



# City Council Communication

**AGENDA DATE:** December 15, 2025 **LEGISTAR ITEM #:** Res 2025-135

**PRESENTER:** Kathleen Taylor **DEPARTMENT:** Community Development

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

DRE KCS Murray Farms Land LLC is requesting approval of the Murray Family Farms Filing No. 2, a subdivision to replat three tracts into five tracts and one lot. The site is approximately 72 acres in size and is generally located at the southeast corner of East 112th Avenue and Havana Street. The current zoning of the properties includes C-3 Regional Commercial, I-1 Light Intensity Industrial and I-2 Medium Intensity Industrial. No change to the zoning is proposed.

## BACKGROUND

The Murray Farms property encompasses a total of 153 acres and previously had multiple applications under review with the city, including two subdivisions, two zone changes and a development plan for multi-family residential. On April 15, 2024, Council Member Kim motioned that those two subdivisions be called up in advance. City Council discussed and voted to approve the motion. It was too early in the process to call them up at the time, but staff was aware that both of those subdivisions were to be reviewed the City Council.

On December 23, 2024, the previous subdivision applications expired as inactive and staff gave notice to the applicant. Pursuant to Section 21-3175 of the Land Development Code (LDC), “no further action on the application shall take place.” On December 10, 2024, DRE KCS Murray Farms Land LLC applied for this subdivision plat, making it a “new application” for purposes of review under the provisions of the same section of the LDC. The current application was submitted by Murray Farms with the sole purpose to separate out Mr. Murray’s existing farmhouse on its own individual lot, leaving all other areas as undevelopable tracts.

## CITY COUNCIL COMMUNICATION CONTINUED

Notice of Administrative Approval was posted at the site August 15, 2025, with a public comment period from August 15 to 25, 2025. During that time Council reserves the right to call up the plat for review. On August 18, 2025, Council member Chacon made a motion to call up the plat. That motion was approved 5-4. A call-up requires that the application first be reviewed by the Planning Commission for a recommendation to the City Council. City staff scheduled the next available dates for each. Planning Commission heard the case November 18, 2025, recommending approval 4-0 to the Council.

The portion of Murray Farms as a part of this subdivision includes only the western half, approximately 72 acres. Approval will allow for one lot to be created for the existing farmhouse, and will convert the remaining portion which is currently three tracts into five tracts. Further development of any tract would require an additional subdivision application to convert the tract into a lot, as well as a development plan.

The city engineer has determined that a Development Agreement (DA) will not be required with this application, because there are no formal changes proposed at this time. The land will continue to be used as it has been in the past. Further development will trigger a Development Agreement.

### JUSTIFICATION

<input type="checkbox"/> Council Goal	<input type="checkbox"/> Strategic Plan	<input type="checkbox"/> Work Plan	<input type="checkbox"/> Legal
Citation	The City Council, consistent with its authority as stated in the City of Commerce City Land Development Code, Section 21-3241(4)(d), has requested that this Subdivision be reviewed through the public hearing process.		

### BOARDS & COMMISSIONS ASSIGNED

Board or Commission	Planning Commission
Recommendation	4-0 Approval
Date of Recommendation	November 18, 2025

# CITY COUNCIL COMMUNICATION CONTINUED

## **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 subdivision plat were given, including by publication in the newspaper, flyer mailing and posting a sign on the property.

## **AVAILABLE ACTIONS**

- Available Action #1: Approve Resolution 2025-135, to find that the requested final plat meets the criteria of the Land Development Code found in Section 21-3241(3).
- Available Action #2: Deny Resolution 2025-135, to find that the requested final plat fails to meet the criteria of the Land Development Code found in Section 21-3241(3).
- Available Action #3: Continue consideration of Resolution 2025-135 to a date certain, and direct the applicant, staff, or both to provide additional information.

## **STAFF RECOMMENDATION**

Staff recommends available action #1, staff recommends approval of this resolution because it meets the review criteria.