

CONDITIONAL USE PERMIT APPLICATION

Applicant Narrative

Property Address: 4901 Krameria, Commerce City, Colorado 80022

Applicant Name: Green Level Realty LLC

Owner Name: Green Level Realty LLC (the owner of the building in which Time to Change operates their program)

Representative: Evan C. Crist, Psy.D. for Time to Change Community Corrections

Summary of Application

Green Level Realty LLC, the owner of the building in which Time to Change Community Corrections operates, was initially granted a Use by Permit to operate a community corrections facility in January 2007 for three years and again in 2010 for five years. The current application is for a Conditional Use Permit to continue operations. We have developed excellent working relationships with neighbors and Commerce City Police Department, and there have been no significant issues at the facility. We have worked diligently to be an asset to Commerce City and are involved in several local projects.

Any member of the Commerce City Planning Department, Planning Commission or City Council has an open invitation to visit the program at any time. While it will be more informative if I am available at the time to answer questions, any interested party may "drop in" at your convenience. We appreciate your consideration and look forward to the opportunity to discuss our operations and mission.

We are not requesting changes to any of the current conditions of use.

What is Community Corrections?

What is community corrections? Community corrections is a sentencing alternative between probation and prison. Our clients are individuals who are sentenced to community corrections instead of going to prison ("diversion clients") or making a transition to community corrections after serving a portion of their sentence in Department of Corrections ("transition clients"). Our primary goal is community safety. Requirements of the program include intense monitoring (e.g., random drug testing, whereabouts verification), life skills training, basic educational programs (e.g., GED, welding classes) and full-time employment. Additionally, we provide safe housing with security staff on duty 24/7, case management, individualized treatment plans and therapy that addresses their lifestyle and choices. On average, clients remain in residential treatment for approximately 6 months. The vast majority of clients have no history of violence. After they earn their way through our level system, they transfer from the residential portion of the program and continue to receive "non-residential" monitoring and treatment services while living in the community at an address we have approved. It is important to note that clients must earn the opportunity to transition to non-residential. This move is not based on time, only on behavioral performance in the program.

Why do we need community corrections? The primary benefits of community corrections are three fold:

- Community corrections saves local taxpayers money
- Community corrections enhances short term public safety (via intense monitoring) and long term public safety (via intense treatment)
- Community corrections offers an opportunity for young men to return to their families and be better fathers, husbands, employees, and community members.

What is the acceptance process? It is important to note that judges cannot sentence anyone to community corrections. All clients must be reviewed and accepted by the Adams County Community Corrections Board Screening Committee and the community corrections program before they can enter our program. Similarly, we do not need a judge's order or permission from any other entity to decide that a client is no longer an appropriate client. In that case, local law enforcement is called and the client is taken to the local jail and, in most cases, sent to the Department of Corrections to serve out their sentence.

Who funds community corrections? The funding for community corrections is allocated at the state level. The Department of Public Safety, Division of Criminal Justice (DCJ) contracts with counties who in turn contract with local providers. Therefore, while funded and evaluated by the state, most decisions, including quality oversight, regarding community corrections are made by local individuals and oversight entities.

What is Time to Change Community Corrections?

Who operates Time to Change Community Corrections Program? Time to Change Community Corrections Program (TTC) is locally owned and operated by Evan C. Crist, Psy.D. TTC began in Adams County in March 2000. In addition to our location in Commerce City, we continue to operate our original facility at 1450 E. 62nd Ave., Denver, CO 80216. Dr. Crist, formerly an adjunct professor at the University of Denver Forensic Studies program, specializes in mentally ill offenders, substance abuse treatment and training and consultation to correctional facilities and police departments throughout the state of Colorado. Our Vice President, Dino Martinez, specializes in correctional operations and best practices and has worked in community corrections for over 25 years while functioning as Program Director for the past 16 years. Our case managers assist clients in developing and following a community transition plan that includes being drug and alcohol free, full time employment, and treatment to address their specific needs. Our security staff is primarily responsible for providing structure, monitoring clients around the clock, and creating a respectful environment that emphasizes accountability.

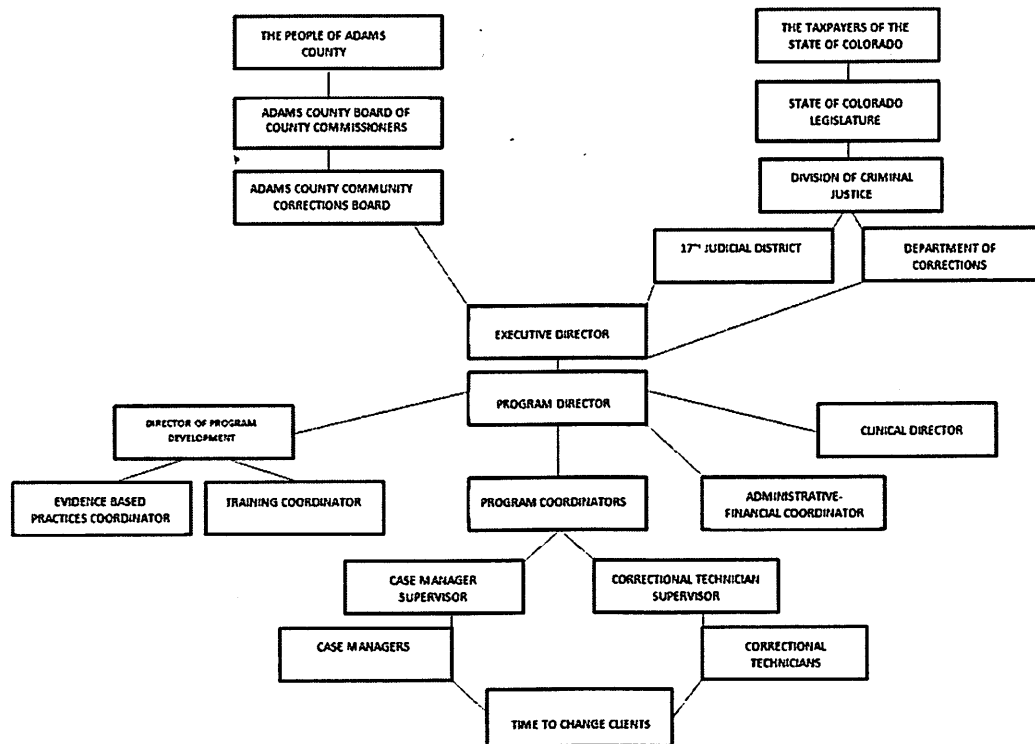
Who oversees Time to Change Community Corrections Program? As with all community corrections programs, Time to Change's program is monitored by a local community corrections board, in our case the Adams County Community Corrections Board

(ACCCB). All members of the ACCCB are appointed by the Adams County Board of County Commissioners and serve as an advisory board to the County Commissioners. The ACCCB includes the following:

- Adams County Sheriff's Office
- 17th Judicial District Attorney's Office
- Colorado Department of Corrections
- Adams County Probation
- Chief Judge of the 17th Judicial District
- Multiple local citizens, including at least "one individual who lives near a facility"

The ACCCB's Screening Committee, the group who reviews referrals and decides who is and is not appropriate for community corrections, includes similar representation. Per our initial zoning requirement, Deputy Chief Lowell Richardson from the Commerce City Police Department is an active member of this review committee. In addition to the ACCCB functions, it is important to note that there is a local probation liaison for diversion clients and a local parole officer for transition clients. Each of these liaisons play a vital role in oversight and program assistance. Time to Change Community Corrections is surrounded by many local experts to ensure that related systems are collaborating and that the internal operations are sound and reliable, resulting a treatment program that enhanced community safety and effectively treats offenders. In fact, there is no other element of the criminal justice system that involves as much local input and oversight as does community corrections.

TIME TO CHANGE



Statement of Operations

1. Hours and days of operation: The facility will have multiple staff on site 365 days a year, 24 hours a day and 7 days a week with no exceptions.
2. Number of employees: The facility currently employs 11 security staff, 5 case managers, and 4 supervisors, for a total of 21 full time employees. There are three shifts: day, swing, and graveyard.
3. Number of required parking spaces: Our previously approved Use by Permit required 1 parking space for every 5 offenders. Knowing that, we included 27 off street parking spaces, enough for a total capacity of 136 offenders.
4. Average daily peak trips generated: As our clients are not permitted to drive, our average daily peak trips include only employees and visitors. Weekdays include approximately 18 trips for staff, 2 for therapists, 2 for cooks and an occasional food delivery. Weekends include fewer staff trips but usually include 20-25 visitor trips per day.

5. Type of equipment or processes used: Kitchen equipment, computers, and security cameras are the only equipment utilized.
6. Description, location, and quantity of hazardous materials (existing and used):
None
7. List of regulatory agencies, contact names, phone numbers and their inspection frequency:

Colorado Department of Public Safety
Division of Criminal Justice
Office of Community Corrections
Director: Glenn Tapia 303-239-4448
Up to annual evaluations depending on performance scores

Adams County Community Corrections Board
Chair: Margaret Summers 303-287-2344
Board Coordinator: Linda Angell 720-523-7203
Annual inspections/evaluations

Colorado Department of Corrections
Division of Adult Parole
Director: Allison Morgan: 303-763-2420
They have a parole officer assigned to our facility and do formal evaluation as needed

Tri-County Health Department
Gilbert Cazier: 303-288-6816
Annual inspections

Is Time to Change Community Corrections consistent with Commerce City's character and goals?

Compliance with the purpose, goals, and objectives of the Comprehensive Plan:

- **Commerce and Economy:** Community corrections has a direct link to economic prosperity and fiscal well-being in multiple ways. A community corrections bed cost approximately half that of a jail or prison bed. More directly, the State of Colorado pays for community corrections beds while the Adams County taxpayers' funds, including Commerce City businesses and citizens, pay for jail beds. With an average daily cost of a county jail bed at approximately \$90 per day, Time to Change has saved local taxpayers approximately \$4.6 million compared to the cost of county jail bed. Many local employers have found our clients to be reliable, hard-working, and affordable employees. By helping to provide an affordable work force in Commerce City,

we are also assisting local businesses in their effort to grow and maintain quality businesses.

- **Context and Environment:** By focusing on sustainability and energy efficiency, particularly as it relates to water usage, during the construction of our facility, Time to Change Community Corrections has developed an operation that is environmentally sensitive. Similarly, since we do not allow our residential clients to drive, we are contributing to the work force of Commerce City without contributing to the pollution and congestion of increased traffic. We also worked collaboratively with our neighbors to encourage RTD to increase routes in the Industrial Park area. This expansion of public transportation encourages others to utilize mass transit rather than drive. By "adopting" and regularly monitoring the cleanliness of the bus stop, we are teaching our clients responsibility while enhancing the neighborhood. Similarly, our bi-monthly neighborhood trash pick up program has helped maintain the character and cleanliness of the Industrial Park. Our clients have also volunteered for a variety of recycling projects, along with our neighbor, Techno Rescue.
- **Community and Social Well-Being:** By providing structure and treatment for offenders who are going to be citizens of Commerce City and the surrounding areas, we have a direct effect on public safety and community welfare. By providing intense monitoring and by helping to coordinate realistic transition plans, we enhance community safety. Our excellent communication with the Commerce City Police Department helps them to be more efficient in doing their job of protecting the public. Our clients have consistently volunteered with Community Enterprise in their efforts to revitalize Derby. Also, by partnering with Rose Hill Elementary School in their effort to emphasize health and wellness with their students, we are helping our clients understand the importance of, not just rehabilitating themselves, but also making a positive contribution to our local community. As an active member of the Commerce City Business Professionals Association we are working in concert with other Commerce City businesses to have a positive impact on Commerce City.

Harmony with the character of the neighborhood: We worked collaboratively with our neighbors to build a facility and a parking lot that does not "look like a correctional facility." Per our neighbors request, we have not installed any signage. Additionally, most of our neighbors conduct light industrial business and they benefit from a reliable, sober, hard working work force. Our clients need jobs that teach them skills and allow them to stabilize their lives. This synergy serves the local businesses and our clients well. As noted above, we have responded quickly to address neighbors' concerns regarding installing fencing, gates, etc.

Compatibility with the surrounding area: While zoned "light industrial," our neighbors take great pride in the aesthetics of their buildings and cleanliness of the surrounding area. Understanding the concern of our neighbors prior to our original Use by Permit,

we went to great lengths to develop a lot that is compatible with the surrounding businesses that was landscaped in a manner that it adds value to, rather than subtracts from, the existing neighborhood character and pride. We have had multiple neighbors state that our renovation "clearly improved the neighborhood" and that our operation has a lesser impact on the neighborhood than did the previous business that occupied the building.

Community need for the proposed use: The current cost for an Adams County Detention Facility bed is approximately \$90 per day, which is paid in part by Commerce City taxpayers. The cost of a community corrections bed is \$45 per day which is paid by the State of Colorado. The Adams County Detention Facility is overcrowded and searching for a variety of alternatives in order to free up space for offenders who require a lock down setting. Additionally the Colorado Department of Corrections recently began an "early release" plan which includes paroling inmates early in order to make room in DOC, both because the space is needed and because the costs of incarceration in DOC are overwhelming the state's current budget. 96% of offenders who are sentenced to DOC eventually return to their communities. Transitioning through residential community corrections has proven to be the plan that is least likely to result in future crime. Ensuring that clients who live in and work in and around Commerce City have the best opportunity to become prosocial citizens is in everyone's best interest.

Effects on adjacent properties: As mentioned above, several neighbors have indicated their appreciation that we have "improved the neighborhood." We have worked closely with our neighbors via our Neighborhood Advisory Board which has assured excellent communication and cooperation. In response to neighbors' concerns regarding our clients' foot traffic on their lots, we have installed three different fences that have eliminated their concerns. Letters of support from our neighbors demonstrate that we have followed through on our promise to include our neighbors in problem solving and to be available at all times to address immediately any concerns that arise.

Effects on public improvements and city services: I am unaware of any negative impact on public improvements and/city services. We have developed a relationship and set of systems with the Commerce City Police Department that assures their working with us is efficient, safe, and effective.

Site characteristics such as size, shape, location, topography, and other natural features: This site is of typical size and topography for the area.

Landscaping and screening that insures harmony with adjacent uses: During our construction, we installed landscaping along the public right-of-way, beautifying the street and addressed neighbors' concerns. Additionally, we have installed multiple fences and gates to ensure harmony with our neighbors.

Noise, dust, vibrations, odor, or other nuisances beyond interior buffer yard line: There are no noise, smoke, odors, fumes, glare, or other off-site impacts.