



City Council Communication

AGENDA DATE: June 15, 2026 **LEGISTAR ITEM #:** RES 2026-069

PRESENTER: Nic Berry **DEPARTMENT:** Community Development

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

Mario Escamilla and Yolanda De La Cruz requests approval of Resolution 2026-069, which finds the Moreno Salas annexation petition substantially complies with the content requirements of Colorado Revised Statutes (C.R.S.) §31-12-107 in that the petition submitted contains the following:

- The petition was filed with the City of Commerce City; and
- The petition was accompanied by an annexation map meeting the content requirements.

BACKGROUND

An annexation petition has been submitted to the City of Commerce City for the annexation of approximately 2.15 acres, located at the northeast corner of East 81st Place and Quebec Street. A vicinity map has been included for the approximate location. The property is currently zoned Adams County Agricultural-1 (A-1). The applicant is seeking 2025 Land Development Code Commerce City Medium Intensity (I-2).

Finding that the annexation petition is in substantial compliance is the first of three steps in the annexation process and is primarily a procedural requirement. Resolution 2026-069 does not officially annex the property into the City. Resolution 2026-069 also sets a public hearing date for August 3, 2026, to determine the eligibility of the property (“Eligibility Hearing”) to be annexed into the City of Commerce City pursuant to state law and puts in motion a variety of public notice requirements that must occur before the Eligibility Hearing, which is the second step in the annexation process. The third step in the process, the annexation hearing will be presented to City Council at a later date, in conjunction with the zoning request, once staff review of the zoning application is complete. The annexation hearing is what determines whether or not City Council approves the annexation.

CITY COUNCIL COMMUNICATION CONTINUED

A copy of the annexation petition is attached. Staff has reviewed the petition against the content requirements in C.R.S. §31-12-107 and has found that the petition is in substantial compliance.

JUSTIFICATION

<input type="checkbox"/> Council Goal	<input type="checkbox"/> Strategic Plan	<input type="checkbox"/> Work Plan	<input checked="" type="checkbox"/> Legal
Citation	The governing body of a municipality must determine if the annexation petition meets the requirements of substantial compliance as contained in C.R.S. §31-12-107. If determined substantially compliant, C.R.S §31-12-108 requires said body to set a hearing date within 30-60 days to review eligibility.		

PUBLIC OUTREACH

The project has been noticed in accordance with the requirements of the 2025 Land Development Code

AVAILABLE ACTIONS

- Available Action #1: Approve Resolution 2026-069 accepting the petition and setting the public hearing date for August 3, 2026.
- Available Action #2: Do not approve Resolution 2026-060, which would effectively find that the petition for annexation is *not* in substantial compliance with the requirements of C.R.S. § 31-12-107.

STAFF RECOMMENDATION

Staff recommends Available Action #1 approving the resolution to find the annexation petition has met the substantial compliance requirements and to establish a date to review the annexation eligibility.