



Variance Report

Case #AV25-0006

Board of Adjustment Date: January 13, 2026

General Information

Project Name	5200 Oneida Street Freestanding Sign Height Variance
Location	5200 Oneida Street
Site Size	3.81 acres
Current Zoning	Light-Intensity Industrial (I-1)
Applicant	Yesco LLC
Case Planner	Nathan Chavez

Request

Yesco LLC, on behalf of the property owner of 5200 Oneida Street, is requesting a variance to increase a proposed freestanding sign along I-270, height maximum from 10 feet to 35 feet, a 25-foot increase.

Background and Case History

5200 Oneida was home to a single-family residence until around 2024, when it was demolished. A Development Plan (D23-0004) received approval August 2024 for a 58,412 square foot industrial flex building, which is currently under construction. There is one Comprehensive Sign Program (DS25-0001) under review for the site, as well as a variance for a second freestanding sign (AV25-0007) scheduled for the January 13, 2026 Board of Adjustment. Four Minor Modification applications received approval for the site including decreasing setbacks for freestanding signs on the site by 25% (MM25-0012), increasing the number of tenant panels for the Joint Tenant Sign along east 52nd Place (MM25-0013), increasing the sign area of all freestanding signs by 25% throughout the site (MM25-0014), and increasing the sign height for all freestanding signs by 25% throughout the site (MM25-0016). The proposed subject sign is 35 feet tall, 90 square feet large, and located at the southwest portion of the site.

Project Analysis

Site Overview & Overall Analysis

The site, which is located along I-270 to the south and at the southeast corner of Oneida Street and East 52nd Place, is zoned Light-Intensity Industrial (I-1) and is surrounded by other Light-Intensity Industrial (I-1) and Medium-Intensity Industrial (I-2) zoning districts to the east, west, and north. While much of the area is industrial or commercial in nature, there are six residences to the west of the site. The site is over 102 feet from I-270 (153 feet to the I-270 centerline) and sits 9'-6" below the grade of I-270. Per [Table VIII-6 b. Freestanding Signs - Commercial/Industrial Use Standards](#) a site between 2-10 acres in size and along I-270 is allowed an 8-foot tall

freestanding sign with an additional 25% increase because the site is adjacent to I-270 (10-feet total in height). This would result in a sign which is only 6" are above the I-270 grade, which is why the owner is seeking a variance for increased height. Lastly, there are existing freestanding signs along the I-270 corridor that are a similar height or taller, including the Travel Centers for America (45+ feet), Masek Golf Cars (28+ feet), Denver Truck and Trailer, and Park Industrial Center.

Comprehensive Plan Consistency

The variance will allow for the appropriate advertising of an industrial flex building currently under construction. Per the [2045 Comprehensive Plan](#), the site is within the South Rose Hill Fusion District Character Area (Figure 5) which designates office, industrial, and warehousing and distribution/logistics as a primary land use meant to play a pivotal role in characterizing the placetype of the area. The Economic Development Framework map (Figure 4) designates the site as a Business and Employment Park which calls for enhancement of the character of industrial and employment areas. Lastly, the I-270 Connected Corridor map (Figure 6) designates the site as Business and Employment which calls for continued support for redevelopment and employment uses with a focus on quality development. In three different maps the subject site is designated for business and employment, meaning the character of the area is planned for similar uses and development. The proposed Variance allows for the appropriate advertising of the development which is attractive to perspective tenants and adds to the economic base including new jobs the City of Commerce City seeks.

Public Comment

City Staff provided public notice per the Land Development Code Standards, including publication in the Commerce City Sentinel, posting of two signs on the site, and mailing of fliers to all property owners within 500 feet of the subject property. No letters, emails, or phone calls from the public were received regarding the proposed variance.

Application Review

The proposed variance was reviewed by all relevant Development Review Team agencies, including the Commerce City Planning Division, Geographic Information Systems Division, Parks, Recreation and Golf Department, Department of Economic and Community Vitality, Engineering Review Division, & Energy, Equity, and the Environment Division, the South Adams County Water and Sanitation District (SACWSD), and Colorado Department of Transportation with no comments or all comments addressed. At this time, there are no outstanding concerns from any of the aforementioned referral agencies related to this variance request.

Variance Approval Criteria

A decision for this case must be based on the following criteria from [Sec. 21-3222\(3\)](#) of the Land Development Code. An application for a variance may be approved if:

(a) All of the following criteria are met:

- i. **The physical character of the property, including dimensions, topography or other extraordinary situation or condition of the property, create a situation where the strict enforcement of the standards in this land development code will deprive the property of privileges generally enjoyed by property of the same classification in the same zoning district (hardship);**

Analysis: The subject property sits 9'-6" below the I-270 grade and is over 102 feet from I-270 (153 feet from centerline). The Land Development Code allows for 8-foot sign based on the site size with an additional 25% increase because the site is adjacent to I-270 (10-feet total in height). In addition, the Land Development Code does not fully consider the heights needed for signs along highways and is generally tailored for local, collector, and arterial roadways. Strict enforcement of the standards would allow for a freestanding sign which is only 6" above the I-270 grade. *Therefore, it can be found that this application **meets criteria (i)**.*

ii. The hardship is not self-imposed;

Analysis: The subject property sits 9'-6" below the I-270 grade and is over 102 feet from I-270 (153 feet from centerline). The Land Development Code allows for 8-foot tall signs based on the site size with an additional 25% increase because the site is adjacent to I-270 (10-feet total in height). The sign would then only be 6" above the I-270 grade which is not tall enough for proper visibility to I-270 motorists. The variance is needed for appropriate advertising of the development to both directions of traffic. *Therefore, it can be found that this application **meets criteria (ii)**.*

iii. The variance will not be of substantial detriment to adjacent property; and

Analysis: To the east is a TravelCenters for America gas station and parking lot and across I-270 to the south is the Sand Creek and then truck dealership, both of which are similar industrial uses which will not be affected by a taller sign. To the northwest is a pocket of residential with the nearest home 384 feet from the subject sign. Because of existing and proposed landscaping and distance between the residential and proposed sign, staff found there will not be a substantial detriment to adjacent property. *Therefore, it can be found that this application **meets criteria (iii)**.*

(b) One of the following criteria is met:

i. The variance granted is the minimum needed for the reasonable use of the land, building, or structure; or

Analysis: While the property owner could opt for no freestanding signage along the interstate, it is unreasonable to expect this of the owner. The site is allowed freestanding signage and it is reasonable to request to properly advertise the development to motorists travelling I-270. The proposed height is needed for proper visibility of sign as depicted in the applicant's packet material. *Therefore, it can be found that this application **meets criteria (i)**.*

ii. The character of the district will not be changed by the granting of the variance.

Analysis: The 2045 Comprehensive Plan designates the general area for business and employment through lighter industrial and commercial land uses. The character of the area is planned for similar uses and needs for proper advertising for the future businesses and development. In addition, there are existing freestanding signs along the I-270 corridor that are a similar height or taller, including the Travel Centers for America (45+ feet), Masek Golf Cars (28+ feet), Denver Truck and Trailer, and Park Industrial Center. *Therefore, it can be found that this application **meets criteria (ii)**.*

Staff Recommendation

Planning staff found that the application meets all the approval criteria found within [Sec. 21-3222\(3\)](#) of the Land Development Code, and therefore Planning staff recommends the Board of Adjustment approve case AV25-0006.

Considerations for Discussion

1. The variance is for a 25-foot maximum sign height increase, from 10-feet to 35-feet.
2. The height increase is needed for adequate visibility to I-270 motorists which is over 163 feet from the centerline.
3. The subject site sits 9'-6" below I-270.
4. Neighboring residents to the west were notified about the variance and provided an opportunity to comment and attend the Board of Adjustment.
5. Review of the requested variance revealed limited impacts to surrounding properties.
6. The application meets all the Variance approval criteria.
7. The variance was reviewed by all relevant Development Review Team (DRT) agencies and there are no outstanding comments or concerns.

Potential Motions

Approval

*I move that the Board of Adjustment enter a finding that the requested **variance**, for the property located at **5200 Oneida Street** contained in case **AV25-0006**, meets the criteria of the Land Development Code and based upon such finding, approve the **variance**.*

Approval with Conditions

*I move that the Board of Adjustment enter a finding that the requested **variance**, for the property located at **5200 Oneida Street** contained in case **AV25-0006**, meets the criteria of the Land Development Code and based upon such finding, approve the **variance** subject to the following conditions:*

[Insert Conditions]

Denial

*I move that the Board of Adjustment enter a finding that the requested **variance**, for the property located at **5200 Oneida Street** contained in case **AV25-0006**, fails to meet the criteria of the Land Development Code and based upon such finding, deny the **variance**.*

[Insert criteria not met]

Figure 1. Aerial Map



Aerial form September 25, 2025

Figure 2. Site Plan



Figure 3. Proposed Interstate Sign (AV25-0006)

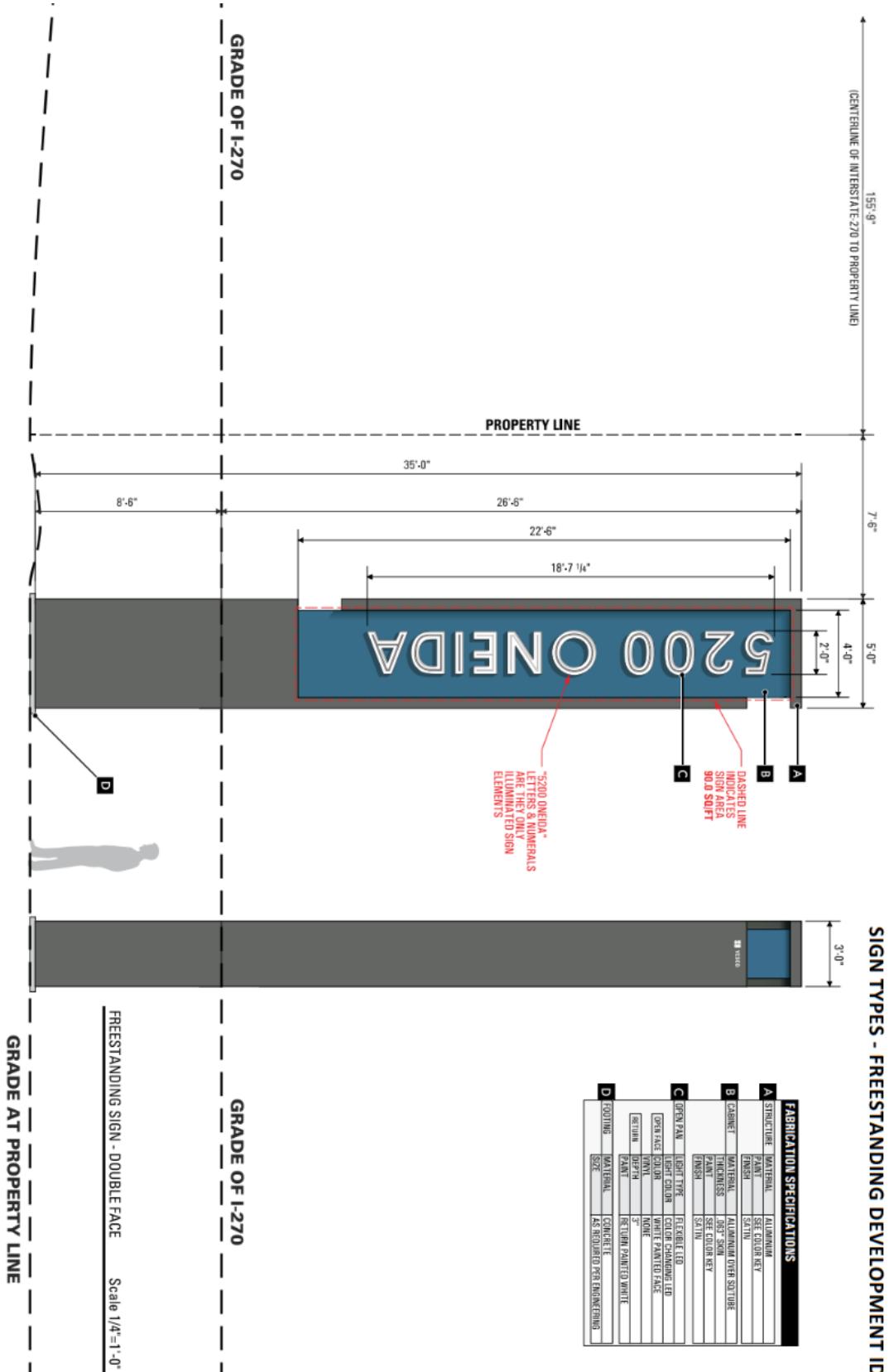


Figure 4. Interstate Sign Setbacks

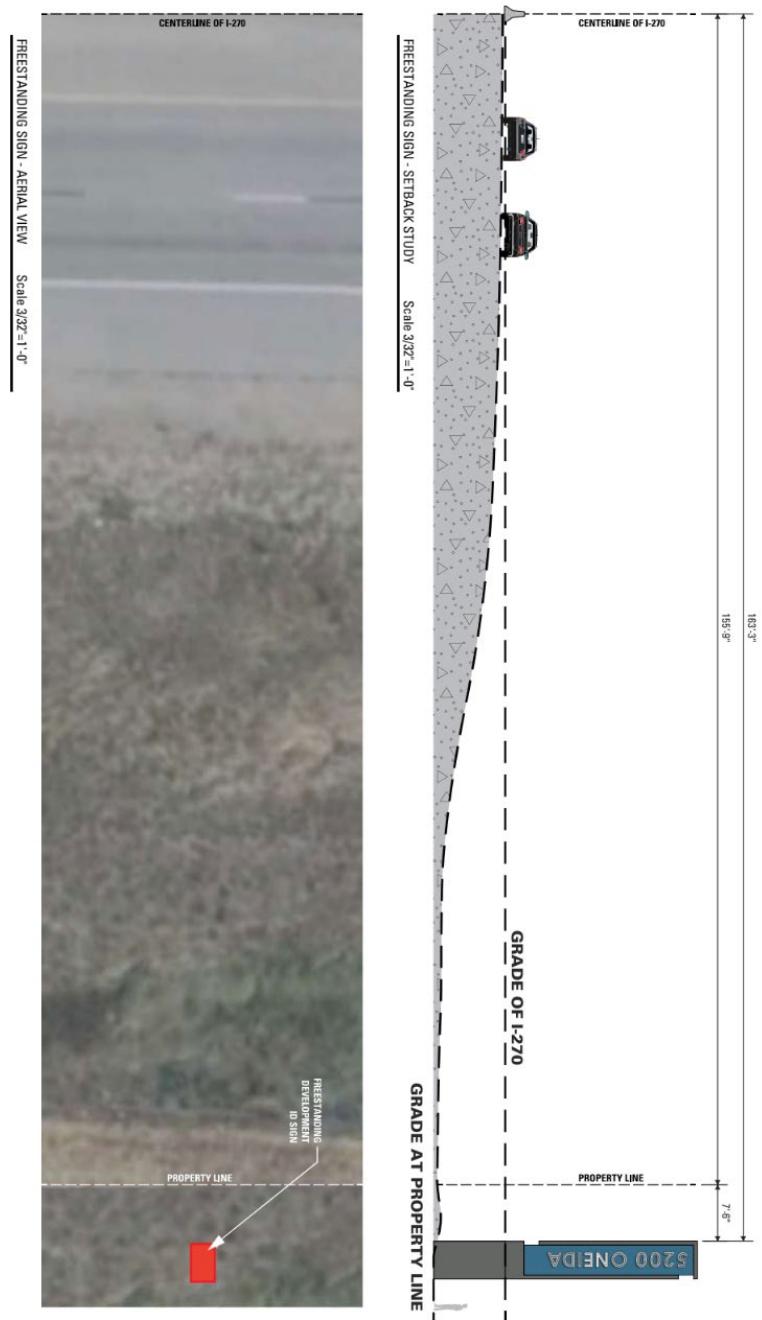


Figure 5. Economic Development Framework Map

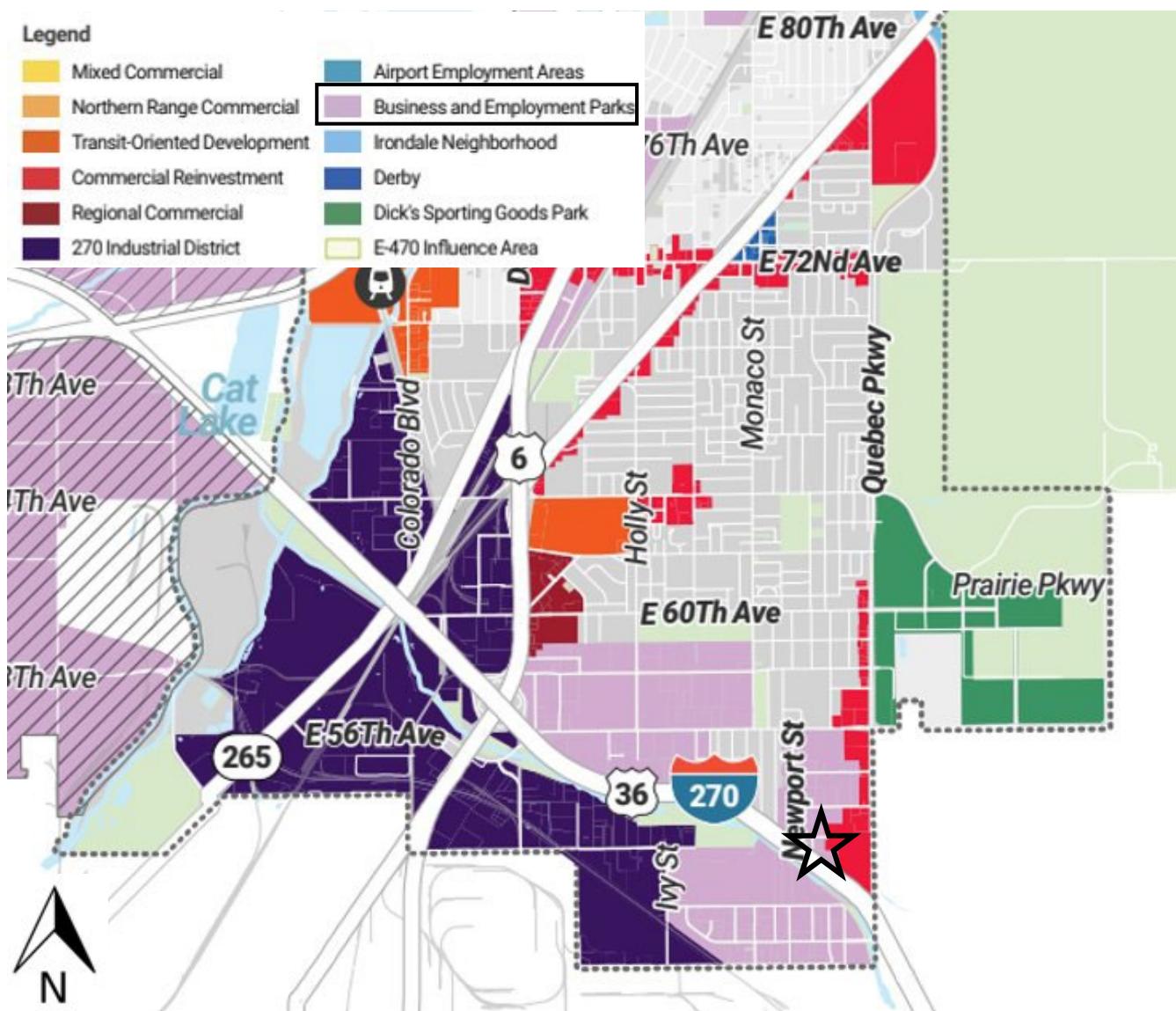


Figure 6. Character Areas Land Use Map

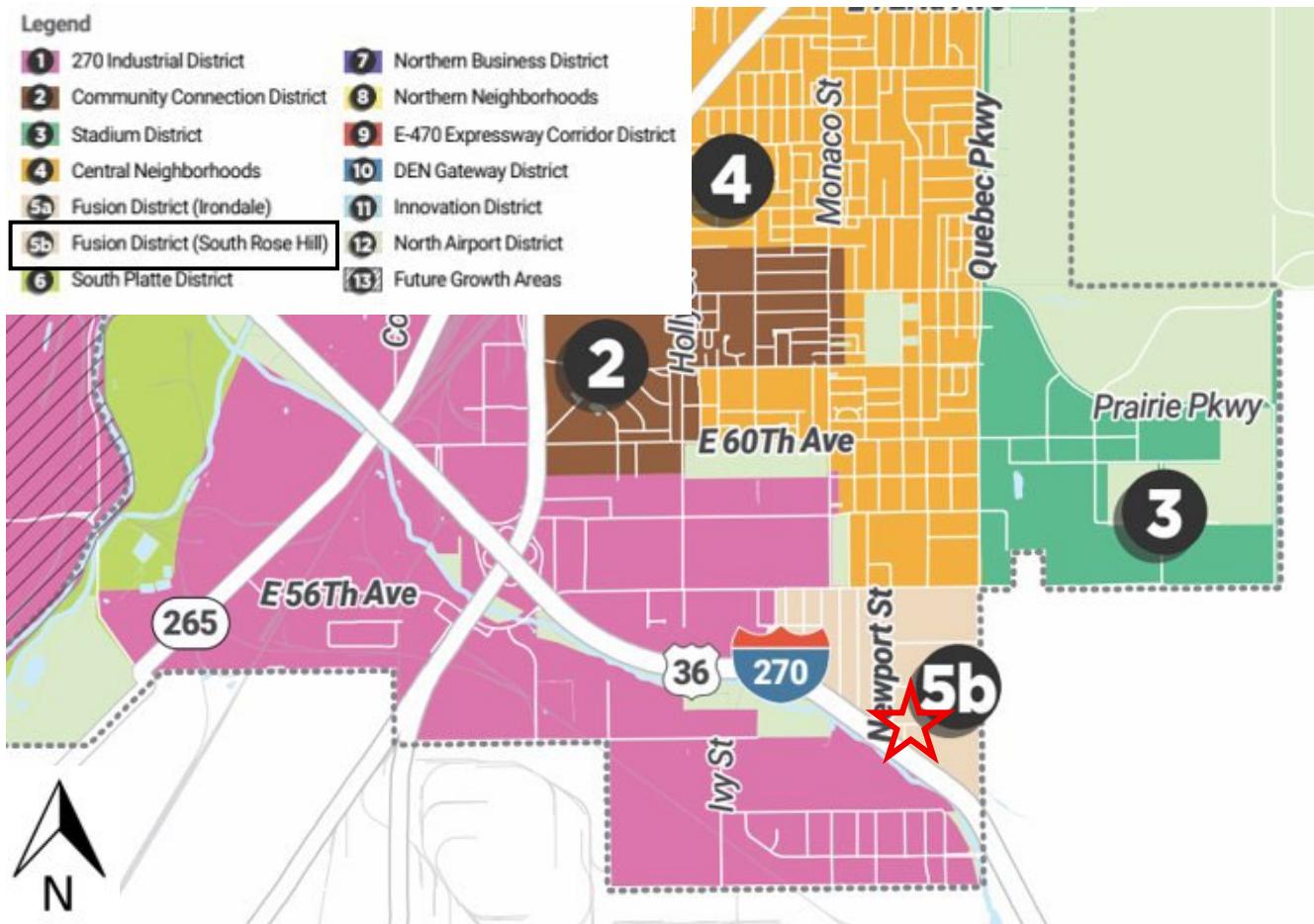


Figure 7. I-270 Connected Corridor

Business and Employment. As redevelopment occurs, light industrial, office, and employment uses should continue to be supported within this area. A focus should be on improving the quality of development, including paved parking areas, sufficient vehicular and truck access management, quality façade designs, internal pedestrian pathways, and perimeter landscaping and screening. Chain-link fences should be discouraged.

