



# City Council Communication

**AGENDA DATE:** March 2, 2026

**LEGISTAR ITEM #:** V25-0003

**PRESENTER:** Nic Berry  
Development

**DEPARTMENT:** Community

<input checked="" type="checkbox"/> Ordinance	<input type="checkbox"/> Resolution	<input checked="" type="checkbox"/> Public Hearing
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## REQUEST

Revesco Properties is requesting approval of Ordinance V25-0003, which will vacate the Peoria Street right-of-way south of East 104<sup>th</sup> Avenue to the Xcel property, a distance of approximately 584 feet.

This request is being processed under the provisions of the 2009 Land Development Code because the application preceded the effective date of the 2025 Land Development Code.

## BACKGROUND

The current Peoria Street alignment and right-of-way existed when the property was annexed into the City in 1987. When the original Turnberry PUD Zone Document was approved in 1997, the realignment of Peoria Street (as Peoria Parkway) was envisioned and implemented. A different portion of Peoria Street was vacated (V-89-21) prior to the development of the homes directly south of the Xcel property powerlines.

The portion of Peoria Street Revesco Properties is requesting to be vacated was not a part of the original vacation request. The roadway was never constructed, but utilities from United Power and South Adams County Water and Sanitation District (SACWSD) were installed under the right-of-way. Should the proposed ordinance be approved, the right-of-way will revert to Revesco ownership. Revesco has already secured an easement for the SACWSD utilities and will record it should the ordinance be approved. Revesco is negotiating with United Power to relocate their utilities.

The current location of the Peoria Street right-of-way is too close to the Highway 2 and East 104<sup>th</sup> intersection and will therefore not be allowed to

# CITY COUNCIL COMMUNICATION CONTINUED

be developed by City intersection spacing standards. With the exception of the utilities mentioned previously, the functionality of the Peoria Street right-of-way has been replaced by Peoria Parkway.

On February 3, 2026, the Planning Commission held a public hearing regarding the proposed right-of-way vacation. Following the hearing, the Planning Commission voted unanimously to recommend Council approval of the vacation request.

### JUSTIFICATION

<input type="checkbox"/> Council Goal	<input type="checkbox"/> Strategic Plan	<input type="checkbox"/> Work Plan	<input checked="" type="checkbox"/> Legal
Citation	This request is coming in front of Council pursuant of Section 4.14 to the City Charter “any sale, conveyance or transfer of real estate, shall have prior approval of the council, passed by majority vote of the entire council in office at the time the vote was taken” and Section 21-3233 of the Land Development Code, which governs the vacation of rights-of-way and easements.		

### BOARDS & COMMISSIONS ASSIGNED

Board or Commission	Planning Commission
Recommendation	5-0 for Approval
Date of Recommendation	February 3, 2026

### PUBLIC OUTREACH

In accordance with Section 21-3180 of the City’s Land Development Code, all required notices of public hearings before the Planning Commission of the City of Commerce and the City Council regarding the requested Vacation were given, including by publication in the newspaper, flyer mailing and posting a sign on the property.

### AVAILABLE ACTIONS

## CITY COUNCIL COMMUNICATION CONTINUED

- Available Action #1: Approve Ordinance V25-0003, find that the request meets the criteria of Section 21-3233(3)(b) of the Land Development Code, vacate that portion of the Peoria Street right-of-way and transfer the property to Revesco.
- Available Action #2: Deny Ordinance V25-0003, find that the request fails to meet one or more of the criteria of Section 21-3233(3)(b) of the Land Development Code, and retain City ownership of that portion of the Peoria Street right-of-way.
- Available Action #3: Approve Ordinance V25-0003 with conditions, find that the request meets the criteria of Section 21-3233(3)(b) of the Land Development Code under specific conditions, vacate that portion of Peoria Street right-of-way and transfer the property to Revesco once the conditions are met.

### **STAFF RECOMMENDATION**

Staff recommends Available Action #1, approval of Ordinance V25-0003.