



City Council Communication

AGENDA DATE: April 20, 2026

LEGISTAR ITEM #: RES 2026-032

PRESENTER: Nathan Chavez, City Planner

DEPARTMENT: Community Development

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

REQUEST

Adams Crossing, LLC and the Woodbury Corporation are requesting approval of Resolution 2026-032, affirming the eligibility of a 23.76-acre property (composed of two parcels) located at the northwest corner of East 120th Avenue and Chambers Road for annexation into Commerce City.

BACKGROUND

The purpose of this Resolution is to set forth the findings of fact and a conclusion as to the eligibility of the property described in the annexation petition for annexation to the City of Commerce City. This is the second of three steps in the annexation process. The first step, substantial compliance, occurred on March 2, 2026, and determined whether or not the annexation petition met the content and submittal requirements enumerated in the Colorado Revised Statutes.

This second and current step, the eligibility hearing, is to determine whether or not the proposed annexation meets the statutory requirements specified in C.R.S. §31-12-104 and §31-12-105 and is eligible to be annexed into Commerce City. This resolution does not officially annex the property into the City, which is the third and final step in the annexation process and will be scheduled at a future date depending on the outcome of the eligibility hearing.

The following nine criteria as specified in C.R.S. §31-12-104 and 105 must be met to be eligible for annexation into Commerce City:

- 1) Not less than one-sixth of the perimeter of the area proposed to be annexed as described in the Petition is contiguous with the existing boundaries of the City of Commerce City as required by law.

CITY COUNCIL COMMUNICATION CONTINUED

Analysis: The total perimeter of the site is 9,250.28 feet, and 1,541.71 feet is contiguous with the City of Commerce City, which equates to over 30% of the site, meaning the annexation meets the one-sixth continuity requirement.

2) A community of interest exists between the area proposed to be annexed as described in the Petition and the City of Commerce City and the area is urbanized or will be urbanized in the near future.

Analysis: The subject property is located within the City's Urban Growth Boundary, which delineates expansion of the City of Commerce City and development.

3) The area proposed to be annexed as described in the Petition is integrated or is capable of being integrated with the City of Commerce City.

Analysis: The site is bordered by City of Commerce City roadways and adjacent to South Adams County Water & Sanitation District (SACWSD) water and sanitary lines. There is an active application under review to include the site within the Northern Infrastructure General Improvement District (NIGID24-0001), and the applicant is also aware that they must submit an application for inclusion into the SACWSD service area. There are no comments from the Development Review Team indicating that the area proposed to be annexed cannot be integrated into the City of Commerce City.

4) No land held in identical ownership, whether consisting of one tract or parcel of real estate or two or more contiguous tracts or parcels of real estate:

a) is divided into separate tracts or parcels without the written consent of the landowner or landowners thereof, unless such tracts or parcels are separated by a dedicated street, road or other public way; or

b) comprises 20 acres or more and which together with the buildings and improvements situated thereon, has an assessed value in excess of \$200,000 for ad valorem tax purposes for the year preceding the annexation; unless it has the written consent of the landowners.

Analysis:

The two parcels totaling 23.76 acres, proposed for annexation, are all owned by the same ownership group. Per the Adams County Assessor's

CITY COUNCIL COMMUNICATION CONTINUED

Office, the total property value of the 23.76 acres of land has an assessed value in excess of \$200,000

5) No annexation proceedings have been effectively commenced for the annexation of part or all of that territory proposed to be annexed, as described in the Petition, to another municipality.

Analysis: While the closest municipality, Brighton, Colorado, does meet the 1/6th contiguity to the subject site, the City of Brighton approved disconnection of the site on August 5, 2025, which allows for annexation of the property into the City of Commerce City. There are no other annexation proceedings commenced by the City of Brighton to annex the sites back into its jurisdiction.

6) The proposed annexation of that real estate described in the Petition will not result in the detachment of the area from any school district and attachment of the same to another school district.

Analysis: The subject site is within the 27J School District. There is currently no anticipated student generation based on the Zone District mentioned by the applicant. Because of this, there has not been any proposal to detach from any school district.

7) The petitions for annexation of the real estate described in the Petition meet the requirements of law and are in proper order for annexation of the property proposed to be annexed, including the requirements of the C.R.S. §31-12-105, as amended.

Analysis: The petition includes all the required items per C.R.S. §31-12-105 as amended and was reviewed by the Development Review Team and City Attorney's Office for appropriate compliance.

8) The proposed annexation will not have the effect of extending a municipal boundary more than three miles in any direction from any point of the City boundary in any one year.

Analysis: The site is directly bordered by Commerce City to the south and east, and the maximum extension is 1,155 feet from the existing Commerce City boundary.

9) The entire width of any street or alley to be annexed is included within the annexation.

CITY COUNCIL COMMUNICATION CONTINUED

Analysis: There are no streets or alleys eligible for annexation with this proposal. As a part of the annexation agreement and future public improvement agreement, there will be right-of-way dedication and improvement.

If approved, Resolution 2026-032 will find that the property meets state statute requirements and is thus eligible to be annexed into the City.

The annexation hearing (final step) will be scheduled at a later date in concert with the initial zoning hearing.

JUSTIFICATION

<input type="checkbox"/> Council Goal	<input type="checkbox"/> Strategic Plan	<input type="checkbox"/> Work Plan	<input checked="" type="checkbox"/> Legal
Citation	C.R.S. §31-12-104 requires the governing body of the municipality to conduct a public hearing to determine if a property is eligible for annexation.		

PUBLIC OUTREACH

Two neighborhood meetings occurred for the whole project (August 6, 2025 & October 28, 2025), as well as all other standard referrals and standard notice requirements.

AVAILABLE ACTIONS

- Available Action #1: Approve Resolution 2026-032, which finds that the 23.76-acre property located at the northwest corner of East 120th Avenue and Chambers Road is eligible for annexation into the City of Commerce City.
- Available Action #2: Do not approve Resolution 2026-032, which finds that the 23.76-acre property located at the northwest corner of East 120th Avenue and Chambers Road is not eligible for annexation into the City of Commerce City.
- Available Action #3: Continue Resolution 2026-032 to a date certain and direct staff or the applicant to provide additional information.

STAFF RECOMMENDATION

CITY COUNCIL COMMUNICATION CONTINUED

Staff recommends Available Action #1 and approval of Resolution 2026-032.