



Council Communication File Number: CU-91-10-15-23

Agenda Date: 4/17/2023

Version: 1

Status: Public Hearing

In Control: City Council

File Type: Conditional Use
Permit

CoreCivic is requesting approval of a Conditional Use Permit Renewal (CU-091-10-15-23) to allow the continued operation of an existing corrections facility at 4901 Krameria Street.

Summary & Background

CoreCivic is requesting to renew their Conditional Use Permit (CUP) in order to continue to operate a corrections facility. The applicant is not proposing to expand or intensify the existing operations with this request. The facility is located at 4901 Krameria Street, within the I-1S zoning district (Industrial Park Storage District), and has been operating as a corrections facility since 2007.

A corrections facility (Time to Change) was originally approved for this site in 2007 by the Board of Adjustment. In 2007, the use of a correctional facility only required a Use by Permit. With the adoption of the Land Development Code in 2009, correctional institutions require a Conditional Use Permit in all industrial zoning districts. A Conditional Use Permit was approved by the City Council in 2010, subject to conditions. Per one of the conditions of approval, the CUP was renewed by City Council in 2015 to allow the continued operation of the corrections facility at this location (again subject to conditions). The 2015 approval included a requirement for another renewal in 2022; CoreCivic began the CUP renewal process in May of 2022. The facility is continuing to operate while the request is being processed.

As part of the current renewal process, the conditions of approval were thoroughly reviewed in relation to the approval criteria. Two conditions were initially recommended for approval; (A) An expansion of the operation of this facility in any capacity shall require a new Conditional Use Permit to address potential adverse effects on adjacent properties, including but not limited to the character of the neighborhood, traffic, parking, and public improvements; and (B) The applicant shall continue to operate the Neighborhood Advisory Board with a Commerce City Police Department representative to ensure that all potential adverse effects related to public safety will be mitigated to the maximum extent feasible. These two conditions of approval were included in the Planning Commission review and recommendation. Following the Planning Commission hearing, the Commerce City Police Department formally requested a third condition of approval be added to this Conditional Use Permit: (C) The applicant shall not accept any client at this facility that is required to register as a sex offender.

Staff Responsible (Department Head): Tricia McKinnon, Acting Community Development Director
Staff Presenting: Dalton Guerra, City Planner

Financial Impact: N/A
Funding Source: N/A

Planning Commission Recommendation: On March 7, 2023, this case was presented to the Planning Commission. The Planning Commission held a public hearing, took testimony, and voted (5 to 0) to forward the Conditional Use Permit request to City Council with a recommendation for approval with two conditions.

- (A) An expansion of the operation of this facility in any capacity shall require a new Conditional Use Permit to address potential adverse effects on adjacent properties, including but not limited to the character of the neighborhood, traffic, parking, and public improvements; and
- (B) The applicant shall continue to operate the Neighborhood Advisory Board with a Commerce City Police Department representative to ensure that all potential adverse effects related to public safety will be mitigated to the maximum extent feasible.

Action Alternatives:

Approve the application in accordance with the PC recommendation (two conditions);
Approve the application with the additional proposed condition from PD (three conditions);
Approve the application with no conditions; or
Deny the application