

TOWN OF PALMER LAKE, COLORADO

RESOLUTION NO. 61 - 2025

**A RESOLUTION RECOMMENDING TO THE PALMER LAKE BOARD OF TRUSTEES THAT
THE APPLICATION TO ZONE THE PROPOSED MONUMENT RIDGE WEST, LLC
ANNEXATION PROPERTY, A/K/A BUC-EE'S ANNEXATION PROPERTY, AS A PLANNED
DEVELOPMENT, BE DENIED BUT WITH CONDITIONS IF IT IS APPROVED BY THE
BOARD
(DENY)**

WHEREAS, the Palmer Lake Town Code and applicable provisions of the Colorado statutes authorize the Planning Commission of the Town of Palmer Lake (the "Commission") to review certain land use applications and other matters and, based on that review, to provide recommendations to the Board of Trustees of the Town of Palmer Lake (the "Board"); and

WHEREAS, the Town has received an application for annexation submitted by Monument Ridge West, LLC, a Colorado limited liability company, as the owner of certain property described in the annexation petitions (the "Property"), and Buc-ee's Ltd, a Texas limited partnership, as the developer of the Property (referred to collectively herein as the "Applicant") seeking to annex the Property to the Town of Palmer Lake; and

WHEREAS, as part of its application, the Applicant has requested that if the Property is annexed to the Town that it be zoned as a Planned Development District, pursuant to the provisions of the Town Code, including but not limited to Section 17.14.010 (Rezoning) and Chapter 17.72 (Planned Development District) as described in the Planned Development Plan (PDP) submitted by the Applicant;

WHEREAS, the Town Code requires that applications for planned developments be referred to the Commission for review and recommendation to the Board; and

WHEREAS, following proper notice, on August 20, 2025, the Commission conducted a public hearing to consider the application and make recommendations to the Board regarding zoning of the Property as a Planned Development and continued the hearing to September 3, 2025; and

WHEREAS, at the public hearing the Commission considered the application, the statements and presentation of the Applicant, the statements and presentations of the public and all other relevant materials; and

WHEREAS the criteria to be evaluated by the Commission in deciding whether to recommend rezoning of property as a Planned Development are set forth in the Town Code, including Section 17.14.010(f)(5); and Chapter 17.72; and

WHEREAS, in deciding whether to recommend the Property should be zoned as a Planned Development District as described in the PDP, the Commission is to consider all applicable provisions of Chapter 17.72 of the Town Code, including but not limited to the intent and purposes of the planned development district as set forth in Section 17.72.010; whether the Applicant's proposed PDP satisfies the provisions of Section 17.72.020 regarding substantial conformance or nonconformance with the master plan; Section 17.72.030 regarding modification of subdivision regulations; Section 17.72.050 regarding conditions and standards; and Section 17.72.100 regarding open space requirements, and all other applicable provisions of the Town Code; and

WHEREAS, based on the matters submitted in the application and matters presented at the public hearing, and after considering and evaluating the criteria in Section 17.14.010(f)(5) and Chapter

17.72, the Commission finds and concludes that the Property should not be zoned as a Planned Development District, as described in the Planned Development Plan, for the reasons set forth in Section 2, below.

NOW, THEREFORE, BE IT RESOLVED BY THE PLANNING COMMISSION OF THE TOWN OF PALMER LAKE, COLORADO AS FOLLOWS:

1. The Planning Commission hereby recommends that if the Property is annexed to the Town of Palmer Lake, that the Property should not be zoned as a Planned Development District, as described in the Planned Development Plan (PDP) as submitted by the Applicant for the reasons set forth in Section 2., below.
2. The Commission's recommendation to deny the Planned Development application is based on the following findings and conclusions of the Planning Commission that the Planned Development, as proposed by the Applicant:
 - a. Is not in substantial compliance with the Town's Comprehensive Plan, which identifies the subject intersection as a commercial development, but on a more limited scale;
 - b. Is simply too big of a development for the Town of Palmer Lake;
 - c. Fails to maintain the small-town character of the Town;
 - d. Raises concerns with the amount of impermeable surface;
 - e. Does not contain sufficient provisions regarding water sustainability and water conservation;
 - f. Fails to satisfy adequately address night sky concerns; and
 - g. Is incompatible with surrounding areas.
3. If, despite the Planning Commission's recommendation of denial, the Board of Trustees considers approval of the proposed Planned Development, the Planning Commission recommends, in addition to addressing the grounds for the Commission's recommendation of denial set forth in Section 2, above, the following additional conditions:
 - a. The maximum height of the sign for the development be reduced to 75 feet or less;
 - b. A bike trail be added along County Line Road from Buc-ee's to the Santa Fe Trail; and
 - c. A pedestrian walkway be provided from Buc-ee's to the open space across County Line Road;
4. Severability. If any article, section, paragraph, sentence, clause, or phrase of this Resolution is held to be unconstitutional or invalid for any reason such decision shall not affect the validity or constitutionality of the remaining portions of this Resolution. The Board of Trustees hereby declares that it would have passed this resolution and each part or parts thereof irrespective of the fact that any one part or parts be declared unconstitutional or invalid.
5. Repeal. Existing resolutions or parts of resolutions covering the same matters embraced in this Resolution are hereby repealed and all resolutions or parts of resolutions inconsistent with the provisions of this Resolution are hereby repealed.

INTRODUCED, RESOLVED, AND PASSED AT A REGULAR MEETING OF THE PLANNING COMMISSION OF THE TOWN OF PALMER LAKE ON THIS 3rd DAY OF SEPTEMBER 2025.

ATTEST:

TOWN OF PALMER LAKE, COLORADO

Erica Romero
Town Clerk

BY: _____
Charlie Ihlenfeld
Planning Commission Chair