

# **CONDITIONAL USE PERMIT**

## **FOR A COMMUNITY CORRECTIONS FACILITY**

### **CASE #CU-91-10-15**

**WHEREAS**, the City Council of the City of Commerce City, Colorado finds that a conditional use permit for the operation of a Community Corrections Facility (“Conditional Use Permit”) should be granted pursuant to the Land Development Code of the City of Commerce City in Case #CU-91-10-15 for that property described in exhibit “A” attached hereto and made a part hereof, located at 4901 Krameria Street, Commerce City, Colorado; and

**WHEREAS**, the City of Commerce City believes that this Conditional Use Permit is only appropriate if certain conditions are met; and

**WHEREAS**, the City of Commerce City desires to set to writing the conditions of the Conditional Use Permit.

**NOW THEREFORE**, the Conditional Use Permit applied for in Case # CU-91-10-15 is granted by the City of Commerce City subject to the following conditions:

#### **CONDITIONS:**

- A. The facility shall be prohibited from accepting clients who have been convicted of Sexual Assault and Arson pursuant to C.R.S 18-1.3-406
- B. The Conditional Use Permit shall expire on September 21, 2022. If the applicant wishes to operate the facility after the expiration of this approval, it will be required to renew this Conditional Use Permit.
- C. The number of clients allowed at this facility shall be limited to 136. Any increase to this number will require the applicant to amend this Conditional Use Permit.
- D. This facility shall continue to be a single-sex facility only.
- E. The applicant shall continue to operate the Neighborhood Advisory Board and it shall be comprised of surrounding business owners and operators, surrounding property owners, and anyone in the area that wishes to participate.
- F. A member of the Commerce City Police Department shall be permitted representation on the board that screens prospective clients for the facility.

Failure to comply with the above conditions shall constitute basis for revocation by the City of Commerce City, after public hearing, of the Conditional Use Permit authorized for the above-described property, it being expressly determined by the City Council that the Conditional Use Permit granted by the City of Commerce City in Case # CU-91-10-15 is not proper in the absence of compliance with the conditions herein contained. In the alternative, the City may proceed with legal action for injunctive relief to enforce the conditions herein imposed or issue a

summons and complaint in the Commerce City municipal court for violation of the aforesaid conditions, and in the event a summons and complaint is issued in the Commerce City municipal court, and upon finding a violation of the condition set forth in this Conditional Use Permit, the municipal court may impose any penalty authorized by the Land Development Code. The remedies herein provided for shall be considered cumulative and not mutually exclusive.

**IN WITNESS WHEREOF**, the undersigned have set their hands effective the 21<sup>st</sup> day of September, 2015.

***CITY OF COMMERCE CITY, COLORADO***

By: \_\_\_\_\_  
Sean Ford, Mayor

**ATTEST:**

\_\_\_\_\_  
Laura J. Bauer, City Clerk

***Exhibit “A”***  
***Case # CU-91-10-15***

**PARCEL 1:**

THE NORTHWESTERLY 75 FEET OF LOT 6, BLOCK 2, STAPLETON FIELD INDUSTRIAL PARK-FILING ONE, COUNTY OF ADAMS, STATE OF COLORADO

**PARCEL 2:**

LOT 6, EXCEPT THE NORTHWEST 75 FEET AS MEASURED PARALLEL TO THE NORTHWEST LINE OF SAID LOT 6, AND LOTS 7 AND 8, AND THAT PART OF LOT 9, DESCRIBED AS FOLLOWS:

BEGINNING AT THE MOST SOUTHERLY CORNER OF SAID LOT 7,  
THENCE NORTHWESTERLY ALONG THE SOUTHWESTERLY LINE OF SAID LOT 7, A DISTANCE OF 79 FEET TO THE MOST WESTERLY CORNER OF SAID LOT 7,  
THENCE NORTHEASTERLY ALONG THE NORTHWESTERLY LINE OF SAID LOT 7, A DISTANCE OF 170.95 FEET TO THE MOST NORTHERLY CORNER OF LOT 7,  
THENCE SOUTHEASTERLY ALONG A LINE PARALLEL WITH THE SOUTHWESTERLY LINE OF SAID LOT 7 TO THE INTERSECTION WITH THE SOUTH LINE OF SAID LOT 9,  
THENCE WEST ALONG SAID SOUTH LINE TO THE MOST EASTERLY CORNER OF SAID LOT 7,  
THENCE SOUTHWESTERLY ALONG THE SOUTHEASTERLY LINE OF SAID LOT 7, A DISTANCE OF 133.07 FEET TO THE POINT OF BEGINNING, ALL IN BLOCK 2, STAPLETON FIELD INDUSTRIAL PARK-FILING ONE, COUNTY OF ADAMS, STATE OF COLORADO.