

COMMERCE CITY BOARD OF ADJUSTMENT

On the 9th day of January, 2007 in Case #A-1638-07, the Commerce City Board of Adjustment granted

Use-by-Permit to operate a community corrections facility

LOCATION: 4901 Krameria Street

LEGAL DESCRIPTION: See Attached Exhibit "A"

APPLICANT: Time to Change, Inc., 1450 East 62nd Avenue, Denver, CO 80216

PROPERTY OWNER: Warren Collier, 4901 Krameria Street, Commerce City, CO 80022

ZONING: I-1S

The Use-by-Permit was granted subject to the following conditions and advisories:

CONDITIONS:

- A. The Use-by-Permit is granted to the applicant only with no right of assignment; however, the applicant may assign the permit to an affiliated entity to be created by the applicant for one time only.
- B. The Use-by-Permit will expire on January 9, 2010. The applicant will be required to apply to the Board of Adjustment should the applicant wish to renew the Use-by-Permit for a community corrections facility.
- C. The number of residential beds shall be limited to 120. Any increase to this number will require a new application to the Board of Adjustment.
- D. The applicant is allowed to operate a single-sex facility only. The applicant may determine whether it shall be an all-male or all-female population.
- E. No person convicted of the following crimes shall be a client, either on a residential or out-patient basis, at the facility:
 - A sexual assault pursuant to C.R.S. 18-1.3-406(II) (E), or if the applicant must register as a sexual offender
 - Any crime against an at-risk adult or at-risk juvenile
 - Murder
 - First degree arson
- F. The applicant shall form a Neighborhood Advisory Board, composed of surrounding business owners and operators, for the purpose of addressing community issues.

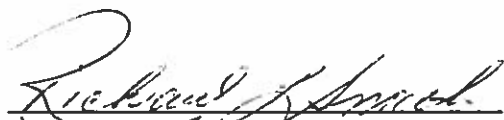
- G. A representative of the Commerce City Police Department shall be permitted representation on the screening board which screens prospective residents of the facility.

Advisories:

1. Any new construction, interior tenant finish work, paving, fences, and/or walls on the site require a building permit.
2. A development plan must be submitted and approved by Planning, Engineering, Building, and the Fire Department prior to approval of any building permit.
3. The applicant is required to meet the standards of the 2003 International Building Code (IBC) and 2003 International Fire Code prior to occupancy.

Failure to comply with any or all of the above conditions shall constitute basis for revocation by the City of Commerce City, after public hearing, of the Use-by-Permit authorized for the above-described property, it being expressly determined by the Board of Adjustment that the Use-by-Permit granted by the City of Commerce City in Case #A-1638-07 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 any 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 any of the conditions set forth in this ordinance, the municipal court may impose any penalty authorized by Section 21-541 of the Commerce City Municipal code. The remedies herein provided for shall be considered cumulative and not mutually exclusive.

By:


Laura Espinoza, Chairperson
Commerce City Board of Adjustment

RECORDED AS RECEIVED

CONDITIONAL USE PERMIT

**CONDITIONAL USE GRANTED
BY THE CITY OF COMMERCE CITY TO
*Time to Change***

CASE #CU-91-10

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WHEREAS, the City Council of the City of Commerce City, Colorado did on *May 3, 2010* grant a Conditional Use pursuant to the Land Development Code of the City of Commerce City in Case #CU-91-10 to *continue to operate Community Corrections facility* for that property described on attached Exhibit "A" (hereinafter referred to as "Conditional Use"), and

WHEREAS, the granting of the Conditional Use by the City of Commerce City for the property described on attached Exhibit "A" is subject to conditions, and

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

NOW THEREFORE, the conditions of the Conditional Use issued by the City of Commerce City to *Time to Change* are as follows:

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 May 3, 2015. 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 any or all of the above conditions shall constitute basis for revocation by the City of Commerce City, after public hearing, of the Conditional Use authorized for the above-described property, it being expressly determined by the City Council that the Conditional Use granted by the City of Commerce City in Case #CU-91-10 is not proper in the

X CITY OF COMMERCE CITY
ATTN: VANESSA TURNBULL
7887 E 60TH AVE
COMMERCE CITY , CO 80022

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 any 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 any of the conditions 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 3rd day of May, 2010.

CITY OF COMMERCE CITY, COLORADO

By:


Paul Natale, Mayor

ATTEST:



Laura J. Bauer, City Clerk



EXHIBIT "A"
#CU-91-10

Legal Description:

SUB:STAPLETON FIELD IND PARK FILING ONE BLK:2 DESC: LOT 6 EXC NWLY 75 FT ALL LOTS 7 AND 8 AND THAT PT LOT 9 DESC AS FOL BEG AT MOST SLY COR SD LOT 7 TH NWLY ALG SWLY LN SD LOT 7 79 FT TO MOST WLY COR LOT 7 TH NELY ALG NWLY LN LOT 7 170/95 FT TO MOST NLY COR LOT 7 TH SELY // WITH SWLY LN LOT 7 TO INTERSEC WITH S LN SD LOT 9 TH W TO MOST ELY COR SD LOT 7 TH SWLY 133/07 FT TO POB

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

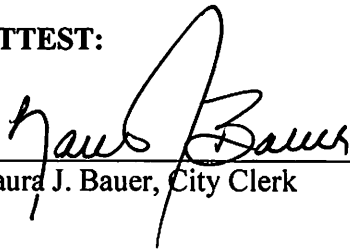
summons and complaint in the Commerce City municipal court for violation of the aforesaid conditions, and in the event a summons and complaint is issued in the Commerce City municipal court, and upon finding a violation of the condition set forth in this Conditional Use Permit, the municipal court may 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 21st day of September, 2015.

CITY OF COMMERCE CITY, COLORADO

By: 
Sean Ford, Mayor

ATTEST:


Laura J. Bauer, City Clerk

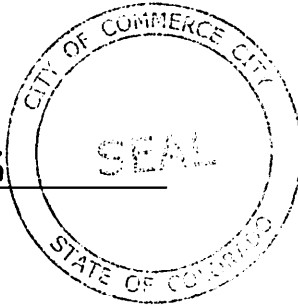


Exhibit "A"
Case # CU-91-10-15

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.