

July 24, 2026

Board of County Commissioners
El Paso County, Colorado
c/o Clerk to the Board
200 S. Cascade Avenue
Colorado Springs, CO 80903

Sent via email to: cob@elpasoco.com

cc: Meggan Herington, Planning & Community Development Director

cc: Kylie Bagley, Project Manager

RE: Appeal of Administrative Determination ADM264 (Buc-ee's EPCO, LLC): Response of the Northern El Paso County Coalition of Community Associations Opposing Reclassification as a "Convenience Store"

Dear Chair and Members of the Board:

The Northern El Paso County Coalition of Community Associations ("NEPCO") submits this response to the appeal filed by Buc-ee's EPCO, LLC of the Planning Director's determination on ADM264. Staff found it "difficult to classify the proposed use" and could not establish that it is "sufficiently similar to allowed uses within the C-1 zoning district to qualify as an allowed use." Buc-ee's now asks this Board to grant, on appeal, the convenience-store classification staff would not give it, through administrative approval rather than rezoning. NEPCO respectfully urges the Board to deny the appeal.

1. Ambiguity Should Not Be Resolved in Buc-ee's Favor

The burden of fitting this use within an existing Land Development Code classification rests with Buc-ee's, not the Board. Staff found classification "difficult" and could not establish that the use is similar to allowed C-1 uses. That finding reflects the correct application of the standard, not a decision this appeal should reverse. Where an applicant cannot meet its burden, rezoning is the path forward, with the public hearings and review that process requires.

2. The Use Doesn't Meet the Land Development Code Definition: Buc-ee's Own Branding Says So

The Land Development Code defines "convenience store" as an establishment serving "the neighborhood in which it is located." A 30-acre, 74,000+ square-foot facility built to capture I-25 corridor traffic is a regional destination, not neighborhood retail. Buc-ee's own marketing makes the same distinction: it consistently brands itself as "a chain of large-format travel centers," reserving "convenience store" for a single marketing superlative ("largest convenience store in the world") rather than a functional description. The company knows the difference between the two categories; it is simply asking this Board to apply the one that suits the application.

3. Scale and Performance Characteristics Are Incompatible with C-1

Land Development Code Section 5.3.6 requires evaluating whether function and performance characteristics align with the district's purpose. On every metric, this facility operates at a different scale than the use category it claims:

- Building size: 74,000+ sq ft, 15–20× a typical convenience store (4,000–5,000 sq ft)
- Fuel pumps: 120+, roughly 10× a typical convenience store (8–16 pumps)
- Restrooms: 70+, roughly 20× a typical convenience store (2–4 fixtures)
- Parking: 500+ spaces, reflecting a highway-travel destination, not neighborhood retail
- Traffic: 3,000+ daily vehicle trips, several times a typical convenience store's volume
- Location: the I-25/County Line Road interchange itself warrants its own evaluation, given the intersection's existing traffic patterns and configuration
- Water demand and runoff: warrant impact analysis per El Paso County's requirements

An administrative determination must not become a substitute for rezoning. NEPCO urges the Board to affirm the Planning Director's determination that the proposed use cannot be classified as a "Convenience Store" under Land Development Code Section 1.15 and is not substantially similar to an allowed use in the C-1 zoning district. Denying the appeal leaves rezoning, with its required public hearings, notice, and environmental review, as the only avenue for this proposal to proceed. This position was adopted unanimously by the NEPCO Board of Directors and reflects NEPCO's formal position.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read "Mike Aspenson", written over the printed name.

Mike Aspenson

President, Northern El Paso County Coalition of Community Associations
president@nepco.org