

RESOLUTION NO. 1989

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GOLDEN APPROVING A PUBLIC SIDEWALK SALES AND DISPLAY PERMIT AT 1299 WASHINGTON AVENUE, SUITE 140

WHEREAS, Washington Square Golden, LP, as owner of 1299 Washington Avenue, Suite 140, has applied for a public sidewalk sales and display permit in accordance with the provisions of Chapter 4.90 of the Golden Municipal Code for property located at 1299 Washington Avenue, Suite 140; and

WHEREAS, the Golden City Council has reviewed the application for compliance with the requirements of Section 4.90.050 and 4.90.060 of the Golden Municipal Code.

THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GOLDEN, COLORADO:

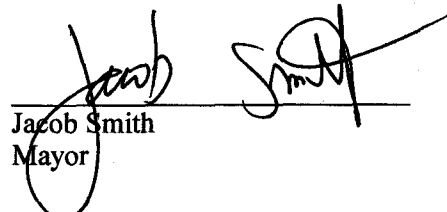
Section 1. City Council authorizes the issuance of an public sidewalk sales and display permit for 1299 Washington Avenue, Suite 140, subject to compliance with overall parking requirements of the City code, subject to approval by the City of Golden Liquor Licensing Authority, subject to physical delineation and enforcement of the seating permit area to prevent interference and blockage of the sidewalk area in the manner depicted by the application materials, and further subject to the insurance and indemnification requirements of Section 4.90.060.

Section 2. City Council authorizes redesign and construction of the increased sidewalk area in a manner conceptually shown in the application subject to approval of final construction plans by the City Engineer, including the elimination of up to four parking spaces, and the replacement of the handicap space on the north side of 13th Street immediately east of Prospectors Alley.

Section 3. City Council's approval is further subject to the following:

- a. Compliance with requirements of the Condominium Declarations for the property as they relate to the retail space and operations.
- b. The land owner and business will enforce no smoking in the outdoor seating area during business hours.
- c. Use of the outdoor seating area will cease at 10:00 PM on Sunday through Thursday, and 11:00 PM on Fridays and Saturdays.
- d. No exterior music or loud speakers will be allowed in the outdoor seating area.
- e. Exterior storefront doors that service the outdoor seating area will remain closed during business hours to minimize noise onto the sidewalk.
- f. The land owner will establish and enforce a maximum allowable decibels from music generated inside the restaurant.
- g. The land owner will require the restaurant tenant to install a suspended ceiling with sound insulation batts to minimize noise transference from the restaurant to the residential units above.

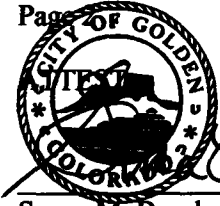
Adopted the 27th day of August, 2009.



Jacob Smith
Mayor

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Susan M. Brooks
Susan M. Brooks, MMC
City Clerk

APPROVED AS TO FORM:

A handwritten signature in black ink, appearing to read "David S. Williamson".

David S. Williamson
City Attorney

I, Susan M. Brooks, City Clerk of the City of Golden, Colorado, do hereby certify that the foregoing is a true copy of a certain Resolution adopted by the City Council of the City of Golden, Colorado at a regular business meeting thereof held on the 27th day of August, A.D., 2009.



ATTEST:

A large, stylized handwritten signature in black ink, appearing to read "Susan M. Brooks".

Susan M. Brooks, City Clerk of the City of
Golden, Colorado