketch Plan Criteria

f. Adequate, safe, and efficient public improvements, utilities, community facilities, and public places are available or will be provided with sufficient capacity to serve the subdivision.

- Future staging area for emergencies
- 4.13 ac open space

Sketch Plan Criteria

Item 3.

Questions regarding the Sketch Plan Criteria?

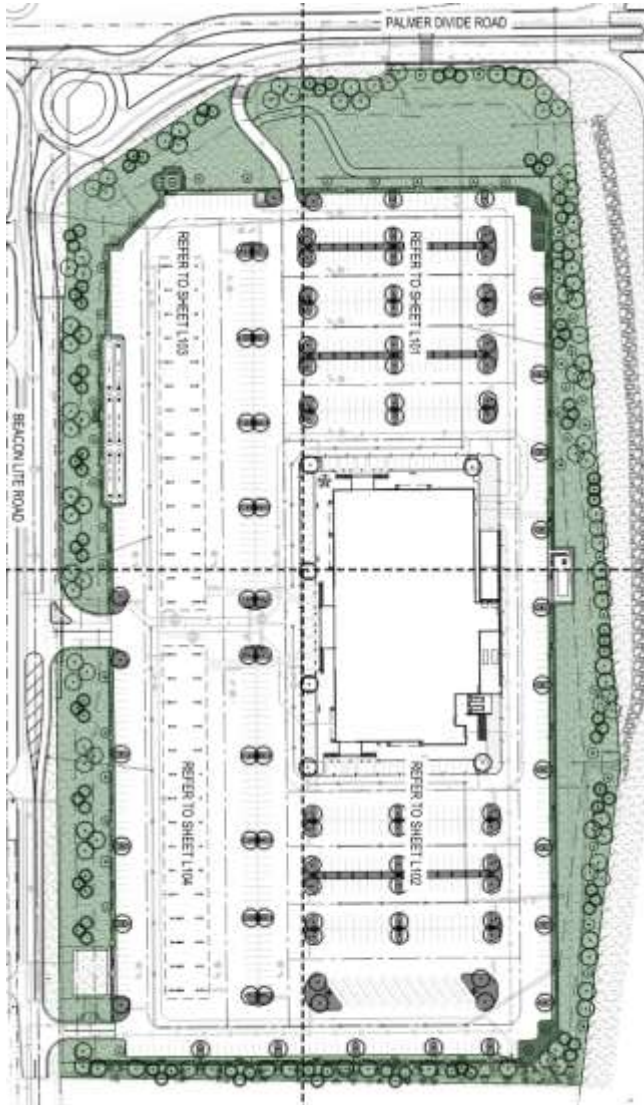
Planned Development Plan Criteria

Item 3.

1. One or more of the following shall be achieved to approve a planned development:
 - a. The encouragement of innovations in residential, commercial, and limited industrial development through greater variety in the type, design, and layout of buildings that the town's existing zone districts cannot accommodate and by the conservation and more efficient provision of open space ancillary to the associated development.
 - b. A better distribution of induced traffic on streets and highways.
 - c. Conservation of the value of the land.
 - d. Preservation of the site's natural features.

Planned Development Plan Criteria

Item 3.



1. One or more of the following shall be achieved to approve a planned development:
 - a. The encouragement of innovations in residential, commercial, and limited industrial development through greater variety in the type, design, and layout of buildings that the town's existing zone districts cannot accommodate and by the conservation and more efficient provision of open space ancillary to the associated development.
- **Type of use (Convenience Store) does not exist within the Town Code.**
 - **Buffering exceeds Town requirements**

Planned Development Plan Criteria

Item 3.

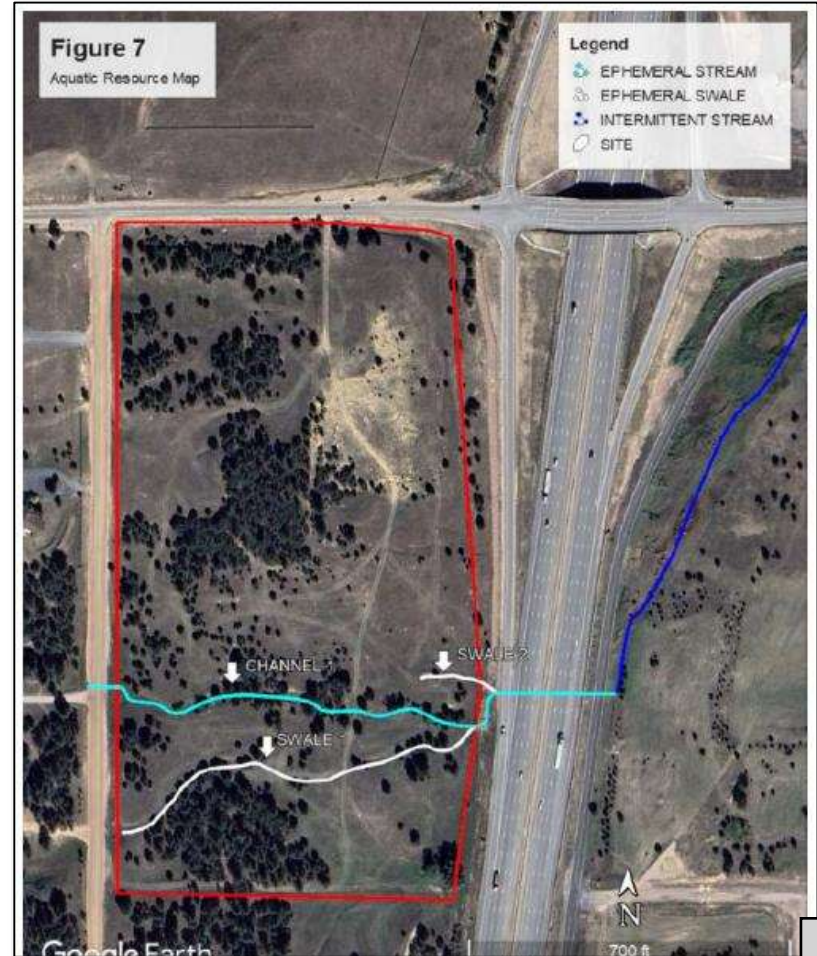
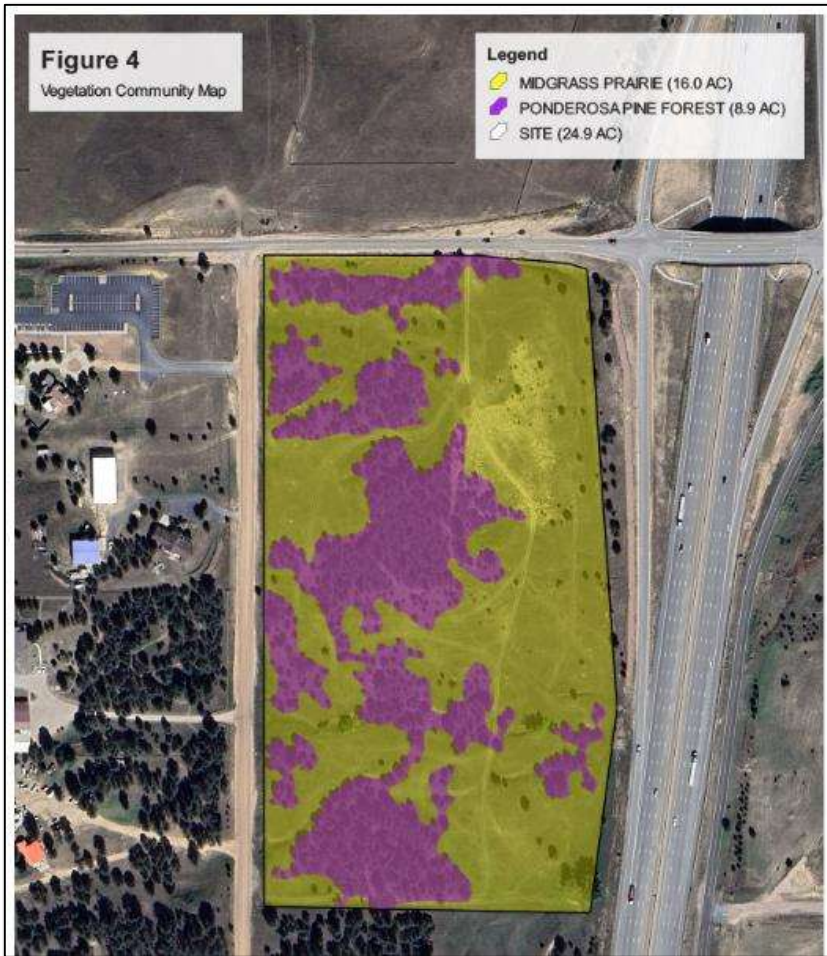
1. One or more of the following shall be achieved to approve a planned development:
 - c. Conservation of the value of the land.

Town's third-party Financial Impact Analysis report prepared by Economic & Planning Systems, Inc. includes findings that the PD would result in an increase in property values.

Planned Development Plan Criteria

Item 3.

1. One or more of the following shall be achieved to approve a planned development:
 - d. Preservation of the site's natural features.



No Federal, State, County, or Town Mandated Natural Features or Sensitive Environment

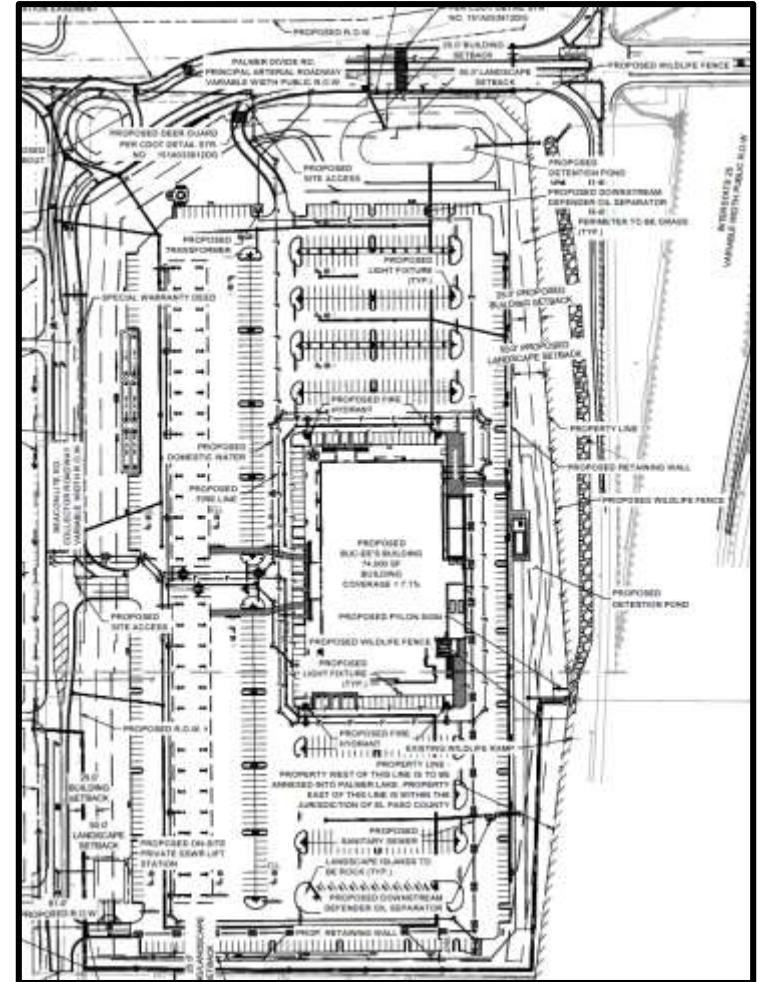
- Federal Clean Water Act (CWA)
 - No waters, wetlands or riparian areas
- Federal Endangered Species Act (ESA)
 - No Critical Habitat or habitat for T&E species
- Federal Migratory Bird Treaty Act (MBTA) and Bald and Golden Eagle Protection Act (BGEPA)
 - No raptors of birds
- State Water Quality Control Act (WQCA)
 - No waters, wetlands or riparian areas
- State Non-game Species Conservation Act (NSCA)
 - No protected species
- State Colorado Parks and Wildlife (CPW) Regulations
 - No High Priority Habitat (HPH)
 - No Species of Greatest Conservation Need (SGCN)
 - No Migration Corridors
 - No known critical wintering, calving, or breeding grounds
 - No defined travel corridors (only random and dispersed)
 - No large game pinch points
 - Only resident/occasional wildlife present
 - Common wildlife can be hunted and sometimes exterminated without concern for extinction or significance.
- El Paso County (EPC) Master Plan
 - Site rated as having Lower Attribute Value
- Town of Palmer Lake (TPL)
 - Site planned for retail/commercial development

Planned Development Plan Criteria

Item 3.

2. The design and construction of the PD shall include adequate, safe, and convenient arrangements for pedestrian and vehicular circulation, off-street parking, and loading spaces. Loading spaces are required for both non-residential development and residential development in compliance with the PPRBD-adopted building codes and the town's adopted parking and loading requirements, as amended.

- *Compliance with all PPRBD & Town Codes*
- *820 parking spaces*
- *Two 600 SF loading areas*



Planned Development Plan Criteria

Item 3.

3. The density and/or intensity of development shall be based on the capacity of the land proposed for development to support the PD as well as the impact of the proposed development on town services and facilities and on neighboring properties that reasonably could be impacted by the proposed development. The capacity of the land shall be determined based on the size, topography, and geological and environmental limitations of the land proposed for development.

- Proposed development will not exceed Town's capacity for service, or Town facilities
- Traffic Studies indicate traffic impacts are adequately mitigated

Planned Development Plan Criteria

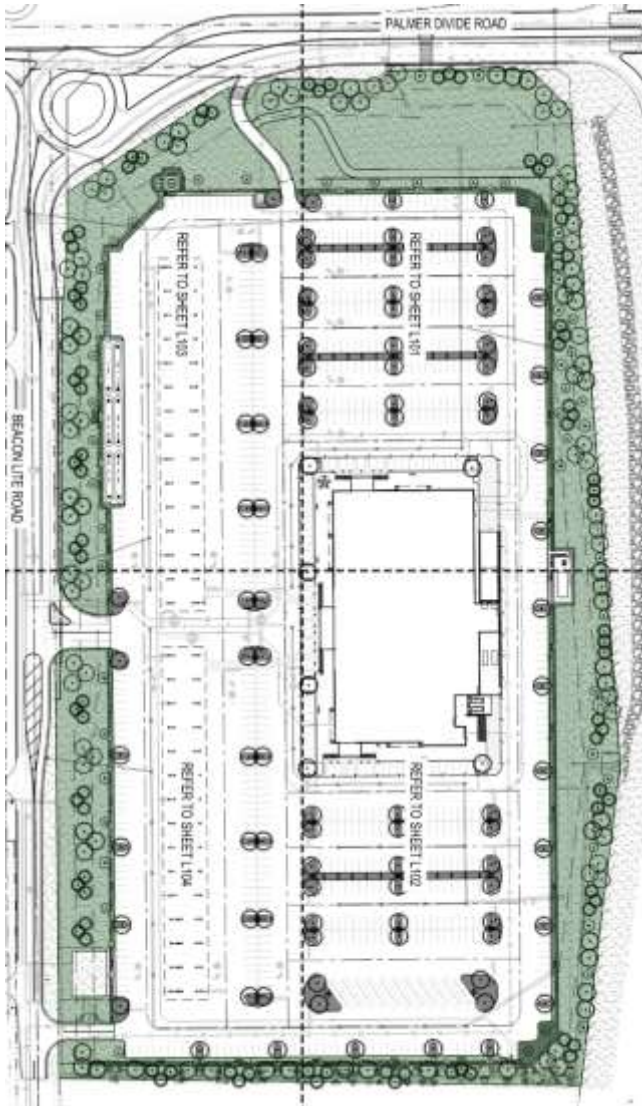
Item 3.

4. While there may be no fixed dimensional requirements, the planning commission may recommend to the board of trustees and the board of trustees may require and approve setbacks, lot widths, and space between buildings as necessary to provide adequate access and to aid in fire protection, ensure proper ventilation, light, air, and snow melt between buildings, and to ensure that the PD is compatible with other developments in the area.

- Compliant with all fire apparatus turning Radii
- Zero light trespass onto adjacent properties
- Snow removal by property owner

Planned Development Plan Criteria

Item 3.



5. Open space for the PD developments shall be planned to produce maximum usefulness to the users of the development and general public for purposes of recreation, preservation of scenic views, and to maintain the character of the areas as outlined in the adopted community master plan. All areas designated as common or public open space pursuant to the requirements of this chapter and the subdivision regulations shall be accessible by proper physical and legal access ways.

- Open space meets Town criteria
- Per annexation agreement, an additional \$150,000 to be paid to Town

Planned Development Plan Criteria

Item 3.

6. All dimensional standards shall be established and documented on an approved written and graphic PD plan.

- Maximum Building Height: 40 feet
- Minimum Lot Size: 23 acres
- Maximum Lot Coverage: 80%
- Building Setbacks: 25 feet*

*Certain encroachments are permitted for accessory uses (e.g. lift station, mailbox, retaining wall, public art)

Planned Development Plan Criteria

Item 3.

7. The developer shall provide within the PD central water and sewer facilities as required by the planning commission, board of trustees, the Palmer Lake codified water requirements, Palmer Lake Sanitation District, Colorado Department of Public Health and Environment, and El Paso County Public Health.

- Central Water by the Town of Palmer Lake
 - GMS Water Resources Report
- Monument Sanitation Will Serve Letter
- Developer to pay the cost of all water & wastewater infrastructure improvements

Planned Development Plan Criteria

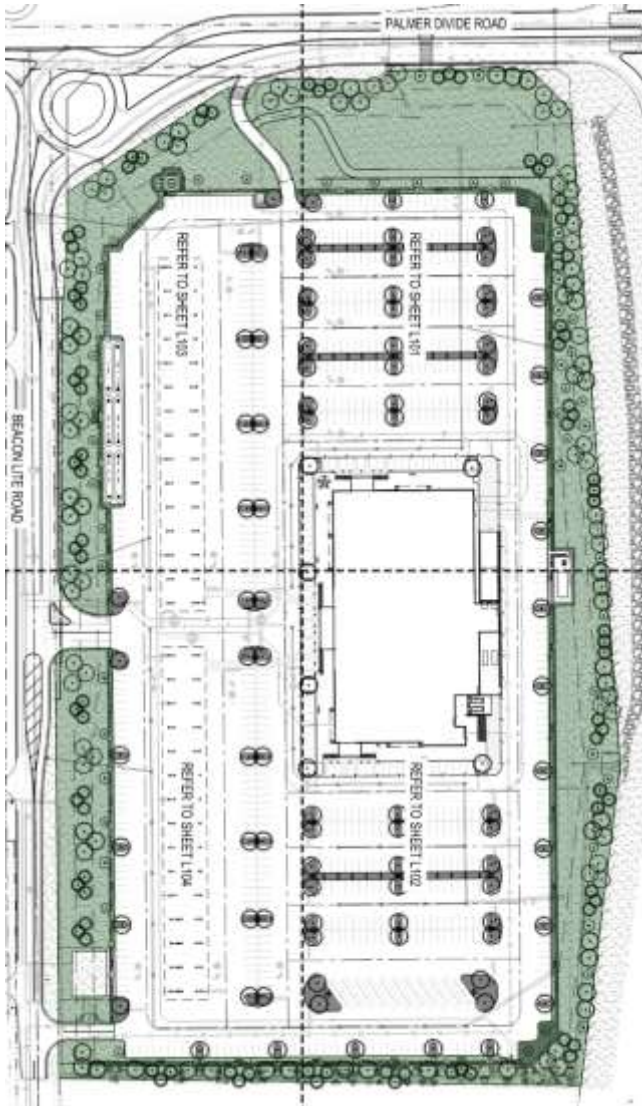
Item 3.

8. Clustered development is allowed and encouraged to promote maximum open space, economy of development, and variety in the type, design, and layout of buildings. In a multi-lot PD, the averaging of lot areas shall be permitted to provide flexibility in design and to relate lot size to topography, but each lot shall contain an acceptable building site. The clustering of development with usable common open areas shall be permitted to encourage provision for and access to common open areas and to save street and utility construction and maintenance costs.

- Not applicable

Planned Development Plan Criteria

Item 3.



10. The PD shall provide parking areas in conformance with the minimum site development standards of this title in terms of the number of spaces for each use, location, dimensions, circulation, landscaping, safety, convenience, separation, and screening.

- Parking meets minimum site development standards
- Landscaping standards and plan are included in written Planned Development

Planned Development Plan Criteria

11. The PD shall strive for preservation of the natural features on the site in accordance with the adopted community master plan, as may be amended.

- Community Master Plan does not identify any natural features that should be preserved for this site, however, applicable objectives include:
 - Guiding Objective EQP-2.2: Discourage activities that may attract wildlife to areas with a high potential for human-wildlife conflicts.
 - Guiding Objective EQP-2.4: Work with CDOT, El Paso County, the Town of Monument, CPW, and the US Forest Service to ensure that transportation corridors such as Highway 105 are designed and improved to accommodate wildlife movement.

Planned Development Plan Criteria

Item 3.

12. The maximum height of buildings may be increased above the maximum permitted for like buildings in other zoning districts in relation to the following characteristics of the proposed building:

- a. Its geographic location.
- b. The probable effect on surrounding slopes and terrain.
- c. Unreasonable adverse visual effects on adjacent sites or other areas in the vicinity.
- d. Potential problems for adjacent sites caused by shadows, loss of air circulation, or loss of view often achieved through the addition of overlay view corridors and other legally viable means.
- e. Influence on the general vicinity, with regard to vistas and open space.
- f. Uses within the proposed building.
- g. Fire protection needs.

- Geographic location: the site is adjacent to Interstate 25

Planned Development Plan Criteria

Item 3.

Questions regarding the Planned Development Plan
Criteria?

Annexation Agreement

- Central Water System improvements
 - **\$14+ million**
- Additional community contributions
 - **\$500,000**
- Estimated Annual Sales and Property Tax Revenue:
 - **+ - \$1,500,000**
- Estimated Annual Water Revenue
 - **+-\$325,000**
- Dual service fire protection
 - Monument Fire District
 - **+-\$107,500**
 - Palmer Lake Fire

Annexation Agreement

Item 3.

Questions regarding the Annexation Agreement?