



# Vacation of Right-Of-Way Report Case #V25-0002

*Planning Commission Date: April 7, 2026*

*City Council Date: May 18, 2026*

## **GENERAL INFORMATION**

|                       |   |
|-----------------------|---|
| <b>PROJECT NAME</b>   | Buckley Road Vacation   |
| <b>LOCATION</b>       | Generally located west of E-470 between East 120 <sup>th</sup> Avenue and East 112 <sup>th</sup> Avenue |
| <b>SITE SIZE</b>      | 3.914 Acres   |
| <b>CURRENT ZONING</b> | PUD (Planned Unit Development District) – Buckley Crossing PUD  |
| <b>APPLICANT</b>      | Carlson Land Development  |
| <b>CASE PLANNER</b>   | Dalton Guerra   |

## **REQUEST**

This vacation request, if approved, would eliminate undeveloped right-of-way which is no longer needed. Carlson Land Development is requesting to vacate a portion of unimproved right-of-way, Buckley Road, which is approximately 2,915 feet in length running north/south between East 112<sup>th</sup> Avenue and East 120<sup>th</sup> Avenue. The subject right-of-way is generally located west of E-470 between East 112<sup>th</sup> Avenue and East 120<sup>th</sup> Avenue.

## **BACKGROUND AND CASE HISTORY**

Buckley Road does not exist south of 112<sup>th</sup> Avenue through the Reunion neighborhood. There is a new roadway proposed within the Buckley Crossing subdivision, High Plains Parkway, which provides access and circulation north/south in this area between East 112<sup>th</sup> Avenue and East 120<sup>th</sup> Avenue. Buckley Road does continue north of East 120<sup>th</sup> Avenue but High Plains Parkway will connect to it at the East 120<sup>th</sup> Avenue intersection.

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.

## **ADDITIONAL INFORMATION**

There is a final plat (S24-0015), which details the ownership of the land once the right-of-way is vacated. The area to be vacated will be included in Tracts K and M of the Buckley Crossing Filing No. 2 Subdivision.

## **PROJECT ANALYSIS**

### **Site Overview**

The portion of Buckley Road to be vacated is undeveloped and totals approximately 3.914 acres in size (2,915 feet in length). To the north of the proposed vacation is the new road configuration of High Plains Parkway. To the east is land that is designated for future residential development within the Buckley Crossing Subdivision. To the south and west is existing Adams County property that is not currently included in the plans for development within Buckley Crossing. At the end of this report, there is a “vacation exhibit” image showing the Right-Of-Way to be vacated.

### **Road Network Impacts**

The portion of Buckley Road that is proposed for vacation is not necessary to accomplish the goals and policies of the current or future Transportation Master Plans. High Plains Parkway to the east, is a future roadway that will be built with the development of the Buckley Crossing Subdivisions and will be the main north/south roadway for this area. Buckley Road is not needed for future connections to any other property. There is no existing right-of-way for Buckley Road south of East 112<sup>th</sup> Avenue and High Plains Parkway will connect to the existing Buckley Road right-of-way north of East 120<sup>th</sup> Avenue. The properties directly to the west are in Adams County and have existing access from East 112<sup>th</sup> Avenue. The properties directly to the west will have access from High Plains Parkway once they are developed. If this inactive portion of Buckley Road is vacated, adjacent properties can still gain access from other roads (existing or future) and north/south traffic will be handled by High Plains Parkway.

### **Overall Analysis**

The proposed vacation has been reviewed by the Development Review Team, including Commerce City Planning, Commerce City Development Review Engineering, Commerce City Parks, Commerce City GIS, Commerce City Economic and Community Vitality, the Commerce City Energy, Equity and the Environment Division, South Adams County Fire Department, South Adams County Water and Sanitation District, and Xcel Energy. There are no outstanding comments or concerns.

## **VACATION OF RIGHT-OF-WAY APPROVAL CRITERIA**

A decision for this case must be based on the following criteria from Sec. 21-3233 of the 2009 Land Development Code:

**Criteria (i): The vacation is consistent with the comprehensive plan and any other applicable city-approved plan;**

The proposed vacation is consistent with the Comprehensive Plan and will allow for future development in this area. The subject site is located within the Northern Neighborhoods character area. This vacation will support development of new residential on vacant land which is a goal of the Comprehensive Plan.

**Criteria (ii): The land to be vacated is no longer necessary for the public use and convenience;**

Buckley Road is not currently used by the public as an improved road. Adjacent properties gain access from other existing or planned future roads. Buckley Road south

of East 112<sup>th</sup> Avenue does not exist and Buckley Road to the north of East 120<sup>th</sup> Avenue is connected to High Plains Parkway, making this section of Buckley Road obsolete.

**Criteria (iii): The vacation will not create any landlocked properties;**

This vacation request will not have an impact to access of surrounding properties because the surrounding properties have other means of access from existing and future roads. The properties directly to the west are in Adams County and have existing access from East 112<sup>th</sup> Avenue. The properties directly to the east will have access from High Plains Parkway once they are developed.

**Criteria (iv): The vacation will not render access to any parcel unreasonable or economically prohibitive;**

The roadway that is a part of this vacation request is not used as an improved public access to any other properties in the area. The properties directly to the west are in Adams County and have existing access from East 112<sup>th</sup> Avenue. The properties directly to the east will have access from High Plains Parkway once they are developed.

**Criteria (v): The vacation will not reduce the quality of public services to any parcel of land; and;**

There are no existing utilities within the area proposed to be vacated and the existing unimproved roadway is not used to access surrounding properties. Utilities that service the surrounding properties are located or will be located in existing/future roadways that will also provide adequate access for public services.

**Criteria (vi): A separate plat to replat the vacated area into a larger, usable piece of land has been submitted:**

A separate plat (S24-0015) has been submitted and is under review by the City. Once approved and recorded the land currently apart of the right-of-way will be divided into usable/developable land.

**CONSIDERATIONS FOR DISCUSSION**

1. Vacation of this right-of-way will allow for future residential development within the Buckley Crossing Subdivision.
2. Buckley Road does not continue south of East 112<sup>th</sup> Avenue.
3. Buckley Road is not needed for connections to other properties.
4. High Plains Parkway will be the main road for north/south traffic in this area.

**STAFF RECOMMENDATION**

**Approval**

Staff is recommending approval of the vacation of this portion of Buckley Road. All approval criteria are met. High Plains Parkway will effectively replace the old alignment of Buckley Road and accommodate traffic volume and access for adjacent properties. Therefore, Buckley Road is not needed to service this area and can be vacated with no negative impacts to adjacent properties.

## POTENTIAL MOTIONS

### 1. Approval

- I move that the Planning Commission enter a finding that the requested **Vacation of Right-Of-way** contained in case **V25-0002** meets the criteria of the Land Development Code and based upon such finding, recommend approval of the **Vacation of Right-Of-Way**.

### 2. Approval with conditions

- I move that the Planning Commission enter a finding that the requested **Vacation of Right-Of-Way** contained in case **V25-0002** meets the criteria of the Land Development Code and based upon such finding, recommend approval or the **Vacation of Right-Of-Way** with the following conditions:  
\*Insert Condition\*

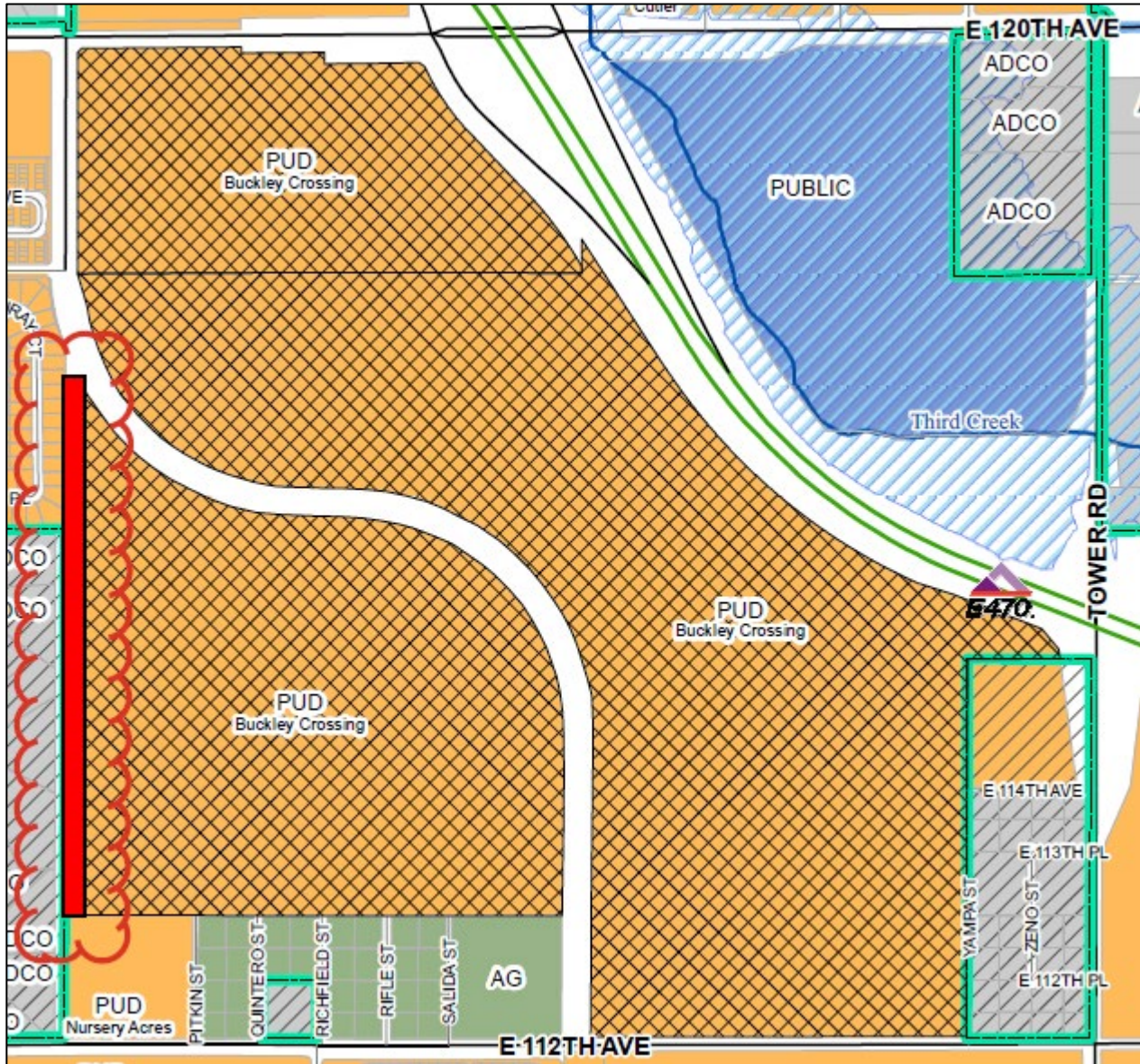
### 3. Denial

- I move that the Planning Commission enter a finding that the requested **Vacation of Right-Of-Way** contained in case **V25-0002** fails to meet the criteria of the Land Development Code and based upon such finding, recommend denial of the **Vacation of Right-Of-Way**.

### 4. Continuance

- I move that the Planning Commission continue the public hearing of the requested **Vacation of Right-Of-Way** contained in case **V25-0002** to:
  1. The next regularly scheduled Planning Commission meeting; or
  2. A date certain.

# Zoning Map



# Aerial Map



