



# Commerce City

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## Council Communication

File Number: AN-265-22

Agenda Date: 6/6/2022

Version: 1

Status: Agenda Ready

In Control: City Council

File Type: Ordinance

Agenda Number:

FIRST READING OF AN ORDINANCE ANNEXING THE PROPERTY GENERALLY LOCATED AT 7001 COLORADO BOULEVARD, ADAMS COUNTY, COLORADO (PIN: 0182501100015) TO THE CITY OF COMMERCE CITY, COLORADO IN CASE AN-265-22 KNOWN AS THE 7001 COLORADO BLVD ANNEXATION

### Summary and Background Information:

Prospect, LLC is requesting the approval of area for annexation into the City of Commerce City. The property is approximately 3.992 acres and is currently unused. The property is located at 7001 Colorado Boulevard (PIN 0182501100015) and is proposed to be rezoned to R-3 (Multi-Family Residential) to allow for development of affordable multi-family housing. The area proposed to be annexed shares 52% of its perimeter with the existing boundaries of the City. This case is in conjunction with the annexation zoning case Z-984-22 and vacation case V-94-22.

### Approval Criteria

Section 21-3340 of the Commerce City Land Development Code (LDC) outlines the criteria use when evaluating land for annexation.

#### Section 21-3340

The annexation application may be approved if:

**Criteria (1): The annexation is in compliance with applicable state laws and this land development code;**

**Analysis:** The annexation application has been reviewed by staff and external agencies and has been found to be in compliance with all applicable state laws and the Commerce City LDC.

*Staff finds this application **meets this criterion.***

**Criteria (2): The annexation is consistent with the comprehensive plan, and the best interests of the city would be served by annexation of such property;**

**Analysis:** The Station Area Master Plan (STAMP) is the document use to evaluate this application as it is a sub-area master plan and has considered the area surrounding the commuter rail station in greater detail than the comprehensive plan. The STAMP indicates that high residential uses should be located at this site. The proposed zone change to R-3 (Multi-Family Residential) for this property meets the intent of the STAMP.

*Staff finds this application **meets this criterion.***

**Criteria (3):** The property is within the Municipal Service Area (MSA) of the Commerce City Growth Boundary as stated in the comprehensive plan. No property outside of the MSA or Growth Boundary shall be considered for annexation unless the city council finds that, consistent with the comprehensive plan, the best interests of the city would be served by annexation of such property and provided a land use plan for the area proposed to be annexed is submitted together with the annexation application;

**Analysis:** This property is within the Municipal Service Area of the Commerce City Growth Boundary.

*Staff finds this application meets this criterion.*

**Criteria (4):** The property is capable of being integrated into the city in compliance with all applicable provisions of this land development code;

**Analysis:** This annexation application was reviewed by staff and external review agencies and was found to be in compliance with all applicable provisions of the Commerce City LDC.

*Staff finds this application meets this criterion.*

**Criteria (5):** At the time any development of the area proposed to be annexed is completed, there is a reasonable likelihood that capacity will exist to adequately serve residents or users of such area with all necessary utilities, municipal services and facilities; and

**Analysis:** This annexation application was referred to all applicable utility companies, fire and police departments, school district, and internal agencies and all reviewers found that reasonable capacity exists to serve this annexation.

*Staff finds this application meets this criterion.*

**Criteria (6):** The annexation boundaries are configured such that the annexation will not limit the city's ability to integrate surrounding land into the city or cause variances or exceptions to be granted if the adjacent land is annexed or developed.

**Analysis:** The annexation boundaries will not limit the City's ability to integrate surrounding land into the City or cause variances or exceptions to be granted if the land is developed.

*Staff finds this application meets this criterion.*

**Staff Responsible (Department Head):** Jim Tolbert, Community Development

**Staff Presenting:** Anita Riley, City Planner

**Financial Impact:** N/A

**Funding Source:** N/A

**Staff Recommendation:** The Development Review Team is recommending approval of this annexation.

**Suggested Motion:** I move that the City Council enter a finding that the requested Annexation for the subject property contained in case AN-265-22 meets the criteria of the Land Development Code and, based upon such finding, approve the Annexation.