



# Commerce City

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

## Meeting Minutes - Draft

### Zoning Board of Adjustment

---

Tuesday, May 12, 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\\_h6Q4UZpRTUGn\\_xokuv9A9gg](https://c3gov.zoom.us/webinar/register/WN_h6Q4UZpRTUGn_xokuv9A9gg)

---

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 6:04 PM.*

#### 2. Roll Call

**A motion was made by Alternate Board Member Joe Frey-Waite, seconded by Board Member Shawn Poe, that the absence of Board Member Douglas is record as excused. VOTE:**

**Present** 5 - Board Member Joanne Hernandez, Board Member Shawn Poe, Alternate Board Member Aaron Valtakis, Board Member Joe Frey-Waite, and Board Member Gene Leffel

**Excused** 1 - Board Member Steven J. Douglas

#### 3. Pledge of Allegiance

#### 4. Approval of Minutes:

[Pres 26-418](#) April 14th, 2026 Meeting Minutes

**Attachments:** [April 14th, 2026 Meeting Minutes](#)

**A motion was made by Alternate Board Member Valtakis, seconded by Board Member Frey-Waite, that the Board of Adjustment approve the April 14th, 2026, Meeting Minutes. VOTE:**

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

**Excused:** 1 - Board Member Douglas

**Abstentions:** 1 - Board Member Poe

## 5. Public Hearings:

### [Pres 26-394](#)

AV26-0007: The property owner is requesting a variance to increase the maximum shade structure size from 200 square feet to 540 square feet, a 340 square foot increase. The 0.17-acre property is zoned R-1 (Single-Family Detached Residential) and is located at 7050 East 75th Place.

**Attachments:**    [Variance Report](#)  
[Applicant Narrative](#)  
[Photos of the Structure](#)  
[Site Plan](#)  
[Elevations & Structural Drawings](#)  
[Vicinity Map](#)

**A motion was made by Alternate Board Member Valtakis, seconded by Board Member Frey-Waite, that the Board of Adjustment continue the public hearing of the requested variance, for the property located at 7050 E. 75th Place contained in case AV26-0007, to next Board of Adjustment regular meeting scheduled for June 9th, 2026. VOTE:**

**Ayes:** 5 - Board Member Frey-Waite, Board Member Poe, Alternate Board Member Valtakis, Board Member Leffel and Board Member Hernandez

**Excused:** 1 - Board Member Douglas

### [Pres 26-357](#)

AU25-0004: K2 Civil Consultants, Inc., on behalf of the property owner, is requesting Use-by-Permit approval to allow for an Automobile Washing Facility within the Settlers Crossing Planned Unit Development. The 1.37-acre site is zoned Planned Unit development (PUD) and located near the southeast corner of Tower Road and Settlers Lane.

**Attachments:**    [May Supplemental Staff Report](#)  
[April Use-By-Permit Report](#)  
[Updated Applicant Narrative](#)  
[Updated Site Plan](#)  
[PUD Development Permit PUDP25-0018](#)  
[Settlers Crossing PUD Zone Document](#)  
[Updated Public Comment - Opposed](#)  
[Updated Public Comment - Support](#)  
[Updated Settlers Crossing Pedestrian Pathways](#)  
[Vicinity Map](#)

*City Planner Nathan Chavez presented on behalf of Staff.*

*Kelton McCoy and Daniel Frank presented on behalf of the Applicant.*

A motion was made by Board Member Poe, seconded by Board Member Frey-Waite, that the Board of Adjustment enter a finding that the requested Use-by-Permit, for the property located at 9880 Tower Road contained in case AU25-0004, meets the criteria of the Land Development Code and based upon such finding, approve the Use-by-Permit.

Board Member Frey-Waite offered a friendly amendment to clarify that Criteria (b)(i) was not met. With no objection, the amendment was accepted by Board Member Poe and incorporated into the motion.

**VOTE:**

**Ayes:** 4 - Board Member Poe, Alternate Board Member Valtakis, Board Member Leffel and Board Member Hernandez

**Nays:** 1 - Board Member Frey-Waite

**Excused:** 1 - Board Member Douglas

**6. Board Business:**

**7. Attorney Business:**

**8. Staff Business:**

**9. Adjournment**

*The meeting adjourned at 8:49 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.