

BRIGHTON CITY COUNCIL RESOLUTION

**THISTLE DEW BREWPUB
(227 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 THISTLE DEW BREWING COMPANY, LTD., TO OPERATE A TAVERN AT THE PROPERTY ADDRESSED AS 227 N. MAIN STREET, BRIGHTON, COLORADO.

RESOLUTION NO.: 2017-90

WHEREAS, the Applicant, Kenneth Smolic of Thistle Dew Brewing Company, Ltd., is requesting approval of a conditional use application for the establishment of a tavern at the existing building, addressed as 227 N. Main Street, as more particularly described in Exhibit A, attached hereto; and

WHEREAS, a notice of the August 15th, 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, August 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 227 N. Main Street, by Thistle Dew Brewing Company, Ltd., 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 Thistle Dew Brewing Company, Ltd., at the existing building, addressed as 227 N. Main Street, Brighton, Colorado, as more particularly described in Exhibit A, attached hereto (the “Premises”).
- 2) Thistle Dew Brewing Company, Ltd., must obtain and keep current the proper liquor license from the Brighton Local Liquor Licensing Authority for operation of a tavern on the Premises before sale or consumption of alcohol will be permitted on the Premises.
- 3) Operation of the tavern by Thistle Dew Brewing Company, Ltd., shall be in compliance at all times with all applicable City ordinances, including, without limitation, the City’s noise ordinance and the City’s alcohol beverages ordinance
- 4) Thistle Dew Brewing Company, Ltd., 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.

RESOLVED, this 15th day of August 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
(227 North Main Street, Brighton, Colorado)

BLOCK 1, LOT 2, HUGHES STATION SUBDIVISION AND THAT PART OF TRACT Y, WEST OF COUNTY RD 31 IN SECTION 6 BEGINNING AT SOUTH CORNER WHERE CO RD 31 INTERSECTS THE RIGHT OF WAY OF UNION PACIFIC RAILROAD THEN NORTH 150 FT THEN WEST AT A RIGHT ANGLE 120 FT MORE OR LESS TO THE RIGHT OF WAY OF UNION PACIFIC RAILROAD THEN SOUTHEASTERLY ALONG SAID RIGHT OF WAY TO POINT OF BEGINNING OTHERWISE ADDRESSED AS 227 N. MAIN STREET. BOTH PARCELS LOCATED IN SECTION 6, TOWNSHIP 1 SOUTH, RANGE 66 WEST OF THE PRINCIPAL MERIDIAN, CITY OF BRIGHTON, COUNTY OF ADAMS, STATE OF COLORADO. SAID PARCELS CONTAIN .582 ACRES..