

RESOLUTION NO. 1675

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GOLDEN APPROVING AN AMENDMENT TO A PUBLIC SIDEWALK SALES AND DISPLAY PERMIT AT 1301 WASHINGTON AVENUE, SUITE 120, INCLUDING A POTENTIAL INCREASE IN THE CASH IN LIEU OF PARKING AGREEMENT

WHEREAS, City Council adopted Resolution 1339 on November 14, 2002, authorizing a cash in lieu of on-site parking agreement for a wine bar with up to 75 seats at 1301 Washington Avenue Suite 120; and

WHEREAS, City Council adopted Resolution 1398 in May 2003 approving a public sidewalk sales and display permit for property located at 1301 Washington Avenue, Suite 120; and

WHEREAS, Tedd and Jolynn Johnson, as current business owners of 1301 Washington Avenue, Suite 120 have continued the cash in lieu parking agreement, however with a reduced number of total seats and a pro-rated contribution according to the November 2002 agreement; and

WHEREAS, Tedd and Jolynn Johnson, as current business owners of 1301 Washington Avenue, Suite 120 have proposed an expansion of the outdoor seating area approved under Resolution 1398; and

WHEREAS, the Golden City Council has reviewed the amendment 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 amended public sidewalk sales and display permit for 1301 Washington Avenue, Suite 120, subject to compliance with overall parking requirements of the City code, subject to approval by the City of Golden Liquor Licensing Authority of the modified premises, subject to physical delineation and enforcement of the seating permit area to prevent interference and blockage of the sidewalk area, and further subject to the insurance and indemnification requirements of Section 4.90.060.

Section 2. For purposes of this approval, the business may increase back up to 75 seats by complying with the provisions of the November 2002 agreement. An increase above 75 total seats will require an adjustment to the November 2002 agreement, which amendment the City Manager is authorized to execute in a form acceptable to the City Attorney.


Section 3. City Council authorizes construction of the increased sidewalk seating area in a manner conceptually shown in the application subject to approval of final construction plans by the City Engineer.

Section 4. City Council's approval is further subject to a contribution per eliminated parking space in of \$7,500 prior to the start of construction or execution of an agreement for a three year payment program, as authorized by Section 4.90.060(d).

Section 5. City Council does not authorize a City contribution to the construction cost.

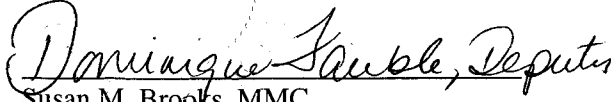
Section 6. This resolution is contingent upon written approval of the owner of the property.

Adopted the 11th day of May, 2006.




Charles J Baroch
Mayor

ATTEST:



Susan M. Brooks, MMC
City Clerk


APPROVED AS TO FORM:



James A. Windholz
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 meeting thereof held on the 11th day of May, A.D., 2006.

(SEAL)

ATTEST: 

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