



Commerce City

7887 E. 60th Ave.
Commerce City, CO 80022
c3gov.com

Meeting Minutes - Draft

Zoning Board of Adjustment

Tuesday, March 10, 2026

6:00 PM

Council Chambers,

7887 E. 60th Ave Commerce City, CO 80022.

The public can participate virtually by registering in advance
with the Zoom Registration:

https://c3gov.zoom.us/webinar/register/WN_7YOZkCcFT6KsUIJsXHt6dQ

Meetings occur in person in the City Council Chambers (location above). The public can watch the meeting live on the city's public access TV or Xfinity cable channels 8 and 881 or on our YouTube channel. The Zoom link above allows virtual participation.

1. Call to Order

A regular meeting of the Zoning Board of Adjustment was called to order at 6:07 PM.

2. Roll Call

Board Member Douglas Absence:

A motion was made by Board Member Frey-Waite, seconded by Alternate Board Member Valtakis, that this Absence be Excused. VOTE:

Ayes: 4 - Board Member Joanne Hernandez, Board Member Joe Frey-Waite, Alternate Board Member Aaron Valtakis, and Board Member Gene Leffel

Board Member Poe Absence:

A motion was made by Board Member Joe Frey-Waite, seconded by Alternate Board Member Aaron Valtakis, that this Absence be Excused. VOTE:

Ayes: 4 - Board Member Joanne Hernandez, Board Member Joe Frey-Waite, Alternate Board Member Aaron Valtakis, and Board Member Gene Leffel

Present 4 - Board Member Joanne Hernandez, Board Member Joe Frey-Waite,
Alternate Board Member Aaron Valtakis, and Board Member Gene Leffel

Excused 2 - Board Member Shawn Poe, and Board Member Steven J. Douglas

3. Pledge of Allegiance

4. Agenda Amendment

Agenda Amendment to rearrange AV26-0002 from fourth to third case hearing as it is related to the second case AV25-0017.

A motion was made by Board Member Joe Frey-Waite, seconded by Alternate Board Member Aaron Valtakis, that this Agenda Amendment be approved.

VOTE:

Ayes: 4 - Board Member Hernandez, Board Member Frey-Waite, Alternate Board Member Valtakis and Board Member Leffel

Excused: 2 - Board Member Poe and Board Member Douglas

5. Approval of Minutes:

[Min 26-039](#)

February 10th, 2026 Meeting Minutes

Attachments: [February 10th, 2026 Meeting Minutes](#)

A motion was made by Board Member Frey-Waite, seconded by Alternate Board Member Valtakis, that this Minutes be approved, VOTE:

Ayes: 4 - Board Member Hernandez, Board Member Frey-Waite, Alternate Board Member Valtakis and Board Member Leffel

Excused: 2 - Board Member Poe and Board Member Douglas

6. Public Hearings:

[Pres 26-086](#)

AV25-0010: Joseph Rubio, is seeking variance approval to reduce an attached carport setback from the front façade of the home from 5-ft. to 1-ft., a 4-ft. reduction. The 0.04-acre property is located at 6388 E. 78th Avenue and is zoned PUD (Planned Unit Development)

Attachments: [Supplemental Staff Report](#)
[Variance Report](#)
[Carport Drawings](#)
[Site Plan](#)
[Applicant Narrative](#)
[Leyden Townhome PUD Zone Document](#)
[Vicinity Map](#)

Deputy Director Heather Vidlock presented on behalf of Staff.

Applicant Joseph Rubio addressed the Board.

A motion was made by Board Member Frey-Waite, seconded by Board Member Leffel, that the Board of Adjustment enter a finding that the requested variance, for the property located at 6388 E 78th Avenue contained in case AV25-0010, fails to meet the criteria of the Land Development Code and based upon such finding, deny the variance. VOTE:

Ayes: 3 - Board Member Hernandez, Board Member Frey-Waite and Board Member Leffel

Nayes: 1 - Alternate Board Member Valtakis

Excused: 2 - Board Member Poe and Board Member Douglas

[Pres 26-232](#)

AV25-0017: Freeman Signs, on behalf of the E-470 Public Highway Authority, is requesting a variance to increase the Freestanding Sign size maximum from 60 square feet to 242 square feet, a 182 square foot increase, for a proposed freestanding sign along E-470. The 4.4-acre site is zoned Regional Commercial (C-3) District and is located at 9022 E-470.

Attachments: [Staff Report](#)
[Narrative](#)
[Site Plan](#)
[Renderings](#)

City Planner Nathan Chavez presented on behalf of Staff.

Roger Wilson presented on behalf of the Applicant.

A motion was made by Board Member Frey-Waite, seconded by Alternate Board Member Vlatakis, that the Board of Adjustment enter a finding that the requested variance, for the property located at 9022 E-470 contained in case AV25-0017, meets the criteria of the Land Development Code and based upon such finding, approve the variance. VOTE:

Ayes: 4 - Board Member Hernandez, Board Member Frey-Waite, Alternate Board Member Valtakis and Board Member Leffel

Excused: 2 - Board Member Poe and Board Member Douglas

[Pres 26-234](#)

AV26-0002: Freeman Signs, on behalf of the E-470 Public Highway Authority, is requesting a variance to increase the Freestanding Sign height maximum from 8 feet to 30 feet, a 22-foot increase, for a proposed freestanding sign along E-470. The 4.4-acre site is zoned Regional Commercial (C-3) District and is located at 9022 E-470.

Attachments: [Staff Report](#)
[Narrative](#)
[Site Plan](#)
[Renderings](#)

A motion was made by Board Member Frey-Waite, seconded by Alternate Board Member Vlatakis, that the Board of Adjustment enter a finding that the requested variance, for the property located at 9022 E-470 contained in case AV26-0002, meets the criteria of the Land Development Code and based upon such finding, approve the variance. VOTE:

Ayes: 4 - Board Member Hernandez, Board Member Frey-Waite, Alternate Board Member Valtakis and Board Member Leffel

Excused: 2 - Board Member Poe and Board Member Douglas

[Pres 26-233](#)

AV26-0001: Freeman Signs, on behalf of the E-470 Public Highway

Authority, is requesting a variance to increase the Freestanding Sign size maximum from 60 square feet to 242 square feet, a 182 square foot increase, for a proposed freestanding sign along E-470. The 4.75-acre site is zoned Regional Commercial (C-3) District and is located at 9021 E-470.

Attachments: [Staff Report](#)
 [Narrative](#)
 [Site Plan](#)
 [Renderings](#)

City Planner Nathan Chavez presented on behalf of Staff.

Roger Wilson presented on behalf of the Applicant.

A motion was made by Board Member Frey-Waite, seconded by Alternate Board Member Vlatakis, that the Board of Adjustment enter a finding that the requested variance, for the property located at 9021 E-470 contained in case AV26-0001, meets the criteria of the Land Development Code and based upon such finding, approve the variance. VOTE:

Ayes: 4 - Board Member Hernandez, Board Member Frey-Waite, Alternate Board Member Valtakis and Board Member Leffel

Excused: 2 - Board Member Poe and Board Member Douglas

[Pres 26-235](#)

AV26-0003: Freeman Signs, on behalf of the E-470 Public Highway Authority, is requesting a variance to increase the Freestanding Sign height maximum from 8 feet to 30 feet, a 22-foot increase, for a proposed freestanding sign along E-470. The 4.75-acre site is zoned Regional Commercial (C-3) District and is located at 9021 E-470.

Attachments: [Staff Report](#)
 [Narrative](#)
 [Site Plan](#)
 [Renderings](#)

A motion was made by Board Member Frey-Waite, seconded by Alternate Board Member Vlatakis, that the Board of Adjustment enter a finding that the requested variance, for the property located at 9021 E-470 contained in case AV26-0003, meets the criteria of the Land Development Code and based upon such finding, approve the variance. VOTE:

Ayes: 4 - Board Member Hernandez, Board Member Frey-Waite, Alternate Board Member Valtakis and Board Member Leffel

Excused: 2 - Board Member Poe and Board Member Douglas

[Pres 26-238](#)

AU25-0002: Vertical Bridge is seeking a Use-By-Permit approval to allow for a 70-foot tall communications tower and associated 2,500 square foot compound. The 4.7-acre property is located at 4304 East 60th Avenue and is zoned I-3 (Heavy-Intensity Industrial).

Attachments: [Staff Report](#)
[Applicant Narrative](#)
[Photo Simulation](#)
[Vicinity Map](#)

City Planner Kathleen Taylor presented on behalf of Staff.

Jennifer Roberts presented on behalf of the Applicant.

A motion was made by Board Member Frey-Waite, seconded by Alternate Board Member Valtakis, that the Board of Adjustment enter a finding that the requested use-by-permit, for the property located at 4304 E 60th Ave contained in case AU25-0002, meets the criteria of the Land Development Code and based upon such finding, approve the Use-by-Permit. VOTE:

Ayes: 4 - Board Member Hernandez, Board Member Frey-Waite, Alternate Board Member Valtakis and Board Member Leffel

Excused: 2 - Board Member Poe and Board Member Douglas

[Pres 26-237](#)

AV25-0015: Raptor Civil, on behalf of Elliot Equipment Company, is seeking variance approval for a retaining wall which is 8 feet tall, where the Land Development Code allows a 4-foot-tall wall, a 4-foot increase. The 1.03-acre property is located at 4400 East 60th Avenue and is zoned I-3 (Heavy-Intensity Industrial)

Attachments: [Variance Report](#)
[Vicinity Map](#)
[Applicant Narrative](#)
[Engineering Variance Approval](#)
[Retaining Wall Exhibit](#)
[Development Plan](#)

City Planner Nic Berry presented on behalf of Staff.

A motion was made by Board Member Frey-Waite, seconded by Alternate Board Member Valtakis, that the Board of Adjustment enter a finding that the requested variance, for the property located at 4400 East 60th Avenue contained in case AV25-0015, meets the criteria of the Land Development Code and based upon such finding, approve the variance. VOTE:

Ayes: 4 - Board Member Hernandez, Board Member Frey-Waite, Alternate Board Member Valtakis and Board Member Leffel

Excused: 2 - Board Member Poe and Board Member Douglas

7. Board Business:

8. Attorney Business:

9. Staff Business:

10. Adjournment

The meeting adjourned at 8:08 PM.

Frank Magdaleno, Zoning Board of Adjustment Liaison

Any member of the public requesting accommodations, with respect to rights under the Americans with Disabilities Act, to attend or participate in any public meeting, and/or to obtain this notice in alternate formats, is asked to please contact 303-289-3611 at least 48 hours before the meeting. Para servicios de traducción al español, llame al 303-289-3611.