



# Annexation Report

## Case #AN26-0003

*City Council 1<sup>st</sup> Reading Date: July 6, 2026*  
*City Council 2<sup>nd</sup> Reading Date: August 3, 2026*

### **GENERAL INFORMATION**

<b>PROJECT NAME</b>	88 <sup>th</sup> Avenue & Tower Road Annexation Zoning
<b>LOCATION</b>	Northwest corner of East 88 <sup>th</sup> Avenue & Tower Road
<b>SITE SIZE</b>	0.732 acres
<b>CURRENT ZONING</b>	Adams County A-3 (Agricultural)
<b>PROPOSED ZONING</b>	AG (Commerce City)
<b>APPLICANT</b>	City of Commerce City
<b>CASE PLANNER</b>	Omar Yusuf

### **REQUEST**

City of Commerce City is requesting Annexation approval for two parcels from Adams County to Commerce City. The 0.732 acre properties are generally located at the northwest corner of East 88<sup>th</sup> Avenue and Tower Road.

### **BACKGROUND AND CASE HISTORY**

The subject properties are divided into two parcels, the parcel closest to the intersection, was used as a power substation until 2011 according to historic aerial photography. The property to the north and west has been used for a cell phone telecommunications tower, leased from the property owner. The owner of the telecommunications tower is Crown Castle, who leases a 2,500 square foot fenced area in the parcel to the north and west. Both properties were owned by United Power until the sale to the City of Commerce City in 2018.

The properties have a concurrent zoning map amendment application accompanied with this Annexation; however, no development plan or final plat will be submitted with this case. The site will remain city-owned and partially vacant with no plans on future development.

### **PROJECT ANALYSIS**

#### **Site Overview**

The subject properties that are adjacent to the north, west and south are within the Second Creek Farms PUD with a proposed multifamily development to the north and west. The property to the south is vacant with allowable land uses of commercial/office. The property to the east is part of the Legato PUD and is vacant with allowable land use of commercial. The request is

for two parcels totaling 0.732 acres, located at the Northwest corner of East 88<sup>th</sup> Avenue & Tower Road.

### **Road Network Impacts & Improvements**

The subject parcels will remain partially vacant with no development plan proposed. There will be no traffic impacts to East 88<sup>th</sup> Avenue & Tower Road with this Annexation.

## **COMPREHENSIVE PLAN ANALYSIS**

### **2045 Comprehensive Plan**

#### **Character Areas**

The subject property is located within the Northern Neighborhoods character area. The proposed agricultural zoning will act as the placeholder zoning designation since there is no imminent development on the site and is in compliance with the Character Area land uses. City staff found that this Zoning Map Amendment meets the following Character Areas (Land Use) goals and objectives.

- **Goal 2:** Manage growth and annexation in a strategic, positive, and compatible way to accommodate the City's growing population.
- **Goal 2.5:** Strategically improve roadway, water, and wastewater capacity to support future growth.

#### **Connected Corridors**

The subject properties are identified in the connected corridors plan that acts like a buffer between the Tower landfill from the residential properties from the north and west of the site.

#### **Transportation and Mobility**

The subject parcels are located along the most important north-south connection in Commerce City. Tower Road is an arterial which has gone through various improvements over the years. The intersection of East 88<sup>th</sup> Avenue and Tower Road is improved with curb, gutter, sidewalk, and traffic signals. Annexation and zoning of these properties would streamline improvements at this intersection, removing the need to go through Adams County for permitting.

#### **Overall Analysis**

Through the City of Commerce City's review process various Development Review Team (DRT) agencies including the South Adams County Water and Sanitation District, South Adams County Fire Department, 27J School District, Xcel Energy, and City of Commerce City: Economic and Community Vitality Division, Geographic Information Services Division, Parks, Recreation and Golf Department, Planning Division, Public Works Department, and Engineering Review Division and all agencies had no objections to the Annexation.

## **ANNEXATION APPROVAL CRITERIA**

A decision for this case must be based on the following approval criteria for a Annexation from Sec. 21-7200 (C) and the Common Decision Criteria from Section 21-7140 of the 2025 Land Development Code. An application may be approved if:

## **Section 21-7220 (C)**

**Criteria (1) State Statutes. The Annexation is in compliance with the Municipal Annexation Act, as amended, and the State constitution, [C.R.S., §31-12-107](#);**

*These processes were reviewed by the Development Review Team and the Executive Development Review Team, the annexation application was found to be in compliance with all applicable state laws and the Commerce City Land Development Code.*

**Criteria (2) Consistency. The Annexation is consistent with the City's Comprehensive Plan;**

*The 2045 Comprehensive Plan designated the parcels as Northern Neighborhoods as part of the Character Areas Land Use Map which primary land uses consists of residential and open space. Secondary land uses are commercial. Designating this parcel Agricultural would help support the goals and objectives per the 2045 Comprehensive Plan.*

- *Goal 2: Manage growth and annexation in a strategic, positive, and compatible way to accommodate the City's growing population.*
- *Goal 2.5: Strategically improve roadway, water, and wastewater capacity to support future growth.*

**Criteria (3) Capacity. The area being proposed for Annexation has, or will have at the time of development, the capacity to serve residents of the area with adequate utilities, facilities, and public services; and**

*The two subject parcels annexed into the city will not have a development plan following any approvals, however, it does have the capacity to serve residents of the area with adequate utilities, facilities, and public services due to its proximity to residential areas and ability to connect to utility services that serve adjacent properties if the city decides to propose a public zoning.*

**Criteria (4) Best Interests. The Annexation is in the best interests of the City.**

*The proposed agricultural (AG) zoning designation will be the placeholder zoning upon the approval of the annexation. The properties are currently part of unincorporated Adams County in an enclave situation where the properties are surrounded by the City of Commerce City. The annexation zoning will eliminate an enclave situation that will serve a community need by preparing the properties for potential future development and right-of-way improvements fostered by the City.*

## **Section 21-7140 (C)**

**The request complies with the applicable standards of the City's Code, this [LDC](#), and any applicable county, state, or federal requirements.**

Through the City of Commerce City's review process, the various Development Review Team agencies including the South Adams County Water and Sanitation District, South Adams County Fire Department, Denver International Airport Strategic Planning, United Power, Xcel Energy, and City of Commerce City Economic and Community Vitality Division,

Geographic Information Services Division, Parks, Recreation and Golf Department, City Attorney's Office, Planning Division, Public Works Department, and Engineering Review Division found that there is no evidence to suggest that the proposed Zoning Map Amendment will violate any state, federal, or local laws, regulations, or requirements. *Therefore, it can be found that this criterion is met.*

**The request substantially conforms to any associated prior approval for the [development](#), including, but not limited to, a [PUD Zone Document](#), [Conditional Use Permit](#), or Overall [Development Plan](#).**

Prior to this application, the southeastern property was used for utility purposes which ceased operations in 2011. The current use of the north and western property is leased by a telecommunications company which will remain on the property until the lease term ends. No immediate development is planned and any proposed development that is preceded by an additional zone change amendment will conform to standards from the 2025 Land Development Code and 2045 Comprehensive Plan. *Therefore, it can be found that this criterion is met.*

**The request is consistent with applicable policies of the [Comprehensive Plan](#) and applicable sub-area plans and capital [improvement](#) plans; or, if it addresses a topic that is not contained or not fully developed in the Comprehensive Plan, the request does not impair the implementation of the Comprehensive Plan.**

The proposed Zoning Map Amendment is consistent with the 2045 Comprehensive Plan. Typically, after an annexation zoning of a property that does not have any pending development, AG zoning is designated as a placeholder until the property is planned for development. *Therefore, it can be found that this criterion is met.*

- *Goal 2: Manage growth and annexation in a strategic, positive, and compatible way to accommodate the City's growing population.*
- *Goal 2.5: Strategically improve roadway, water, and wastewater capacity to support future growth.*

**The request promotes the purposes of this LDC as established in Sec. 21-1120, Purpose, and in other applicable purpose statements in this LDC.**

This proposal will ensure the public health and safety of nearby residents by acting as a slight buffer from the Tower landfill to the southwest. *Therefore, it can be found that this criterion is met.*

**Adequate facilities, including [public](#) or [private utilities](#), [solid waste](#) service, roads, drainage, and other improvements are present or are planned to be provided by either the City or the applicant.**

The property can connect to existing utility lines on East 88<sup>th</sup> Avenue & Tower Road and is included in the South Adams County Fire Protection Department and South Adams County Water and Sanitation District. *Therefore, it can be found that this criterion is met.*

The request demonstrates [compatibility](#) with surrounding conforming and permitted land [uses](#) and [structures](#) and with the general character of the area.

There is no proposed development with this proposal, and the proposed zoning designation of AG will only be a placeholder pending future development. *Therefore, it can be found that this criterion is met.*

**The request will not impede the normal and orderly development and improvement of surrounding property.**

There is no proposed development with this proposal and there will be no impediment to the proposed townhomes to the north and west of the site. *Therefore, it can be found that this criterion is met.*

## **RECOMMENDATIONS**

The proposed Annexation is supported by the goals and objectives of the 2045 Comprehensive Plan and meets the approval criteria found within Sec. 21-7200 (C) and the Common Decision Criteria from Section 21-7140 of the 2025 Land Development Code.

## **CONSIDERATIONS FOR REQUESTED ANNEXATION ZONE CHANGE**

1. The Annexation Zone Change is complementary with the Comprehensive Plan and surrounding uses.
2. There are no pending development plans with this proposal due to the project being initiated.
3. The application meets the annexation approval criteria.

## **POTENTIAL MOTIONS**

1. Approval

I move for approval of Ordinance AN26-003

2. Denial

i. I move for denial of Ordinance AN26-003

3. Continuance

i. I move that the City Council continue this matter to (the next regular meeting or a date certain) and direct staff to provide the following information

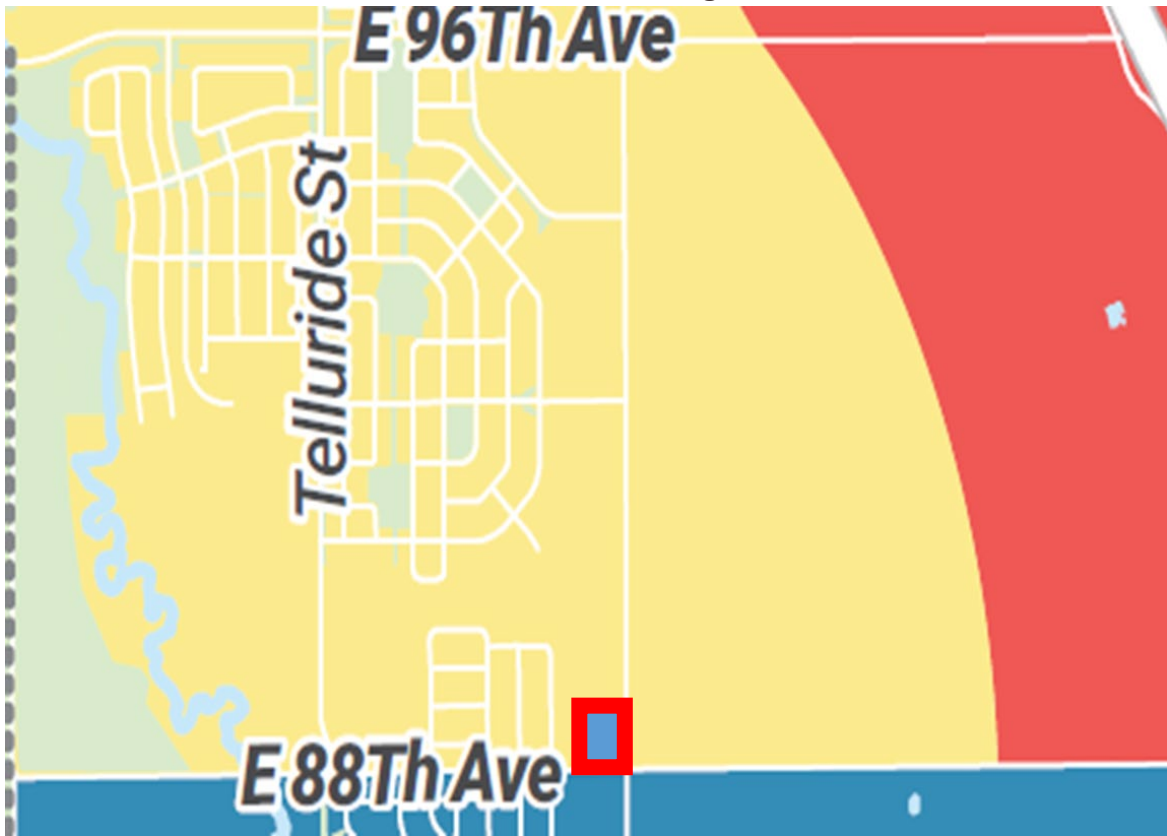
# Vicinity/Zoning Map



	Subject Property		ADCCO - Unincorporated Adams County		PUBLIC - Public District		Commerce City Boundary
	AG - Agricultural District		C-2 - General Commercial District		PUD - Planned Unit Development District		Enclave
	R-1 - Single-Family Detached Residential District		Growth Boundary				

# 2045 Comprehensive Plan Character Areas

Character Area: Northern Neighborhoods



# Aerial Map

Aerial of site taken February 8, 2026



## Site Photos

View towards South



View Towards West



**View towards North**

