

BRIGHTON CITY COUNCIL RESOLUTION

MOONSHINE BAR (119 N. MAIN STREET)

CONDITIONAL USE

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, APPROVING, WITH CONDITIONS AS SET FORTH HEREIN, A CONDITIONAL USE FOR MOONSHINE BAR, LLC, TO OPERATE A TAVERN AT THE PROPERTY ADDRESSED AS 119 N. MAIN STREET, BRIGHTON, COLORADO.

RESOLUTION NO.: 2017-56

WHEREAS, the Applicant, Michelle Williams of Moonshine Bar, LLC, is requesting approval of a conditional use application for the establishment of a tavern at the existing building, addressed as 119 N. Main Street, as more particularly described in Exhibit A, attached hereto; and

WHEREAS, a notice of the May 16th, 2017 City Council public hearing was posted on the subject property, and a notice of the public hearing was mailed to the owners of all properties located within 300 feet of the subject property, for not less than fifteen (15) days prior to the public hearing, pursuant to the *Land Use and Development Code*; and

WHEREAS, a public notice of the City Council public hearing was published in the *Brighton Standard Blade* on Wednesday, April 26th, 2017, for not less than fifteen (15) days prior to such hearing, pursuant to the City of Brighton's *Land Use and Development Code*; and

WHEREAS, the City Council finds that pursuant to the City of Brighton's *Land Use and Development Code*, a Conditional Use is an additional use of land that may be allowed with restrictions deemed necessary upon approval of the City Council, and that approval thereof is subject to the City's Conditional Use procedures and criteria; and

WHEREAS, the Conditional Use application meets the requirements of the City of Brighton's *Land Use and Development Code*; and

WHEREAS, the Conditional Use application meets the requirements of the City of Brighton's *Comprehensive Plan*; and

WHEREAS, the City Council finds and determines that sufficient justification exists to approve the requested Conditional Use, so long as certain specific conditions are placed on said approval, as more specifically provided herein.

NOW THEREFORE, Be It Resolved by the City of Brighton City Council that a Conditional Use request for the operation of a tavern at the existing building, addressed as 119 N. Main Street, by Moonshine Bar, LLC, is hereby approved with the following conditions:

- 1) Approval of this conditional use application shall not run with the land and is limited to the operation of a tavern by Moonshine Bar, LLC, at the existing building, addressed as 119 N. Main Street, Brighton, Colorado, as more particularly described in Exhibit A, attached hereto (the "Premises").
- 2) Moonshine Bar, LLC, must obtain the proper liquor license from the Brighton Local Liquor Licensing Authority for operation of a tavern on the Premises before sale of alcohol will be permitted on the Premises.
- 3) Operation of the tavern by Moonshine Bar, LLC, shall be in compliance with the City's noise ordinance at all times.
- 4) Moonshine Bar, LLC, shall obtain and keep current all necessary licenses and permits and meet all applicable federal, state, and local laws, regulations, licenses and policies at all times.
- 5) Moonshine Bar, LLC, shall construct (and maintain) a trash enclosure on the Premises before a business license for the tavern will be issued by the City.

RESOLVED, this 16th day of May 2017.

**CITY OF BRIGHTON, COLORADO
CITY COUNCIL**

Richard N. McLean, Mayor

ATTEST:

Natalie Hoel, City Clerk

APPROVED AS TO FORM:

Margaret R. Brubaker, Esq.
City Attorney

Exhibit A
Legal Description
(119 North Main Street, Brighton, Colorado)

North Brighton Subdivision, Block 1, Lot 19 and 1 ft. of Lot 18. Located in Section 6, Township 1 South, Range 66, West of the 6th Principal Meridian.