

**BRIGHTON CITY COUNCIL RESOLUTION**

**BIG CHOICE BREWING  
(21 S. 1ST AVENUE)**

**CONDITIONAL USE**

**RESOLUTION NO.: 2017-41**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, APPROVING, WITH CONDITIONS AS SET FORTH HEREIN, A CONDITIONAL USE FOR BIG CHOICE BREWING, LLC, TO OPERATE A TAVERN AND A ‘NANOBREWERY’ AS AN ACCESSORY USE AT THE PROPERTY ADDRESSED AS 21 S. 1ST AVENUE, BRIGHTON, COLORADO (TO BE KNOWN AS ‘BIG CHOICE BREWING’).**

**WHEREAS**, the Applicant, Nathaniel Miller of Big Choice Brewing, LLC, is requesting approval of a conditional use application for the establishment of a tavern and a ‘nanobrewery’ as an accessory use at the existing building, addressed as 21 S. 1<sup>st</sup> Avenue, as more particularly described in Exhibit A, attached hereto; and

**WHEREAS**, a notice of the April 4<sup>th</sup>, 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, March 15<sup>th</sup>, 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 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 and a ‘nanobrewery’ as an accessory use at the existing building, addressed as 21 S. 1st Avenue, by Big Choice Brewing, 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 and accessory ‘nanobrewery’ by Big Choice Brewing, LLC, in the existing building located at 21 S. 1st Avenue, Brighton, Colorado, as more particularly described in Exhibit A, attached hereto (the “Premises”).
- 2) Big Choice Brewing, LLC, shall obtain the proper liquor license for the operation of a tavern and accessory ‘nanobrewery’ from the Brighton Local Liquor Licensing Authority before any alcohol is sold or manufactured on the premises.
- 3) Big Choice Brewing, LLC, is permitted to operate a “nanobrewery” or a small brewery operation on the premises that produces no more than 3,000 barrels annually as an accessory use to the tavern.
- 4) Big Choice Brewing, LLC, shall obtain all necessary licenses and permits and meet all applicable federal, state, and local laws, regulations, licenses and policies at all times.

***RESOLVED***, this 4<sup>th</sup> day of April, 2017.

**CITY OF BRIGHTON, COLORADO  
CITY COUNCIL**

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Richard N. McLean, Mayor

**ATTEST:**

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Natalie Hoel, City Clerk

**APPROVED AS TO FORM:**

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Margaret R. Brubaker, Esq.  
City Attorney

**Exhibit A**  
**Legal Description**

Brighton Subdivision, Block 5, Lots 5 and 6. Located in Section 7, Township 1 South,  
Range 66, West of the 6<sup>th</sup> Principal Meridian.